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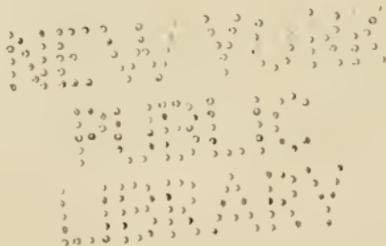
OF

THE LATE WAR:

TRACED FROM THE BEGINNING OF THE CONSTITUTION TO
THE REVOLT OF THE SOUTHERN STATES.

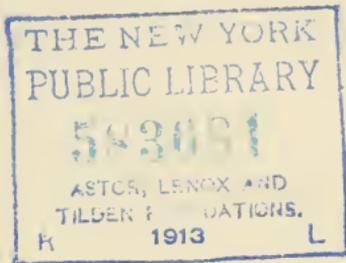
BY

GEORGE LUNT.



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THE OBJECTS OF THE WORK.



IN writing this book, I have endeavored to trace, in a manner which I trust will be intelligible to the general reader, the interior course of the long controversy, sometimes active, and again much subdued, but never absolutely at rest, between the North and the South. It was my purpose to make known whatever the facts of the case should of themselves indicate, without any regard to party interests or prepossessions. As the negro was, at the beginning, more or less conspicuously concerned in the question, and on considerations relating chiefly to the master rather than to the slave, either personally or morally; so he is still left in an uncertain condition, after a war which has destroyed more than half a million of men who were fellow-citizens, and probably twice as many of those who were made the occasion of the contest. This contest also placed the free institutions of the country in a state of peril still furnishing grounds of just apprehension. I have discussed negro-slavery in its own special relations, and the future which apparently awaits the negro race itself in this country, without consciousness of any prej-

udice, and only so far as those points were inevitably connected with the order of the narrative. If it should appear that the antislavery agitation, leading to such terrible public and private evils, was actually factitious in its origin and character, so far as its positively efficient agents have pursued it, and was, in reality, the fruit of a struggle for political power, instead of a moral or philanthropical demonstration, a very grave question is thus presented for the consideration of the American people. For, whatever contentment they might feel at the result, in one view of the subject, they may not be so well satisfied with the demoralization of their civil fabric, in subserviency to merely factious motives and partisan ends. If it should seem, indeed, to be a logical conclusion that the doctrine of negro equality and negro suffrage should follow, even upon the present deplorable condition of the colored population—the question may thence arise, whether the premises themselves were well laid down which could lead to consequences so much out of the order of nature and practice. Certainly, whether the past can be repaired or not, the future ought to be taken care of, for the common welfare, by an intelligent people, conscious of their own dignity and responsibilities. Nor ought they to allow politicians, for personal or party purposes, to make extreme theories the means of future and unknown ills, upon an insincere hypothesis, which cannot endure the light of either philosophy or experience.

In thus presenting a sketch of the progress of those causes which led to the Southern revolt, it will be seen that slavery, though made an occasion, was not, in reality, the cause of the war. Antislavery was of no serious consequence, and had no positive influence, until politicians, at a late period, seized

upon it as an instrument of agitation; and they could not have done so to any mischievous effect, except for an alleged diversity of interests between the sections, involving the question of political power. Wise and patriotic citizens for a long time kept those interests at the proper balance, or the passions which were thus stimulated under just control. As those great men passed away, self-seeking and ambitious demagogues, the pest of republics, disturbed the equilibrium, and were able, at length, to plunge the country into that worst of all public calamities, civil war. The question of morals had as little as possible to do with the result. Philanthropy might have sighed, and fanaticism have howled for centuries in vain, but for the hope of office and the desire of public plunder, on the part of men who were neither philanthropists nor fanatics.

It is the misfortune of Republican institutions that many who have paid little attention to matters of state policy, and some scarcely competent to understand it, must pass judgment upon men of superior ability and high attainments, who have made such topics the study of their lives. Hence, it has happened, in this turmoil of parties, that the latter have been too frequently set aside for inferior persons, and their better considered opinions disregarded, in favor of those of transient Congressmen, often incapable by nature, and sometimes disqualified for calm judgment by personal habits, and of Governors of States, who ought to have remained among the governed.

The policy pursued might well be considered matchless in a certain direction, if, in opposition to those rights of the South, in which the interests of the North were equally concerned, and in repugnance to by far the most prevalent

wishes of the North itself, and without regard to official engagements, repeatedly made, of the representative and executive departments of the Government, the country was led along into an unnecessary and unnatural war. Especially would this be the case, if, besides other consequences, the country has thus not only lessened materially, but substantially cut off, for a time at least, its chief source of permanent prosperity; and that which made it unrivalled in this respect, and by which it was becoming more and more supereminent among the nations of the earth. And the singularity of this course of action would more strikingly appear, if, in doing this, the policy had wrought an irreparable injury, if not the absolute ruin of the unhappy race which it professed thus to serve; in a word, if it has so crippled itself and made the object of its professed sympathies its victim, for a party end, and in derogation of every interest on every side, and of every dictate of reason and lesson of experience.

Another object of this work has been to place in its true light the intelligent and patriotic conduct of conservative men of both the great parties, which took a leading part in the affairs of the country, until incidental causes deprived them of their due influence. The supposition that Northern gentlemen, who had no connection whatever with slavery, as an institution, no personal relations with it, as a matter of domestic economy, or of individual interest; who were actuated in all the ordinary affairs of life by principles of justice and by sentiments of honor, humanity, and generosity, maintained their public positions simply in order to uphold slavery for its own sake—is on the face of it too preposterous for the belief of any rational and candid mind. Their

motive in reality was not merely to render justice to the South, but to see to the common safety of the whole body politic, as involved in maintaining the Constitution, which, if broken in an essential part, was no longer a safeguard in any of its provisions; in observing fidelity, in respecting law, and in upholding freedom, civil and religious, according to the spirit of the Great Charter intended to perpetuate both.

It will be observed that much prominence has been allowed to the State of Massachusetts, in the progress of the discussion. The fact is, that the course of national politics, in one of the principal Northern States, affords a sort of clew to its operation in them all. It would have been equally impossible, with any regard to space, and useless, also, to give any thing like a detailed account of local politics in the several States. In addition, it may be remarked that Massachusetts presents, perhaps, the most striking example among them all; since no State has been more conspicuous in pressing the claims of State rights from the earliest period. Whoever may read the history of Massachusetts, since the formation of the Union, as well as before that event, will scarcely fail to be convinced that no State has been at times more exclusive and sectional. Large numbers of its people have looked upon themselves rather as men of Massachusetts than as American citizens; and their boast has been of their State quite as much as of their country. It is easy to see how, from any excessive indulgence of this sentiment (and certainly there has been much in the annals of Massachusetts to foster peculiar pride), consequences might flow tending seriously to the prejudice of the general welfare.

In order to show the relations of the present situation of

affairs to the fundamental principles of the republic, it seemed necessary to devote considerable space to preliminary details. The preparation of this part of the work, especially, required much more research and labor than I had anticipated; rendered oftentimes embarrassing by the absence of dates in not a few of the many authorities consulted, particularly in pamphlets. This defect I have endeavored to supply, and trust I have been able to bring within reasonable compass a great variety of facts otherwise to be sought for in many different sources. The work was not contemplated until after the close of the war, when the occasion seemed to present itself for a review of the national condition. The claim for this service demanded also its speedy accomplishment. So brief a period, therefore, has been allotted to the work, that, though I believe it will not be found liable to the charge of inaccuracy, yet I can only hope that I have performed a task which it seemed to me the duty of some one to undertake, in a manner which may, perhaps, serve in a degree to lighten the pains of the future historian.

GEORGE LUNT.

BOSTON, *December 7th*, 1865.

ORIGIN OF THE LATE WAR.

CHAPTER I.

Statement of the Question.—General Sentiment of the Country, in regard to Slavery, before the War.—Condition of the Negroes in the North and in the South.—The Slaves of Jonathan Edwards.—The Declaration of Independence, and Mr. Jefferson's Comment.—A Provision of the Constitution, and Votes of Northern Members of the Convention.—Alexander Hamilton in "The Federalist" upon the Mixed Character of Slaves.—Washington, in regard to a Fugitive Slave.—The Ordinance of 1787.—The Resolution of Congress in 1790.—Views of Southern Members at that Time.—Article X. of the Constitution.—Memorials to Congress for Abolition in the District of Columbia.—J. Q. Adams on the Subject.—Virginia and other States early for Emancipation by Gradual Process, but set back by Abolition Movements in the North.

It has often been remarked that slavery was merely the occasion, not the cause, of the late civil war. This is true in the sense that slavery was but the incident, out of which grew questions of State rights, and the rights of Territories seeking to become States, in their various relations and modifications. If it can be shown, however, that the war could not have taken place except for the passions excited by opposition to negro slavery in the country, and in its defence, the proposition in question amounts to a distinction without a difference. Slavery, in the popular sense, was the cause, just as property is the cause of robbery.¹ Right-

¹ In a stricter sense the Constitution, which provides for representation and taxation, partly based on slave labor, and for the restoration of fugitive slaves, was the cause. Without those provisions, there could have been no civil war on this account. The point is stated by the Apostle: "*For sin, taking occasion by the commandment, deceived me, and by it slew me. . . . What shall we say, then? Is the law sin? God forbid.*" Rom. vii., 7, 11.

fully or wrongfully in the country at first, it was here under the protection of the law, and not subject to be taken away by violence, or by any insidious device of abstraction. The motive for the allegation springs from a desire to throw the blame for the tremendous conflict upon one section alone, and to excuse the other. The object is, to make it appear that the country would have remained at peace, had it not been for the ambitious instigators of rebellion at the South. Upon this ground, although the Southern chiefs are made directly responsible for whatever mischief has befallen their domestic institution, the North deprives itself, at the same time, of the benefit of any argument derived from moral obligation in respect to slavery. It thus seems that the latter would have consented to allow slavery to remain undisturbed in the South, but for the agitation of the question in that part of the country where it existed. According to this theory, therefore, those whose manifest interest and supposed personal security depended upon keeping the matter quiet, voluntarily and causelessly made it a subject of dispute, which gathered additional vehemence until it terminated in open war. Reason, it is certain, does not always control the action of men, either in their public or private relations; but it must be admitted that conduct like that imputed to the South is without example in the history of nations.

Beyond question, popular information on this whole subject is indistinct and incomplete, both in the United States and in Europe. Its important bearings upon the future may render an effort to afford the public mind some light in regard to it both justifiable and valuable. Ordinarily, it is thought, the story of recent events cannot be written with entire regard to impartiality, nor a just estimate be formed of their results by contemporary judgments. On the other hand, not a little of the uncertainty of history is due to the want of contemporary narration. Much of the present volume, however, will relate to a period some time past, and we have not yet reached absolute results. These, whether for good or ill, will depend very much upon the deductions

we make from the character of events already transacted; and to be of any real service, now is the time for the history of those events to be written.

It was the sentiment of a large majority at the North, before the war began, that slavery, in itself considered, was neither right nor wrong. It was a question of policy and of law, not of morals. Probably, most would neither have desired to hold, nor to see any human being held in bondage, if freedom were consistent with his welfare. As it respected the negroes in this country, the whole question at the North turned upon that point; but practically, it was one with which the people of the free States conceived they had nothing whatever to do. In parts of the country not peculiarly fitted for the beneficial use of negroes in that relation, their gradual liberation and removal to their native land was thought desirable. In other sections, better adapted to the laborious employment of black men than of white, and from which the North and the South alike derived advantage, it was held that the well-being of the colored race, equally with the common good, required the subjection of that race and its enforced labor. In no case, except where their numbers were so comparatively insignificant as to make it a matter of no real consequence, was it thought advisable that negroes should be admitted to any of the civil privileges of the white man. A different policy would seem useless, if not mischievous, to them as well as to their superiors, and degrading to the latter without being of any moral advantage to the former. The instance cannot be shown in the country of equal social station accorded to the blacks with the whites. It is a condition against which Nature itself rebels, and, being the strongest, conquers. In those States which have manifested the most earnest enthusiasm for liberating the slaves of their fellow-citizens, no disposition has been heretofore shown to place the black man upon any terms of actual equality with the white.

This anomaly is especially marked in Massachusetts, at last the most forward of all the States in promoting the

cause of anti-slavery, although equality of civil and social rights logically follows from the acquisition of freedom. Yet, notwithstanding the absence of any statute forbidding it, no negro in that State has been a member of its Legislature,¹ has served upon the jury, or in the militia, or has been appointed to any office beyond one of a menial grade. Hence, his social relations may be readily inferred. To prohibit a whole race from the ordinary privileges of freedom, in a free country, is not to make them really free. In what is the condition of a pariah better than that of a slave? To talk of the boon of liberty to a captive, freed from his shackles but turned out into a desert to perish, is a profanation of a sacred name. Yet such is and must be the practical operation of freedom to the negro in this country. In this contingency, he is brought into direct collision with the interests, the sentiments, and the instincts of the more numerous and more powerful race, to which he was not at all exposed in his dependent condition. In the North, his kind has constantly dwindled, and, but for occasional accessions by immigration, would soon disappear like the original inhabitants of the soil. In the South, where the race has multiplied to such an extraordinary degree, while in the condition of slavery, the freedom conferred by the advance of our armies has brought them only misery and death. The same natural law which has prevailed at the North will exert similar force at the South, should a system of competition between the white man and the black take effect. The weaker will fade away before the stronger species.

It is difficult to understand what consolation any honest and intelligent philanthropy can find in such a melancholy reflection. Doubtless, there are those who will consider that a system of slavery, which in this country, after all, was, in general, a condition of mutual dependence between master and servant, borne with cheerfulness by the inferior, and exhibiting that surest sign of comfort, the vast increase of the

¹ A negro was elected to a Town Committee in a place near Cape Cod within a few years

species, is poorly compensated by a scheme of cold and speculative humanity, which can only end in the final destruction of a whole subordinate people.

Indeed, philosophy would seem to teach us that, since the state of human affairs at best is by no means perfect, and since questions of political and social import are, and always have been, points of dispute, so serious a matter as the sudden and enforced reorganization of a race could hardly be warrantable, except upon the clearest and most unquestionable grounds of equitable claim. A mere experiment to this end could be hardly justified; especially if all former experience in a similar direction tends to discountenance it. To impose upon an inferior and degraded race a new series of rights and attendant obligations, for the proper exercise of which it may be doubted if a steady course of training renders those long in the enjoyment of education and freedom any too well qualified, might look on the face of the project likely to prove only prejudicial to both parties. The right to institute such a change ought to result, at least, from the distinct complaint and demand of those chiefly interested. It need scarcely be said that here was nothing of the sort. The negroes were perfectly contented with their lot. In general, they were not only happy in their condition, but proud of it. Their hardships were such as are inherent in the state of those who labor at the will of others for their daily bread. On the other hand, they were nursed in sickness, and cared for in old age. If any individual among them displayed superior abilities or qualities, he could easily obtain his freedom if he desired it. There were many free negroes in each of the slave States, and not a few who were prosperous in business, had acquired no inconsiderable possessions, and held persons of their own race as slaves. To the whole South, at least, the tender mercies which would disturb this state of things seemed cruel; but their people chiefly resented any such interference, because it was unjust to them, as being in violation of the laws of the land.

The anti-slavery movement at the North was based upon

a denial of the obligation of those laws. It was alleged by the advocates of the movement, that man could not rightfully hold property in man. Hence, they aimed from the first at the abrogation of the Constitution; or, in the alternative of failure in that object, at the dissolution of the Union. There was no concealment of either of those purposes. The right which they denied was one of very ancient standing in practice. It never seems to have occurred to them, or, if it did, they soon learned to disregard the obligation, that this right is expressly recognized in the Moral Law. The injunction: "Thou shalt not covet thy neighbor's man-servant, nor his maid-servant," can no more cease to be binding, so long as that relation exists under the law of the land, than either of the other commandments of the Decalogue. A civil community may lawfully authorize a condition of bondage for a portion of its population which is unsuited for the exercise of civil rights, if the apparent well-being of the whole requires it. Under ordinary circumstances, and in a state of advanced civilization, it is obvious that the public welfare demands no such condition to be maintained. Wherever such a system of bondage exists, however, although no citizen is under any obligation to hold either man-servant or maid-servant, according to the unquestionable Scriptural sense of those terms; yet so long as one jot or one tittle of the Moral Law remains to be fulfilled, his neighbor cannot interfere with his legal rights without sin. And he who destroys his neighbor's property, or deprives him of it in any unlawful manner, though not appropriated to his own use, nevertheless *covets* it. He who burns another's dwelling, without intending theft, is equally guilty of arson with him who sets it on fire for the express purpose of plunder.

The Abolitionists, indeed, declared that human slavery, so far as it had received Scriptural sanction, had only been permitted to former ages, for inscrutable reasons, just as polygamy was then allowed. The Republican Convention, which nominated candidates for the support of its party in 1856, denounced slavery and polygamy together, as "twin

relics of barbarism." Omitting all inquiry into the fundamental distinction between a social institution, which may have been beneficial and even unavoidable in certain stages of society, and a practice of merely individual import, it may be remarked that polygamy can make no claim to divine warrant. On the contrary, the original sanction to the marriage of our first parents was: "And they *twain* shall be one flesh." That same series of holy commandments, also, which forbids us to covet any thing that is our neighbor's, restricts our relation to the opposite sex within the singular number, namely: "Thou shalt not covet thy neighbor's *wife*." No distinction could be broader, therefore, than that drawn by Scripture between the condition of bondage which it allows, and under fitting circumstances protects, by the solemn injunction of the Divine Law, and a practice which it explicitly prohibited, from the period of the very origin of our species.

Until the American Revolution of 1775, the attention of the world had scarcely been drawn to slavery or the slave trade. The reduction of Christians to a state of servile and cruel bondage by the Barbary powers was suffered to continue until more than thirty years after the war of the Revolution was ended. The traffic in negroes was profitable to European and American traders, and conscience slept. Slavery, in fact, had been an indiscriminate custom of the world, wherever convenient and remunerative, for nearly six thousand years. At a very early date, measures had been taken in certain of the Southern provinces of America, of which South Carolina, in 1760, was conspicuous, to prevent the introduction of negro slaves into those colonies. But their remonstrances were unheeded by the mother country. At the period of the war of the Revolution, slavery existed, nominally, in every one of the American colonies. So lately as 1759, the legal representatives of no less eminent a divine and moral philosopher than Jonathan Edwards, of Connecticut, transferred the title to two negroes, denominated "the

proper goods of said Jonathan Edwards," for a valuable consideration, by a bill of sale.¹

At the settlement of the Constitution, however, slavery in most of the Northern States was the merest name. The colored population within their jurisdiction was inconsiderable, and the race was practically a burden rather than a help. Here and there relics of them remained upon the farms of the masters in whose service they were born. In towns where they were found in any numbers, their settlements had been pushed to the outskirts of the territory. The competition of white labor had driven them to take up with casual and hand-to-mouth occupations, generally of the very humblest character. They were waiters on convivial

¹ The following is the deed of conveyance of two negroes once owned by the great New England theologian :

"Know all men by these presents that we, Timothy Dwight, Jr., of Northampton, and Timothy Edwards, of Stockbridge, both of the county of Hampshire, and the province of Massachusetts Bay, in New England, executors of the late will and testament of Sarah Edwards, late of Stockbridge, in the county aforesaid, deceased, who was executrix of the will and testament of Rev. Jonathan Edwards, late of Stockbridge aforesaid, deceased, for and in consideration of the sum of twenty-three pounds lawful money to us in hand paid by John Owen, of Simsbury, in the county of Hartford, and colony of Connecticut, in New England, the receipt whereof we hereby acknowledge, have sold, conveyed, and in open market delivered two negro slaves, viz. : the one a negro man named Joseph, the other a negro woman named Su, and is wife to the said Jo, which slaves were lately the proper goods of said Jonathan Edwards, deceased, and were by him bought of one Hezekiah Griswold, of Windsor ; and we, the said Timothy Dwight, Jr., and Timothy Edwards, do covenant to and with the said John Owen, his heirs and assigns, that we have good right in ourselves to sell and convey the said negroes, Jo and Su, to him as above, and that he shall and may hold them as his own proper goods from and after the date hereof.

"In witness whereof we have hereunto set our hands and seals this 4th day of August, in the 33d year of his Majesty's reign, Anno Dom. 1759.

"T. DWIGHT, JR. [L. s.]

"TIMO. EDWARDS. [L. s.]

"Signed, sealed, and delivered in the presence of us.

"EBENEZER HUNT.

"SETH POMEROY."

occasions, boot-blacks, sellers of cakes and ale, on a small scale; often wandering fiddlers, though sometimes, certainly, they followed more steady callings. They were, in some sense, the gypsies of the New World. They were, in fact, what they must ever be by the side of the white race, and when not engaged as a body in some regular occupation to which they are especially suited, the outcasts of society. Yet they were tolerated without prejudice, and, in general, both pitied and petted by their superiors. For example, until the question between the white man and the negro assumed bearings of novel importance, at a much later date, the children of the latter attended the ordinary public schools, without thought of objection on the part of any one. Afterwards it became a point of serious difference. Indeed, a bright negro lad was then always a special favorite among his white school-mates. The relative condition of both was considered so settled that there could be no question on the subject; and there was little room for prejudice, until assumptions were made for the one from which the nature and reason of the other revolted.

Such was the domestic experience of the North in regard to an inferior race, which had avowedly been brought into the country from their own barbarous home, for the sake of the use to which they could be put by their superiors. It was certainly never imagined by the latter, at the period just referred to, that the time could ever come, when their descendants would contemplate the project of instituting a civil equality between the separate races, at the expense of all reason and experience, and in opposition to the plainly-written ordinances of Nature itself. Yet such is, or ought to be, the aim and the result of abolition.

The plan now proposed in certain influential quarters is, to confer the right of suffrage upon liberated negroes, lately slaves. Suffrage is the symbol and the instrument of self-government in a commonwealth. Self-government presupposes the most perfect possible exercise of the intellectual and moral powers. The possibility of such intelligent and

conscientious action must depend upon capacity, knowledge, and association; that is, the inspiration of the past, the present, and the future. If the distinction of color were the only one between the white man and the black, some of the objections in the way of this notable project might be got over. But the color, resulting from positive constitutional differences, is only the sign of those distinctions which are themselves radical and immutable. Indicated also by form, features, and manners, they consist of that diversity of aptitudes, habits, and capacities, which have placed the white man at the top of the scale of human existence, and the black man at the bottom. The one has impressed the image of his being upon the ages. He has a history constituting the fortunes of the world. The other, except in connection with his brethren of Caucasian origin, has none whatever. That the inferior being, in his low estate, is susceptible of improvement, is indisputable; and every thing about him which may serve to that end ought to be fostered. But, to take this man and brother by the hand, in order to lift him to a level which he is not by his proper vigor qualified to reach or to hold, can but prove a mere violent conflict with insuperable obstacles, in which the contestants must suffer much harm, and the object of their solicitude perish, without the chance of gaining any useful end.

The relation between master and slave had practically continued in every one of the American provinces, until the close of the Revolution in 1783. Immediately after that event, it was decided by the Supreme Court of Massachusetts that slavery had been, in fact, abolished in that State by the operation of its State Constitution, adopted in the year 1780. In all of the other original thirteen provinces north of Mason and Dixon's line, except Delaware (namely, New Hampshire, Connecticut, New Jersey, Pennsylvania, Rhode Island, and New York), legislative measures were taken, shortly after the Revolution, for either the immediate or gradual extinction of slavery. To these was added Vermont, upon its admission to the Union in 1791. The sum total of the slaves in

all these Northern States in 1790, was 49,240. Of these only 3,886 were to be found in New England, then consisting of New Hampshire, Massachusetts, Connecticut, and Rhode Island; but inclusive of the territory of Maine and Vermont, before the admission of those States to the Union. The rest of the slaves in the States, amounting to 648,657, were distributed between Virginia, Maryland, North Carolina, South Carolina, and Georgia, except 8,887 in Delaware. It is manifest, therefore, where the direct interest in preserving slavery would be most felt at that period. It is well worthy of note here, however, that notwithstanding the emancipation measures of the Northern legislative bodies, as it respected the States they then represented, no objection appears to have been taken, on the score of slavery, to the Constitution of the United States, when proposed to the Conventions of their several States. While on the one hand it is clear that the subject itself was fully on their minds, attested by their correspondent action, so far as they saw fit to deal with the matter, it is equally evident that they did not deem themselves authorized to meddle with it outside of their several State jurisdictions.

Mr. Jefferson, indeed, gave a reason for this reticence, imputing it to the indirect interest of the Northern maritime States, in the transportation of African slaves to the Southern States. In his original draft of the Declaration of Independence he had inserted an article unqualifiedly reprobating the foreign slave trade, and urging the protection afforded to it by the King as one powerful motive in justification of the rebellion. He finally withdrew this clause from the document, and his reason, recorded by himself, appears in explanation of his conduct. After alluding to the disposition of some of the Southern States to keep up the slave trade, he continues:

“Our Northern Brethren, also, I believe, felt a little tender under those censures, for though their people have very few slaves themselves, yet they had been pretty considerable carriers of them to others.”¹

¹ Jefferson's Works, I., p. 15.

The article of the Constitution which provides for the restoration of fugitive servants to their masters could hardly have been considered a concession to any particular section, since slaves were then held in every State of the Union except Massachusetts, though insignificant in numbers at the North compared with those at the South. The rights of the smaller body of owners in one part of the country were as clear as those of the more numerous class in the other. The actual question at that time was not in regard to the continuance of slavery, but how to make the apportionment of direct taxes and representation between the Northern and the Southern States. The solution of the difficulty was reached by compromise. It was agreed to consider the slaves as both persons and property, and that three-fifths of their number should be added to the enumeration of free persons in the apportionment. There was no other way of determining this point. By reckoning the slaves as mere property, the South would have lost largely in representation; by considering them persons only, the burden of taxation would have fallen unequally upon the North. There can be no doubt that the permission for the slave trade to continue twenty years longer entered into the final agreement as an important consideration.¹ To show how this question was regarded in the several sections, it is only necessary to cite the vote upon its determination by the Convention of 1787. The history of this matter is curious. The provision on this point, as finally inserted in the Constitution, is as follows:

“The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress, prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.”—Art. I, sec. 9.”

This provision was duly ratified, with the other clauses of the Constitution, by all the States in turn. It was not

¹ See remarks of Hamilton (Elliott's Debates) on the compromise between Northern navigation and the Fugitive Slave law.

that, however, which was originally proposed to the Convention by the committee appointed to draft that instrument. This committee consisted of Messrs. Rutledge of South Carolina, Randolph of Virginia, Gorham of Massachusetts, Ellsworth of Connecticut, and Wilson of Pennsylvania. It will be observed that, of this committee of five, three members were from the Northern States. The following is the proposition submitted by them upon this point :

“No tax or duty shall be laid by the Legislature [meaning Congress] on articles exported from any State ; nor on the migration or importation of such persons as the several States shall think proper to admit ; nor shall such migration or importation be prohibited ”

This clause was subsequently referred to a special committee, consisting of one member from each State represented in the Convention. Mr. Livingston, of New Jersey, reported from this committee the following proposition, by way of substitute for the clause recommended by the committee of five :

“The migration or importation of such persons as the several States now existing shall think proper to admit, shall not be prohibited by the Legislature [meaning Congress] prior to the year 1800 ; but a tax or duty may be imposed on such migration or importation at a rate not exceeding the average of the duties laid on imports.”

When this report came up for consideration, a motion was made to substitute the year “1808” for the year “1800.” This amendment passed in the affirmative by the following vote, which deserves consideration :

YEAS—New Hampshire, Massachusetts, Connecticut, Maryland, North Carolina, South Carolina, Georgia—7.

NAYS—New Jersey, Pennsylvania, Virginia, Delaware—4.

The three New England States which were represented in the Convention, therefore, voted for the extension of the slave trade to the longest proposed period. Rhode Island, the other New England State, was at that time largely engaged in the traffic, and hence what would have been the action of its delegates, had any been present from that State,

may be inferred.¹ The proceedings of the Convention upon this clause are also interesting, as a manifestation of scruples about a word, by men who permitted and sanctioned the thing clearly signified by that word. The question had been before the Convention in the following shape :

“The importation of *slaves* into such of the States as shall permit the same shall not be prohibited by the Legislature of the United States until the year 1808.”

This measure was lost in the vote taken upon it, which stood thus :

YEAS—Connecticut, Virginia, Georgia—3.

NAYS—New Hampshire, Massachusetts, Pennsylvania, Delaware, North Carolina, South Carolina—6.

The delegation of Maryland was divided. From this statement it will be seen that, while the Connecticut members thought it as well to have the name with the thing, and those of Virginia, who had stood out against the extension of the traffic, had no objection to calling things by their right names, South Carolina exhibited scruples upon this point. The matter was finally adjusted by agreeing to the circumlocutory language retained in the standing clause of the Constitution, in lieu of using the word “*slaves* ;” and the measure passed in the affirmative by the votes given below, the New England States assenting, and Virginia returning to its first position, namely :

YEAS—New Hampshire, Massachusetts, Connecticut, Maryland, North Carolina, South Carolina, Georgia—7.

NAYS—New Jersey, Pennsylvania, Delaware, Virginia—4.

In fact, it must have appeared clear to the minds of those sagacious gentlemen, that the rhetoric, if not the argument, of the Declaration of Independence would remain a standing protest against the word *slaves*, as applied to the subject

¹ Rhode Island adopted the Constitution May 29, 1790, nearly two years after the ratification of the Constitution by the number of States prescribed as requisite to the formation of the new Union.

race, if introduced into the body of the Constitution. Under a multitude of circumstances, permitting the use of more passionate phraseology than could be employed in an instrument so solemn as that manifesto, they and their associates had been in the habit, during the struggle for independence, of denominating the contest a mighty effort to free themselves and their compatriots from the burden of slavery. As a jubilant, poetical utterance of a period, when the sentiments and feelings of the revolutionary struggle were fresh in the popular heart, expressed it—

“ The British yoke, the Gallic chain,
Were urged upon our necks in vain ;
All haughty tyrants we disdain,
And shout, ‘ Long live America ! ’ ”

But the whole contemporaneous and subsequent action of our ancestors shows conclusively, that the negro race was never even thought of as coming within the somewhat broad compass of the elementary principle of the Declaration, namely, “ that all men are created equal ; that they are endowed by their Creator with certain unalienable rights ; that among these are life, liberty, and the pursuit of happiness.” That Declaration was promulgated on the fourth day of July, 1776. But it was based in essential respects upon the “ Declaration of rights made by the Representatives of the good people of Virginia,” unanimously adopted in Convention, June 12, 1776, more than three weeks earlier. Of the latter instrument the first article reads :

“ That all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot by any compact deprive or divest their posterity ; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.”

But at the very time that Bill of Rights was unanimously adopted by the Convention of Virginia, the number of slaves held under the jurisdiction of Virginia amounted to not far from two hundred and fifty thousand.¹ The inference, there-

¹ Slaves held in Virginia in 1790 293,427.

fore, is inevitable, that negroes were not contemplated at all in the several declarations. But objection might well occur, under the circumstances, to the insertion of the term *slave* into the phraseology of the Constitution about to be submitted to the consideration of the several States; as well those in which the slaves were few, and where the institution was evidently dying out, as those in which the negro population was rapidly multiplying and slave labor was becoming more and more profitable. Undoubtedly, many persons of that day apprehended a certain political inconsistency between the sentiments of liberty, vindicated by the freedom from foreign domination just achieved by the young republic about to be created, and a system of bondage maintained for any portion of its inhabitants. It is well known, also, that there were those who entertained vague ideas of the eventual abrogation of the system. These ideas took no practical turn, however, except as some benevolent master occasionally liberated his slaves by his final testament—always, in such case, making some suitable provision for their support when aged or helpless, and for their start in life when more able to secure their own maintenance. But, there was the *fact* of the existence of the slaves themselves in large numbers, dependent and needing oversight, as well as bound to perform the labor required; and, as time went by, the thought of liberating so vast a body as they had become, which seemed scarcely less than an abandonment of them to want and misery and crime, passed also away, except as economical considerations began, at length, to have their influence in certain of the border slave States.

In this connection the remark may be permitted, that the language of the Virginian Bill of Rights is much more philosophical, and in accordance with fact, than the correspondent phraseology of the Declaration of Independence. That all men in a state of nature, could such a state exist for a moment where even not more than two persons live side by side, are equally entitled to the personal rights defined by the Virginian Declaration, is indisputable. But the freest commonwealth

neither is nor can be a state of nature. Under the most favorable circumstances it can only be alleged in the vaguest and most inconsequential sense that "all men are created equal." At their entrance into the world, all human beings are so far on a level, that they are uniformly incapable of exercising or enjoying any right for which they are not entirely dependent on the will of others. Upon quitting the world, the proudest king is stripped to the indiscriminate nakedness of the meanest beggar. Between the two conditions, society in its best estate can recognize no fixed law able to do more than to regulate, in some convenient and useful manner and measure, the infinite diversities and inequalities of human life—its chances and changes, its capacities and dispositions. And superior to all the decrees and ordinances of man, will forever stand the immutable laws of Nature, which he must implicitly obey, or suffer and make others suffer with him the consequences of resistance.

It is also to be remarked, that, at the period of the Revolution, there was a generally more tender sentiment in regard to slavery and its subjects at the South, than at the North. Leading persons in the slave States, in Virginia especially, among whom were Washington, Jefferson, and Madison, expressed earnest hopes for the abrogation of the slave system, on both humane and political considerations. They saw that it had its evils, and they desired to remove all evils from the face of the country and the earth. Without proposing any specific remedy for this particular phase of mortal ill, those great men still hoped that a time would come, when white labor could be usefully substituted for that of the blacks, and the country could be relieved from an ostensible inconsistency between the principles of its institutions and its practice, though one for which it was itself in no wise responsible. But while in the North the negro was in a condition of unqualified degradation, whether he was nominally bond or free, his general state in the South was bettered by many alleviating circumstances. In the one case he had no relation whatever with the white population, except as a

mere drudge, for often precarious hire. In the other, he and his progenitors had been the dependants of some one family, oftentimes for several generations. Local associations, a congenial climate, and the bonds of interest and attachment, exerted at the South a prevailing influence over the mass of the colored population. Doubtless, there were exceptional cases of hardship, ill-usage, and sometimes of extreme cruelty. It is certain that the majority of mankind are by no means qualified to exercise any great responsibility of control over others, even when that control is limited and restrained by law, as this soon came to be, by all reasonable requirements, in every Southern State. Even the instances of uniformly moderate and well-disposed monarchs have not been too common or praiseworthy upon the earth.

But without instituting any comparison between the several sections, as to the operation in each of the common attributes of humanity, and the motives of ordinary self-interest which affect the actions of men more or less everywhere, the astonishing increase of the black population in the South, and the other familiar and favorable evidences of their condition, in a state of servitude, afford the surest reply to every allegation of general ill-treatment.¹ And if the superior race, under all the advantages which higher intelligence, better capacity for education, instinctive self-respect, traditional memories, generous emulation, and mutual example should inspire, has hardly yet been seen to perfect the experiment of self-government into a tested and established fact—the inducement seems small to look for a happier result, by calling in a race of inferior capacities, sentiments, and possibilities of progress, to share in a task of such weighty duties and grave responsibilities. And if a resort to such degradation should prove to be the sense of the American people, it

¹ This statement could be readily confirmed by a variety of impartial testimony. The travels of Sir Charles Lyell in this country may be referred to; those of Miss Murray, one of the Queen's maids of honor, discharged upon the publication of her volume, it was alleged, for her views on this subject; and numerous other works of foreign writers. See Appendix I.

may be safely asserted, that it will be found not in accordance with the sense of Nature, which will refuse to obey it, and will break out in some other way.

It has been asserted, that of four several compromises between the two sections of country, since the Revolutionary war, each has been kept by the South and violated by the North. These four are the settlement of the Constitution, that one specifically styled the Missouri Compromise, the adjustment of the nullification trouble with South Carolina and the States in concert with it, and the various legislative measures of the year 1850. Two of these compromises relate to the subject of slavery ; the others have no direct concern with it. The settlement of the Constitution, for example, can scarcely be reckoned, in any sense, a compromise between those who held slaves and those who held none. Slavery existed at the formation of the Union in every State but one. Slavery was then universally held to be exclusively under the control of State jurisdiction. The National Legislature was bound to afford the citizen of the South equal protection for his property in slaves, which it guaranteed to the citizen of the North, in regard to other kinds of property. Very little more than half a century before the Revolutionary war (1713), the twelve judges of England, Chief-Justice Holt, a venerable name, at the head of the list, had replied to a question of the Crown in council, in the following terms :

“ In pursuance of his Majesty’s order in Council, hereunto annexed, we do humbly certify our opinion to be that negroes are merchandise.”

It has been already shown, without adverting more particularly to the universal practice of New England, under the law, that an illustrious clergyman and philosopher of Connecticut held slaves which were sold for a valuable consideration so recently as 1759. The actual view in which the slave was regarded by the provisions of the Constitution is determined by the language of Hamilton, in the Federalist (No. 54), as follows :

“The Federal Constitution, therefore, decides with great propriety on the case of our slaves, when it views them in the mixed character of persons and property.”

While this passage, therefore, and correspondent expressions in the context of the article referred to, leave no standing-ground for the fallacious assertion of certain conspicuous political philanthropists, to the effect that the Constitution does not recognize slavery, it indicates also the absence of any marked disagreement in the constitutional Convention in regard to slavery itself. In fact, the frame of government did all it could in providing for the return of fugitive slaves who had fled from one State into another, and refused to meddle with the rightful jurisdiction of the several States over a subject exclusively within the legislative control of each. If compromise there were, therefore, in relation to this general subject, it was simply one between the slaveholder and slave-trader; that the runaway servants of the first should be returned to him, on the one hand, and that twenty years further should be allowed for pursuing the traffic, on the other. That the contract was observed in the latter respect is certain; how faithfully the alternate obligation was regarded in the end, may in part appear as this inquiry proceeds. Indeed, at least one piece of evidence exists to show that in some parts of the country the people, at a very early period, were not well disposed toward this provision; since Washington himself, in the latter part of his life, stated the difficulties which might attend the pursuit of a fugitive slave into Pennsylvania.¹ The law, however, was faithfully executed, in general, for the many years that fugitives were few, and until systematic efforts to entice the negro from his

¹ In a published letter, dated Nov. 20, 1786, addressed to Hon. William Drayton, one of whose slaves absented himself from his master on a journey and went to Mount Vernon. Washington sent him “under the care of a trusty overseer,” on the way to Mr. Drayton, but he afterwards escaped. Washington writes: “The gentleman to whose care I sent him has promised every endeavor to apprehend him, but it is not easy to do this, when there are numbers who would rather facilitate the escape of slaves than apprehend them when runaways.”

master had become common enough to give a violent breach of the law the semblance, at least, of popular warrant and support. The other "compromises" specified will come up for consideration in their appropriate places.

One other adjustment of this sort, however, demands particular attention at this point. This is the celebrated Ordinance of 1787, the provisions of which excluded slavery from the territory northwestward of the Ohio River, which had just been ceded by Virginia to the States under the old Confederation, for the common benefit. The cession of this vast tract, comprehending more than two-thirds as much territory as was contained within the limits of the original thirteen States, was made by the Legislative Assembly of Virginia in the year 1783, in order to aid in the discharge of the public debt incurred by the war. The first of the two Ordinances proposed to the Congress on this subject was introduced in the following year by a committee of three, of which Mr. Jefferson was chairman. This contained a clause prohibiting slavery after the year 1800 in the territory ceded, or in other territory to be ceded, the latter yet remaining under the jurisdiction of North Carolina and Georgia. The clause in question was stricken out, and the Ordinance, thus amended, passed.

It is impossible not to perceive, upon examining Mr. Jefferson's plan, that it was intended to prepare the way for complete eventual emancipation; for the line proposed by him began on the parallel of thirty-one degrees north latitude, and would have included the territory of the States now known as Alabama and Mississippi, but then claimed by Georgia, and have extended below the southern boundary of that State. The Ordinance of 1787, which took the place of the preceding, prohibited slavery only in the territory northwestward of the Ohio River; comprehending, therefore, only the immense tract ceded by Virginia, and including the territory of the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, and a part of Minnesota. If the project, which it may be supposed was entertained by Mr. Jefferson and some

others, could have been carried out, the slave States would have been either encircled by a cordon of free States, or the question between the two would have come to some issue at a much earlier period. Taking into consideration the natural features of the territory, or the larger part of it, not made subject to the proviso, and the actual course of events following its settlement, the probabilities are that the result would have been otherwise than that contemplated by its supporters. The question, it may be believed, would have been conclusively determined by experiment; so that by common consent, at an early period, the restriction would have been removed, as inconvenient and burdensome, from the southern portion of the territory in question. In such an event, the direful evils which have since befallen the country might have been averted.

As it was, the Ordinance of 1787 passed the Congress of the Confederate States by a nearly unanimous vote. It seems not at all difficult to conceive of the motives which produced such general concurrence. The action of the Northern members is readily accounted for; but the measure was an apparent Southern triumph, supposing sectional feeling could then have run high enough to warrant the expression, as applied to patriotic men who had been so recently and victoriously devoted to a grand common cause. The proviso did not affect the slaveholding section at all, since its operation was restricted to a part of the country in which experience had shown that slaves could not be held and employed to advantage. Besides, it is not unlikely that Southern members may have thought, in view of rights then held to be open to no question whatever, that here was a concession, which, though barren, perhaps, of actual fruits to the others interested, yet involved a certain generous sacrifice to opinion, or to prejudice, on their own part. And Virginia, holding such supereminently important relations to the Confederate States, and which had just placed a gift so munificent and unexampled upon the altar of the common country, to relieve it from almost irretrievable burdens and embarrass-

ments, may have imagined that she was thus laying a stable foundation for public gratitude and future security; and that her heart would never bleed by the strokes of shaft after shaft from the full quiver, which, for the mutual defence and welfare, she had herself so unhesitatingly bestowed.

But making every acknowledgment of the honest and generous motives which undoubtedly prompted those who projected and those who assented to this procedure, it does not necessarily follow that the Ordinance itself was a judicious measure. Mr. Jefferson was a politician as well as a humane man. He was ambitious, and sensible that his desire could not be immediately gratified; but it could hardly have failed to occur to him that conciliation of his Northern fellow-citizens in a matter of sentiment, which is so much more influential with the populace than reason, might prove an important step towards his own political success. The Ordinance, as has been remarked, was futile as to any present practical result; but it was the fruitful source of future evils. It was the first actual sectional measure which obtained legislative sanction in the country. It was an incidental blow at a great fact in the habitual practice of a large portion of the inhabitants of the country. It was an imputation, having its moral and political bearings, against a domestic institution, in which the admitted rights and the sentiments and feelings of a large proportion of the people were involved. It was, in effect, a virtual separation of one class of fellow-citizens from another, with which they did not agree in one essential respect. It was, in a word, the foundation of a sort of moral barrier between the North and the South, upon which it was easy to build some substantial and offensive work by and by. When Washington, in his farewell admonition to his countrymen, warned them against the indulgence of sectional prejudices, and even the use of language tending to promote anti-national feeling, he might well have had the well-intended, but surely "sectional" Ordinance of 1787 in his mind.¹ In a word, if the eventual abolition of

¹ It will be seen at a subsequent point in this volume that Mr. Clay, in

slavery, a matter not within its province or its power, had been the purpose of the Congress, the instrument in question was well designed to render efficient aid in due time towards the fulfilment of that object.

But if, on the other hand, slavery was viewed, according to the fact, simply as a State institution, absolutely within the power of each State to regulate and control, to preserve or to abrogate as it saw fit, then to exercise national legislation upon it, in respect to the territory ceded by Virginia, out of which future States were avowedly to be formed, was an indirect attack upon the institution in States where it already existed by law, and a direct interference with popular right and liberty. The seed of discord thus flung down, and deemed for the moment worthy of no further thought by either party, was sure to spring up finally in a harvest-field of future contention. And as it would have been in conformity with the well-understood, indeed, the manifest relations of the General Government to slavery, as a merely local institution, so it would have been far more expedient to leave the question to be determined by the inhabitants of the territory, guided by the light of reason and nature, whenever they should come to form their several State constitutions. The same end would then have been attained, without danger of future disagreement. In fact, the spirit which prompted the passage of the Ordinance was soon afterwards made evident, by an attempt to induce Congress to take certain action in regard to the slave system within the States. This was set at rest, however, by a resolution passed in 1790, as follows :

“Resolved, That Congress has no authority to interfere in the emancipation of slaves, or in the treatment of them within any of the States; it remaining with the several States alone to provide any regulations therein which humanity and true policy may require.”

This resolution was passed in consequence of the presentation of two petitions to Congress, both of them on the part

1850, took substantially the same view of the general subject; and Mr. Jefferson also, at an earlier period, as appears by various extracts from his writings, quoted in subsequent pages.

of certain citizens of Pennsylvania, in February, 1790. The first of these was a memorial of Quakers, asking only for the abolition of the slave trade; the other came from a body of persons calling themselves "The Pennsylvania Society for promoting the abolition of slavery, the relief of free negroes unlawfully held in bondage, and the improvement of the African race." The latter, singularly enough, was signed by Dr. Franklin, as President, and, presenting the objects comprehended within the title of the association, also specifically requested of Congress that it would "step to the very verge of the power vested in you, for discouraging every species of traffic in the persons of our fellow-men."

If Dr. Franklin had reëxamined, or reflected upon the provisions of the Constitution, which, shortly beforehand, he had taken so active a part in framing, he would have perceived that Congress had no authority whatever in any one of the premises contemplated by those memorials. The limit of the further continuance of the slave trade was fixed by that instrument, and could only be changed by a formal amendment of it. Congress could not move a hair's breadth towards "discouraging" it, therefore, either lawfully or honestly. The powers of Congress being defined and bounded by the frame of government, all it could do in regard to any specific subject was to act upon it, if within its province; and if otherwise, "to touch not, taste not, handle not." He must also have understood, that the emancipation of the negroes was equally out of the range of national legislation. As a philosopher and man of science, he ought not to have countenanced vague experiments with forces, the elements and conditions of which forbade the possibility of success; and this the more especially, if the agencies employed were of a disturbing, and not of a useful character. Besides, the moral obligation to abstain from interference was supereminent. That he and his associates were prompted by the most benevolent motives, there can be no doubt; but, perhaps, nowhere so much as in benevolent movements is it requisite that zeal should be according to knowledge. Not-

withstanding the spirit of patriotism and magnanimous concession, which so signally animated the Constitutional Convention, all its members must have been aware that the subject of slavery, if offensively introduced into it, would have been a fatally disturbing element. They must have been equally conscious that there was quite as much implied as expressed, in the general understanding reached in relation to it. It might also have seemed obvious, that honor and good faith, of superior obligation to any merely philanthropic emotions, demanded strict avoidance of indirect interference with a system, which it had been thought prudent to leave unassailed by direct means, and which was so left, as being an indispensable condition of the original bargain.

Of the light in which these memorials were viewed, it is easy to judge by the temperate, yet pointed, expressions of certain of the members of Congress, in the debate which took place. One Southern gentleman objected to the commitment of the memorials, as containing "unconstitutional requests," and remarked that he feared the commitment would be a very alarming circumstance to the Southern States; for, if it was to engage Congress in an unconstitutional measure, it would be considered an interference with their rights, making "*them uneasy under the Government, and causing them to lament that they had ever put additional power into its hands;*" that is, by exchanging the former Confederation for the Union under the Constitution. Another member declared that "*the States would never have entered into the Confederacy, unless their property had been guaranteed to them;*" and that "we look upon this measure as an attack upon *the palladium* of our property"—meaning the Constitution. Another leading member showed, in the clearest manner, by his remarks, upon what sentiments he relied for the future security of himself and those similarly situated. He said "he lived in a State which had the misfortune of having in her bosom a great number of slaves; he held many of them himself, and was as much interested in the business as any man. If he was to *hold them in eternal bond-*

age, he would feel no uneasiness on account of present menace, because he would rely upon the virtue of Congress, that they would not exercise any unconstitutional authority."

The result of this first attempt to obtain legislative action in regard to slavery, was the passage of the resolution of Congress, already cited, disavowing any authority in Congress to interfere with slavery, and declaring that all power in relation to it rested with the several States. Within three years, therefore, after the adoption of the Constitution, we obtain this definite exposition of the limitations of its powers, in this respect, from the most competent source.

It thus appears that the anti-slavery movement began, at so early a period, at the North, that is, in Pennsylvania, a State which had instituted a system of gradual emancipation for the slaves within its own territory, in 1780, not finally operating with full effect, however, until more than fifty years afterwards. The Anti-Slavery Society, of which Dr. Franklin was President, appears to have been formed at about the close of the Revolutionary War. All petitions as to this subject, for many succeeding years, seem to have sprung from Pennsylvania, instigated, it is to be presumed, by the same sect, irreverently styled by Mr. Carlyle "anarchic Quakers."

The impression made upon the Southern members of Congress by the movement, at the earliest period, is also significant. Although evidently considering it of no practical importance, at the moment, they yet clearly made it known that they regarded such action as in violation of the Constitution, and that without the guaranty for their rights of property in slaves, permitted by that instrument, the States which they represented would not have assented to it, and hence the plan for the Union must have failed. No one can doubt, that if they had deemed the guaranty afforded insufficient, they could have obtained pledges of a still more precise character, either then or at a later period, since the object of the Union was one of paramount interest to all. But neither they nor their Northern compatriots entertained

any question of the fidelity of their successors to engagements so solemnly undertaken, both expressed and implied.

It is of vital importance, in considering the subsequent political history of the country, to bear in mind this contemporaneous exposition of the powers of the General Government, and of the rights of the States. It recognized a fact, in law, which, by right, admitted of no dispute. It established a principle of inherent and inestimable virtue, in reference to the future well-being of our political system. It determined the point that the system should be republican in reality, as well as in profession, instead of a practical despotism under the shadowy guise of a republican name. The original Confederation had been nothing more than a league between sovereign and independent States, for their mutual protection and welfare. The Constitution created a General Government—legislative, executive, and judicial—conferring upon it certain powers which could not be exercised conveniently and wisely, by the States in Congress, under their earlier compact. Those powers were defined and restricted by the terms of the frame of government, and all which were not expressly granted by that instrument remained with the several States, under their separate constitutions and laws, in all their original vigor and extent. The object of the Union was the more effectual administration of the common interest. The design of the Constitution was to protect the people, the source of power, against the Government, that is, the agents of the people, to whom that power was periodically intrusted; so that the written record should be a continual protest against every possible assumption of arbitrary authority.

The Southern States, in becoming members of the Union, no more yielded, therefore, any control over their domestic institution, than the Northern States granted power to the General Government to regulate the almshouses within their several jurisdictions. To prevent all misapprehension, however, on the part of those who either were ignorant of the purpose of the Constitution, or who disregarded its provisions, the

resolution of 1790, already cited, declared a principle, which, in its general application, must have been well understood throughout the country; for, without that reservation of their original rights to the States, contained in the amendments to the Constitution (Art. X.),¹ the struggle which ensued, upon the proffer of that instrument to the acceptance of the States, would have ended in its rejection.

The introduction of that article was the turning-point with the Convention of Massachusetts, which had previously given decided indications of a majority averse to the proposed Union; and this principle, no matter what might be its specific application, in one section of the country or another, was of as vital value to the North as to the South. For it restrained the exercise of central authority within specific limits, and, by opposing diverse local barriers to arbitrary encroachments upon public liberty, it maintained the spirit and the form of popular independence. The question was not of the personal bondage of the blacks, but of the political freedom of white men. The former was an existing fact, and uncontrollable, except at the option of those with whom were the legal right and the special concern. The other was a point in which the masters of slaves, and those who declined to assume any such mastery, had an equal interest as citizens. The one was not within the purview of the constitutional problem at all, except as an incident of the relations of the individual slaveholder, not of his State, to the system of government. But, by the determination of the other, the individual citizen remained a republican and a freeman. He was thus personally divested of no one of his existing social or political rights, while the congregated freemen of the several States recognized a government representative of themselves, collectively and severally, as citizens both of the national and local system. To the authority of the latter they had been long accustomed,

¹ "The powers not 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."

and it enjoyed the popular approbation. They made the former also answerable to the sovereign will of the people; granting it powers necessary to its own action, but not in conflict with any which were necessary to the administration of the appropriate State authority.

In short, it was this clause alone which would prevent a political party in office, and able to find a pretext for the assemblage of a sufficient military force, from converting its power into a perpetual usurpation, upon that pretext, or any other invented for the occasion. When such an event takes place, public liberty is at an end. Every movement towards interference with the rights reserved to either State was a step in the line of such a catastrophe. Every such movement each and all the States were profoundly interested to check and to avert. Hence, the fundamental objection to any anti-slavery organization, because revolutionary in its tendency, and which, when used for political purposes, becomes such in action. In striking at the rights of slaveholders, it violates equally, in principle, those of citizens who are not slaveholders, and endangers the whole civil system by undermining the basis of all constitutional security.

It was not, therefore, because they were slaveholders—the mere accident of their condition—but in regard to their capacity as citizens and freemen, that the most enlightened and liberal statesmen of the country have refused, from the beginning of the government, to engage in a moral or political crusade against the inhabitants of the South. The struggle to effect the emancipation of the negro was a violent breach of the guaranty afforded to the master by the Constitution. If that charter was broken in regard to one section, it could have no vital force to secure protection to another. The defence of the Constitution in every particular, therefore, was the common cause of all who desired to uphold the Government in its integrity; and until a comparatively recent period, this was a cause which actively engaged the general public sympathy. Under the old articles of “Confederation and Perpetual Union,” agreed upon July 9th, 1778, the first

section, after that declaring the name of the Confederacy, is the following :

“ART. II.—Each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right which is not by this confederation expressly delegated to the United States, in Congress assembled.”

No similar provision was contained in the Constitution agreed upon by the General Convention of the several States ; but the article already cited, and well deserving frequent repetition, was proposed by Congress among other amendments, and was made part of the Constitution when that was adopted by the several State Conventions or Legislatures, as follows :

“ART. X.—The powers not 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.”

Upon the main point under consideration, therefore, there could exist no legal doubt. Slavery itself was purely an affair of State jurisdiction, over which the nation had no pretence of control. The rendition of fugitive slaves was, on the other hand, a matter of national obligation, for the discharge of which Congress made such provision as was deemed adequate for the purpose. In this view the whole nation acquiesced, with the exception of here and there an “anarchic” philanthropist ; and the magistrates in every State continued for many years to administer the statute of rendition, in the comparatively few cases which came before them. This quiet state of things continued undisturbed until mobs, encouraged by State legislation, had begun to set aside constitutional obligations ; and men who excused their fanaticism, under the pretext of a higher law, of which they conceived, than the actual laws of their country, which were to be seen and read of all men, secretly enticed such negroes as they could reach to flight, and surreptitiously conveyed them to some secure asylum.

Indeed, the general question of slavery appears scarcely to have been introduced into Congress earlier than the year

1836. Memorials had been occasionally presented to one or other branch of that body, during the interval between 1790 and the latter period. But they had uniformly confined their requests either to the abolition of the African slave trade, or of that carried on between the States; or, at a later date, to its exclusion from the territories; taking the latter turn, after a convention of the inhabitants of Indiana, part of the tract included within the Ordinance of 1787, had petitioned Congress for the suspension of that restriction in regard to its own domain, as yet in the condition of a territory.

As early as 1827, a memorial was offered in favor of the gradual abolition of slavery in the District of Columbia, all consideration of which was refused in the House by a large majority. In 1831, Mr. John Quincy Adams presented a number of petitions of a similar tenor from inhabitants of Pennsylvania. But he declared that he deemed it his duty to say that he would not support the prayer of the memorialists; saying, also, that he hoped the subject would not be discussed in the House, and that whatever might be his opinion of slavery in general, or of slavery in the District, yet, "the most salutary medicine, unduly administered, was the most deadly poison."

The committee to which these petitions were referred was discharged from further consideration of the subject at its request. In thus presenting a petition, with the object of which he did not agree, Mr. Adams evinced opinions on that point, which he so signally vindicated in 1844, and which had previously guided the conduct of his illustrious predecessor, Fisher Ames.¹ In 1792, that gentleman had of

¹ The occasion which brings the names of these distinguished persons together recalls the high tribute paid by the one to the extraordinary powers of the other. Mr. Adams had had the good fortune to listen to the great orators of the British Parliament at its most brilliant period—to Burke and Pitt and Sheridan and Fox—indeed to the speeches of the ablest men of the day in Europe and at home; and he pronounced the opinion: "There could be no doubt of it; of all that he had ever heard, Mr. Ames's speech on the British Treaty was surely the most eloquent."

ferred a memorial from a Pennsylvania fellow-citizen, "one of the people called Quakers," in relation to the African slave trade, and looking to an improved treatment of slaves in the United States. Upon some objection taken to his action, Mr. Ames, defending the general right of every citizen to petition Congress, stated that he had no idea of supporting the prayer of the petition; but had made up his mind long since that it was inexpedient to interfere with the subject. In this case, by order of the House, the petition was returned to its author.

It was evidently the earnest desire of the *Southern members* from the first moment, to keep this subject out of Congress. Whatever seemed like tampering with their settled rights under the Constitution, was manifestly unjust, and would naturally provoke resentment. Naturally enough, too, they would regard in this light any of those side issues, occasionally introduced, which might have a tendency to affect unfavorably their domestic institutions. Their jealousy on this point was likely to become much more active, when they found, after the lapse of a few years, that slavery had become strictly confined to their own portion of the country; and that, in consequence of it, they occupied a somewhat anomalous position in the eyes of the civilized world. Doubtless, all men similarly situated would resist every seeming encroachment upon their own position; and none the less so, if they perceived themselves subjected to moral imputations for the exercise of a right to which the whole country had assented, and which it had solemnly pledged itself to uphold.

So little, however, had slavery become a political question, and so certain is it that the Southern States had not at an early period become banded together in support of the system, that after the years 1820-'21, during which that great struggle which resulted in what is called the Missouri Compromise was most active and came to its conclusion, the States of Virginia, Kentucky, and Tennessee were earnestly engaged in practical movements for the gradual emancipa-

tion of their slaves. This movement continued until it was arrested by the aggressions of the abolitionists upon their voluntary action. This action was prompted by economical, rather than moral reasons. The abolitionists, however, refused to accept an impending fact, and insisted upon convicting as criminals those who were so well disposed to bring about the very result at which they themselves professed to aim. The consequences were such as might have been reasonably expected. Promised emancipation refused to submit itself to hateful abolition. Those three border States placed themselves at once upon the Virginia and Kentucky resolutions of 1798, and, resenting as an insult the interference of the Northern intruders, abandoned the scheme which a calm view of considerations, tending to their own future welfare, had induced them to form.

CHAPTER II.

Sectionalism.—The Right of Petition.—The District of Columbia.—The Missouri Compromise.—State of Political Parties.—The Tariff Question.—“Aggression.”—Mr. Jefferson, on the Missouri Question.—Admission of States before 1820.—Territories Organized in Conformity with the Wishes of the Inhabitants.—State of Sentiment at the North.—Southern Youths in Northern Colleges.—Northern School-books.—Exaggerated Descriptions of Slavery at the South.

THE lamentable spirit of sectionalism, leading, finally, to such disastrous consequences, at first distinctly revealed itself in the presentation of successive petitions to Congress for the abolition of slavery in the District of Columbia. These memorials continued to pour into both Houses from the North, session after session, for a series of years, and gave rise to a great deal of heart-burning among the Southern members, until the matter culminated in a scene of unparalleled excitement in the Representative Hall, in the year 1837. The comparatively slight consideration which at first they received, in either branch of Congress, was given almost entirely to the question of receiving them at all. Sometimes they had been sent back to the petitioners; or the committees to which, on other occasions, they were referred, had asked to be discharged from further attention to them; or else a brief report or resolution had been adopted, expressive of an entirely adverse view to that of the prayer. Precluded by absolute constitutional limitations, which were supported by the general sense and sentiment of the people, from attacking slavery in the States, the uneasy spirits who assumed to be legislators for the nation, at home, devoted themselves assiduously to the manufacture of petitions, in reference to the internal policy of the seat of government. It probably never

occurred to them that those upon the spot, in the discharge of their legislative duties, might be better qualified to judge about such a point than the men, and often the women and children, of remote country towns.

But the absence of knowledge and experience is not always a check to presumption. It is said that "the hand which could not build a hovel may destroy a temple;" and if the structure reared by our great forefathers were fated to topple over, nothing was so likely as this continual picking from below to be the primary cause of its destruction. The question of the treatment due to those petitions, and that which involved the powers of Congress touching the topic urged upon it by them, were both matters of no little nicety. The right of petition, under every well-administered government, should be theoretically unlimited, and yet practically subject to all reasonable control in special cases. Such a case is that, in which the public authorities are as well informed upon the subject, and are presumably as well disposed to do all which can reasonably be done, in the premises, as their constituents. The extreme value of the right of petition exists under governments in which the source of power is liable to be kept ignorant of the wrongs of the subject.¹ In a republic, the popular voice is paramount, and the remedy for every wrong is in the public hands, at the stated seasons appointed for the expression of the popular will. It seems almost a solecism for the sovereign people to complain that their servants deprive them of the right of petition.²

¹ Frederick II. of Prussia, for instance, received such petitions into his own hands.

² In the Legislature of Massachusetts, some twenty years ago, a gentleman happened to be on a standing committee to which had been referred a petition for the dissolution of the Union. A time and place of hearing were appointed, whereupon this member of the committee declined to attend in his place. The worthy chairman remonstrated against such contumacy, urging the sacred right of petition, and the duty of hearing what might be said upon every subject proposed. This gentleman requested to be informed, in reply, if the chairman would grant a sitting in case, for example, of a petition for a rail-

As to the authority of Congress over the District, it was legally exclusive. It often happens, however, that certain moral considerations, going to show intention, give the actual color to law. The public, for example, may acquire a right of way over a parcel of land, which the owner has neglected to seclude to his special use, for a certain number of years. The public title would be the more free from any question, if the mansion of the proprietor were close at hand, so that, being conveniently situated, he seemed purposely to avoid seizing upon any opportunity of objection. In the year 1790, Congress formally accepted the cession, previously made by Virginia and Maryland, of the tract, ten miles square, constituting the District. It included the city of Alexandria, and slavery existed there, and in other parts of the territory. No provision was made in regard to slavery on this tract intended for the peculiar uses of the Government, and for its seat; nor was any memorial received by Congress for the emancipation of the slaves in the District, until more than forty years after Virginia and Maryland had relinquished title to it. It must be admitted that, being exclusively under the legislative control of Congress, the power existed to abolish slavery within the District. The right to do so, whether legal or equitable, may be thought much more questionable. Power, employed by a representative body, except under the specific requirements of law, is always presumed to be equitably exerted. In this instance, there was the original acceptance of the territory with slavery existing upon it, and long acquiescence in the claims of the inhabitants, without any question raised in regard to it. New interests connected with the domestic system had grown up there, extending into every one of the slave States. By implication, certainly, here were long established rights, with which it would be injuri-

road to the moon. The head of the committee thought he would; whereupon the member suggested that such indulgence might be a waste of time, and that in the case in hand it was so clearly out of the power of the Legislature of Massachusetts to dissolve the Union, and contrary to its duty to countenance such a treasonable project, that he should stay away.

ous, at least, if not illegal as well as inequitable, to interfere. It was evident, also, that of all mortals on the face of the earth, the colored population of Washington was the most easy-going, and, so far as such a population can be, the most comfortable in its condition. All complaints and petitions for their benefit came from persons at a distance, who, as the eyes of members of Congress daily testified to them, were profoundly ignorant of every fact essential to the rightful expression of either judgment or feeling upon the subject.

Long before this matter came to a point, however, the severe and protracted struggle upon the question of admitting Missouri into the Union had taken place. That State was formed out of part of the territory of the Louisiana purchase. Louisiana was made a State in the year 1812, without objection on the score of slavery. Earnest opposition to its reception was indeed offered, in which Mr. Quincy, of Massachusetts, took a conspicuous part; but this was based upon a denial of constitutional authority to create new States out of territory not originally within the limits of the United States. In the whole of the ancient territory of Louisiana, slavery had been fixed from the time of its settlement. That part of it out of which it was proposed to create the new State of Missouri occupied the same relations to the United States, which the entire domain did as soon as Louisiana was admitted. There was now the advantage, however, that no question of constitutional authority remained. That point had been already passed upon, wrongfully as many thought, yet so determined inevitably, in obedience to the requirements of the case.

It is interesting, at this time, to notice those limitations, by which many of the Northern members of Congress, in 1811, conceived that the General Government was hedged in. Several propositions, conformable to the views of Mr. Quincy, just referred to, received considerable support in the Senate. One of them demanded that the consent of each of the State Legislatures be obtained, before the act admitting Louisiana should be held valid. Another asked that a con-

stitutional amendment, as a preliminary condition, should be first procured, to empower Congress to admit new States formed of territory outside of the original boundaries of the Union. Both the Senators of Massachusetts voted for these motions, as did the other New England members, with the exception of one from Rhode Island, and another from Vermont. And this condition of mind is the more worthy of remark, because the party which held such State right views of the relations between the Union and the several States, under various phases, at that earlier period, made no objection to any stretch of power by the officers of the General Government, at a later date, if exerted against their political opponents, though affecting directly the property and lives of fellow-citizens.

The controversy which arose upon the application of the inhabitants of the Missouri territory, to be received into the Union, began in December, 1818, and continued with various fortunes, until the final determination of the question in February, 1821. In February, 1819, the bill reported by the committee, for the admission of Missouri "on an equal footing with the original States," having come up for consideration, an amendment was submitted by a member of the House from New York, providing against the *further* introduction of slavery, and for the freedom of all children of slaves born in the State after its admission; but allowing the latter to be held to service until the age of twenty-five years. This amendment was acted upon by separate clauses, and the first clause was adopted by a vote of 87 against 76, and the second by a vote of 82 against 78. All of the majority were Northern representatives, but ten members from Northern States voted with the minority. In the Senate, the amendment was stricken out, and no agreement having been reached by the two branches during that session, the bill was lost.

In the mean time, a memorial from the people of Maine, asking to be admitted into the Union on an equal footing with the original States, had been presented in the House,

and a bill in conformity with the prayer of the petition was passed (January, 1820) and sent to the Senate. The committee of that body, to which it was referred, reported in favor of the bill, coupling with it amendments, which provided for the admission of Missouri also, but containing no clause in regard to slavery. To this position the Senate adhered, but the House refused to agree.

At length, after much counter-voting, from session to session, and correspondent debate, a committee of conference was appointed in the Senate, February 28, 1820, and on the next day a similar committee on the part of the House. By the recommendation of this joint committee, the bill for the admission of Maine was discharged from those amendments added to it by the Senate, which provided for the admission of Missouri; so that now the bill stood upon its own footing, and was separately acted upon. The committee at the same time recommended a bill to authorize the people of Missouri to form a constitution and State government, striking out the clause which prohibited slavery within the State to be thus formed, but excluding slavery from "all that territory ceded by France to the United States, under the name of Louisiana, which lies north of $36^{\circ} 30'$ north latitude, not included within the limits of the State of Missouri." The vote was first taken in the House, on striking out the clause which prohibited slavery in Missouri, and was decided in the affirmative by—yeas, 90; nays, 87. On this question, fourteen members from the Northern States voted with the majority. The main question was taken upon concurrence with the Senate, in the provision which inhibited slavery in the rest of the territory, north of $36^{\circ} 30'$ north latitude, and the vote showed—yeas, 134; nays, 42.

It may be useful briefly to analyze and compare the votes of the two Houses on this important subject. Upon finally adopting the clause which prohibited slavery in territories north of latitude $36^{\circ} 30'$, the count in the Senate had been 34 in the affirmative, to 10 in the negative. From the slave States there were 14 votes in the majority upon this question,

and 8 in the minority. The question then was upon the adoption of the bill before the Senate. This bill provided for the admission of Maine, and contained certain amendments providing also for the admission of Missouri. It excluded slavery from all of the Louisiana territory north of $36^{\circ} 30'$, except that part included within the limits of Missouri. The bill was agreed to by the vote of—yeas, 24; nays, 20. Of the members from slave States who thus voted, there were 20 in the affirmative, to 2 in the negative. In the House, upon the chief question, which was the prohibition of slavery in the Louisiana territory lying north of $36^{\circ} 30'$ north latitude, the vote of members from the slave States stood—yeas, 39; nays, 37. Of the nine votes of South Carolina, it may not be irrelevant to remark, five were given in the affirmative. The bill, as finally passed, was approved March 6, 1820.

Intense excitement was stirred up in the country, during the long protracted and warm discussion of this question in Congress. In the mean time, the matter had been debated in the Legislatures of the Northern States, many of which had passed resolutions and sent them to Congress, in opposition to the admission of Missouri as a slave State. It is plain, however, that, whatever deductions may be justly drawn from the votes of the majority of Northern members of Congress, who represented, doubtless, the supposed tendency of opinion among their constituents, the question of promoting what has more lately been called “the slave power” had not assumed any sectional aspect in the South. A majority of Southern Senators and Representatives had voted, on the recent occasion, to extend the terms of the Ordinance of 1787 to the territory west of the Mississippi. To be sure, they insisted upon receiving Missouri into the Union with slavery; but it was already slave territory, and to refuse the request of its inhabitants would be to deprive them of their property and accustomed rights. As to that part of the territory, to which the prohibition was in fact applied, it was as yet only the haunt of the savage and the habitation of doleful

creatures. But it comprehended Kansas and Nebraska; and the line of $36^{\circ} 30'$ north latitude, ran along the southern boundary of the former immense tract, which became the occasion and the scene of a struggle so fierce and prolific of results, after the lapse of another generation.

The dispute in regard to Missouri, however, was not ended by the passage of the act empowering the territory to form a constitution and State government. A new cause of disagreement sprang up, when the frame of government adopted by the territorial convention was presented for the approval of Congress, preparatory to the transformation of the territory into a State. That constitution contained a clause, requiring the future legislature to forbid, by law, the immigration of free persons of color into Missouri. In view of this "restriction," as it was called, the contest of preceding years was renewed, and raged with increased animation. It would be tedious to recapitulate the several steps by which the final result was reached. Of the temper of the two Houses, some judgment may be formed from the fact, that Mr. Clay, then a member of the lower branch, and subsequently chairman of the House Committee of Conference, felt it necessary, as matters approached a crisis, "earnestly to invoke a spirit of harmony and concession." In the same spirit, Mr. Barbour, of Virginia, also of the committee, on the part of the Senate, when the question was on the eve of a vote in that body, urged "the expediency of harmony and concession on this momentous subject."

On the 26th of February, 1821, Mr. Clay, from the joint committee, reported a joint resolution, which was adopted by both Houses, and by virtue of which the admission of Missouri into the Union was consummated. The resolution provided that the restrictive clause, which had been the occasion of so much heat, should never be so construed as to authorize the passage of any law, nor should any law be passed, by which a citizen of any other State should be excluded from the enjoyment of any of the privileges and immunities to which he would be entitled under the Constitu-

tion of the United States. In this resolution, no reference was made to the act of March 6, 1820, which coupled the exclusion of slavery from the Louisiana territory, north of $36^{\circ} 30'$ north latitude, with the permission to the people to form a constitution retaining slavery within the limits of the proposed State. Of the legal effect of this omission, it is not, perhaps, worth while, at this late day, particularly to inquire.

At all events, the act of March, 1820, did, in fact, nullify its own spirit and general purport, by its provision against slavery in *the whole* of the Louisiana purchase, north of the line of $36^{\circ} 30'$, while, at the same time, it admitted Missouri as a State, which was *a part* of the Louisiana purchase, lying north of that line. "In principle and in substance," therefore, it established a rule, equitably applicable, at least, to all the territory of the Louisiana purchase on the same line of latitude with Missouri; a rule afterwards applied to Utah, and still more reasonably applicable to Kansas, lying between Missouri and Utah. Above that region, as in the case of Iowa and Minnesota, and the wide extent of country, including Nebraska and the Pacific territories, in the far West, slavery was already excluded without human legislation, by the inexorable laws of Nature. The principle of the lines of demarcation, therefore, was completely violated, and its effect made null and void, by the very terms both of the act of 1820 and the resolution of 1821. Yet, it can scarcely be doubted, upon a candid examination of the whole subject, that Missouri, a part of the great Louisiana territory, was as fairly entitled to admission into the Union in 1821, retaining slavery if its inhabitants so willed it, as had been Louisiana itself to be received as a slave State, in 1812, or as Iowa, in 1846, without slavery, for which it was unsuited, and which did not exist within its jurisdiction.

Thus was finally compromised this first grand controversy, under the settlement of which the country at large had rest for many succeeding years. The analysis of votes in Congress, already given, shows conclusively that the contest had

not been carried on peculiarly with reference to slavery itself, as an existing institution. It was, nevertheless, a struggle on the part of the North to impose restrictions upon that enlargement of political power, which, it feared, the South might gain by increasing the number of States allied to it in interest and sympathy. The fact of its own superiority in strength was disregarded, and the certainty that this advantage would improve with time, was unforeseen. It was the earliest open demonstration of organized jealousy to this end, which was manifested in the National Legislature.

The condition of political parties, which had just enjoyed "an era of good feeling," at the period of Mr. Monroe's administration, happily tended to control this sectional spirit at the time; but it was, in reality, by no means of recent origin. On the contrary, after the close of Washington's administration, the state of party feeling between the two sections had been quite as much embittered as at any later period, though scarcely ever approaching the verge of the disastrous crisis more recently experienced. At that early date, the Federal party was the most powerful at the North, especially in New England, and the Republican party at the South. The Constitution, mainly by the influence of the former party, was formed as nearly as was consistent with a republican system of government, on the principles of that of Great Britain; while the latter party, under the lead of Mr. Jefferson, inclined more to the political doctrines then popular in France. The absolute personal, as well as civil equality of all men, was the new republican theory; and accordingly, citizen This or That looked with little favor upon those at a distance, who held even black human beings subject to their own will. Having washed the outside of their platters, they peeped into the windows of their neighbors, to see if the table-furniture within was in an equally unexceptional condition. Their outcries against an alleged national sin and shame, which they had committed and endured themselves with entire complacency, so long as they remained in a colonial condition, seemed more like objurgations against

foreign enemies, than appeals to fellow-citizens. Indeed, their language was sometimes as fierce and uncharitable as that of the most ardent modern converts, lay and clerical, to the ultraisms of abolition, which, when less popular, they had denounced with such ready zeal.¹

It would be apart from the object of this work to discuss the various sources of disagreement between the Federal and Republican parties. The fundamental cause appears to have been the alleged inclination of the former to establish monarchical institutions in the country, and of the latter to imitate the example of France, by the introduction of popular elements, to excess, into the administration of public affairs. Neither accusation was, in fact, just; and in commenting upon the condition of parties, it is necessary to remember that they are seldom or never homogeneous. Moderate men will generally be mingled, on both sides, with those who are disposed to carry measures to extremes. But it is only under very extraordinary circumstances that the chiefs of any great party, and then only when those unworthy of eminent position have obtained it, become so intolerant as to sacrifice the principles and sentiments which become them as men, to the demands of reckless and malignant faction. There can be no question, that both the Federalists and the Republicans of that early period, were actuated, in general, by the most patriotic motives and considerations. The control of the Government by the former, ceased with the close of the administration of the elder Adams. Nor did they, or their successors, continually organized under a variety of party designations, and exerting great public influence, regain their lost preëminence, after the accession of Mr. Jefferson to the Presidency, in 1800, until that of General Harrison, in 1840, and then only for a very brief period.

The various public measures leading eventually to the War of 1812 with Great Britain were extremely distasteful to the Federal party, and particularly to its members in New England. Those measures had been adopted by the Demo-

¹ See Ormsby's "History of the Whig Party."

cratic administrations of Mr. Jefferson and Mr. Madison, both of them Virginians; were supported by leading statesmen of the South, and inflamed the prejudices of the North against that section. The great party, which had acted a predominant part in laying the foundation of the Government, and had controlled it during the administrations of its first and its second President, had now been deprived of this authority for a period of twenty years. It would be not unlikely, therefore, to seize upon any plausible pretext for the recovery of its power. Measures for this purpose might seem to it just, which it would have rejected under different circumstances; and, although it cannot be alleged that the opposition to the Missouri Compromise was confined to the Federal party, yet that party was chiefly responsible for it.

Unhappily, it assumed a sectional, instead of a party aspect; not literally, as has been shown by analysis of some of the ballots upon the subject, but in effect. The state of sentiment in the extreme North is indicated by the vote of New England, upon the question of striking out the clause which prohibited slavery in Missouri. It stood in the House—yeas, 7; nays, 33. It has also been seen, that upon the correlative question, of inhibiting slavery in the territory north of $36^{\circ} 30'$ north latitude, the vote of Southern members stood—yeas, 39; nays, 37. The vote of Massachusetts, upon the first proposition, was 16 in the affirmative, to 4 in the negative; that of South Carolina, upon the latter motion, was 5 in favor, to 4 against it.

A striking comment upon the changes of human affairs and opinions is afforded by a glance at another contemporaneous cause of discord. This was the Tariff Act of 1816, which had been advocated by Southern statesmen, of whom Mr. Clay, then, and ever afterwards, the devoted supporter of domestic manufactures, was the most able and conspicuous. This legislative action was warmly opposed by the North, and especially by the New England members of Congress. By this act, the whole tariff system was remodelled, though afterwards more thoroughly revised and adapted to the

object of protection, by the act of 1824. It was contended by the leading statesmen of New England, that the commercial interests of that section—that is, the profits derived from the importation of foreign manufactured goods, would be seriously imperiled by this legislation for the encouragement of home industry. The object of Mr. Clay and his associates, on the other hand, was to stimulate the production of the great Southern staple, by building up the Northern manufactures, which were to be sufficiently protected by law to enable them to compete successfully with foreign productions of this kind.

It is needless to say which policy proved the soundest in the end. In fact, the opponents of the measure reaped the chief advantage from the system, which changed the waste and barren places of New England into thrifty towns and cities; so that the North, by a complete reversal of conditions, far outstripped the South in point of material prosperity, and derived immense profits from its manufactures, at the same time that its commerce became largely benefited and extended. Eventually, it happened, that a total change of its original views took place on this subject in the South also, and already a similar revolution of opinion had occurred generally at the North. The former changed front, and began to oppose its protective policy; doubtless, out of retaliation towards the increasing strength and virulence of the abolition movements against a system of labor, from the fruits of which, raised upon Southern soil, the vast fortunes of the North were growing up. This opposition, fostered by accumulating resentments, keenly felt in the one section, but generally deemed petulant and needless by the other, finally culminated in the South Carolina Ordinance of Nullification. This movement was set at rest, through the interposition of Mr. Clay once more, by the measure commonly called the Compromise Act of 1833; which was intended to effect a gradual reduction of duties, until, at the expiration of ten years, twenty per cent. *ad valorem* should be established as the uniform rate. The bill for this purpose was opposed by

the manufacturing interest, and was, doubtless, in its effects, highly prejudicial to them. No change was made in this law during its prescribed term, but the whole system was reversed by the act of 1842, which essentially, and, as it appeared, improvidently raised the rates of duty.

This legislation was complained of by the South, as a violation of the terms and intents of the Compromise Act of 1833. Mr. John Quincy Adams and twenty-four Northern Democrats, doubtless principally influenced by this view of it, voted with the Southern members against the passage of the bill of 1842. There can scarcely be a question of the right of Congress to alter the rate of duties, however, at the termination of the period fixed for the operation of a previous act. It would be unreasonable to hold men forever to one point, in a matter so subject to caprices. It would be like nailing the weathercock. In 1846 it was thought judicious to pass an act reducing the rates of duties; and upon this occasion, there appears to have been no sectional feeling engaged, since members from all parts of the country were mingled miscellaneously on the one side and the other. Among the names of those who voted against the proposed reduction, appear those of Mr. Davis of Kentucky, Mr. Graham of North Carolina, and Messrs. Stephens and Toombs of Georgia, in company with Mr. J. Q. Adams and Mr. Winthrop of Massachusetts, and Mr. Hunt¹ of New York. On the other side are ranged the names of Mr. Davis of Mississippi, Mr. Cobb of Georgia, and Mr. Andrew Johnson of Tennessee, with those of Mr. Hamlin² of Maine, Mr. Preston King³ of New York, and Mr. Wilmot⁴ of Pennsylvania. It was, on that occasion, the antagonism of Whigs and Democrats, not of sectional partisans.

Up to the year 1820, certainly, no "aggression," as it has been styled, had been attempted by the South upon the

¹ Afterwards Governor of New York.

² Vice-President during Mr. Lincoln's first term.

³ Afterwards Senator of the United States.

⁴ Author of the "Wilmot Proviso."

North. For any thing of the sort there had been neither motive nor occasion, of any general nature. The people of both sections were of one nation, and the South claimed to be animated by a spirit of the broadest patriotism. The North had its peculiarities; the relics, at least, of the old Puritan character, manner and temper. But, except in the display of a somewhat uneasy disposition, which had not seldom attracted observation, it furnished nothing to render it open to special attack, so far as national relations were concerned. The ancient quarrel about non-intercourse, the embargo, and the war with Great Britain, was with the Hartford Convention and other things of the past. From the very earliest period of the Union, certain persons had felt it their mission to tease Congress in regard to one phase or another of the subject of slavery; but for many years their memorials had their origin solely among the "anarchic" sect of Pennsylvania.

It seemed to give pleasure to certain Northern members of Congress to promote the views of those persons, so far as was in their power; but the people of the North, in general, were profoundly indifferent on the subject. The South was none the less sensitive to every touch, that it was conscious of standing in a somewhat abnormal position, on this account. But desiring, for many obvious reasons, to avoid discussion of an acknowledged evil, for which there was no apparent remedy, the South endured it as an inexpugnable fact, and defended it when attacked, as an unavoidable necessity. They were disposed to do the best they could with it; and thought that there was neither wisdom, charity, nor justice in the external and supererogatory concernment of others. The others could render no service by interference, but could certainly inflict injury, if they did not convert a now peaceable, and, under due regulation, industrious kind of population, clearly imposing its burdens, if bringing also its advantages, into a source of serious alarm and danger. It was to this very point that Mr. Jefferson, at the period now under consideration, and near the close of his life, thus ex-

pressed himself, in relation to the action of the North on the Missouri Compromise question :

“ They are wasting jeremiads on the miseries of slavery, as if we were advocates of it. Sincerity in their declamations should direct their efforts to the true point of difficulty, and unite their counsels with ours in devising some reasonable and practicable plan for getting rid of it.”

No expedient suitable for this purpose, however, appears to have occurred to his own mind, enlightened as it was by the teachings of philosophy and experience, and close as the idea of emancipation had always lain to his own heart. Nor has any such plan been devised by others. It was reserved for our own day to witness the summary means employed to effect a result, which may prove to have left the question in a far more troublesome condition, than during all those years in which fanatics, enthusiasts, and politicians have devoted themselves to bring it about. Unless that result is apparently beneficial to the nation, and the subject, or perhaps victim of the enterprise, no man is bound, stupidly and unconscientiously, to accept it for the best. On the contrary, every intelligent, humane, Christian and patriotic citizen will feel that new and more weighty obligations have, thereupon, reverted to him. As a slave, the negro was nothing to the Northern man ; as a freedman, he is the charge of every citizen. What are the negroes the better for emancipation ? is the great problem, with roots striking deep into the future of this world and the next. If, with a really honest motive, in the exercise of reason and humanity, we have sought the welfare of the dependent being by means rightfully at our command, then our action was virtue, whether it secure the end, or fail. If not, it was crime, and of stupendous magnitude.

Could any real question remain as to the point, upon which side of Mason and Dixon's line “ aggression ” actually began, it would derive much elucidation from a comparison of the action of Northern members of Congress, in 1820-'21, with the course adopted at previous sessions of that assembly, in regard to the admission of new States. In the year

1791, Vermont came into the Union, and Kentucky in 1792, without the submission of any Constitution to Congress by either. Upon the application of the inhabitants of Tennessee, in 1796, some objection was made to its constitution, by a member from South Carolina, on the ground that it contained a clause repugnant to the Constitution of the United States. To this it was replied, that the latter was paramount, so that the objectionable clause was of no consequence, and Tennessee became a State without farther inquiry.

In 1802, Ohio had framed a constitution, which was laid before the Senate, referred to a committee, and never reported upon. Indeed, the act of admission, passed in February, 1803, simply recites the fact, that, whereas, by the law of Congress, approved April 30, 1802, the people of the Territory of Ohio had been authorized to form a constitution and State government, *therefore*, the said State of Ohio had become one of the United States of America. The Territory of Indiana, following Louisiana, to which reference has been made already in this volume, next applied for admission; and the proceedings thereupon, concluded in December, 1816, were conducted as in the case of Ohio. Mississippi was enrolled among the States, in 1817, by virtue of an act authorizing the people of the territory to form a constitution and State government, *and for the admission of the State into the Union*; thus coupling in one act provisions to expedite the process, which had heretofore been considered separately; except in the cases of Vermont and Kentucky, in regard to which no particular formalities were observed. In the year 1818, the constitution of Illinois was presented to Congress, whereupon objection was taken to it by a member from New York, because slavery was not sufficiently prohibited by it. But the joint resolution for admitting the new State passed the House by a vote of yeas 117, nays 34, and the Senate without a division, and was approved by the President. When the bill had been reported to the Senate for the admission of Mississippi, in 1817, objection was made to the vast extent of territory included within the limits of the proposed

State. Thereupon, the domain was divided, and the eastern portion was named the Territory of Alabama. No mention was made of slavery in the act passed for this purpose; nor was the subject referred to in the act of March, 1819, authorizing the inhabitants to form a State government. In December of that year, Alabama was admitted as a State, on the same terms, by unanimous consent of the Senate, and without division by yeas and nays in the House.

Accordingly, it appears that the action of Congress up to, and in the very midst of the period of the Missouri controversy, had been conformable to the wishes of the people of the several territories, in all other cases, upon their application to become members of the Union. Slave States and free had been admitted indifferently, either with or without State constitutions. No test in regard to slavery had ever been proposed for territory south of the Ohio and west of the Mississippi Rivers. The situation of Missouri corresponded with the latter of these conditions; and, perhaps, if the line of the Kansas River, running conveniently enough along the tract of Central Missouri, and extending through the middle of the present State of Kansas, had been adopted as the boundary between slave and free territory, the whole future contest might have been saved. The line of $36^{\circ} 30'$ north latitude, on the other hand, coursed along the southern border of Virginia and Kentucky, and was objectionable, in every respect, as an arbitrary and irrational bound of demarcation, if the wish or the hope were felt to maintain the peace.

In order to show how the South regarded this "aggression," on the part of the North, of which Missouri was the topic of dispute, the opinions of Mr. Jefferson, expressed in the midst of the contest, and afterwards, are of more value than those derived from any other source. This eminent statesman, then at an advanced period of life, an ardent friend of emancipation, whenever any practicable way for its accomplishment could be presented, and living totally apart from all the interests, embarrassments, and excitements of politics, gives this account of his habits of life and thought:

“Although I had laid down as a law to myself never to write, talk, or even to think of politics—to know nothing of public affairs—and had, therefore, ceased to read newspapers, yet the Missouri question aroused and filled me with alarm.”

Such extracts from his various writings on this subject, as those below, are well deserving of attention, in illustration of the views already herein expressed in regard to it, and as explanatory of constitutional obligations, by an eminent contemporary of the Constitution. He further remarks :

“The question is a mere party trick. The leaders of Federalism, defeated in their schemes of obtaining power by rallying partisans to the principle of monarchism * * * are taking advantage of the virtuous feeling of the people to effect a division of parties by a geographical line ; they expect that this will insure them on local principles the majority they could never obtain on principles of Federalism.

“Our anxieties in this quarter are all concentrated in the question, What does the holy alliance in and out of Congress mean to do with us on the Missouri question ? * * * Are our slaves to be presented with freedom and a dagger ? For if Congress has the power to regulate the condition of the inhabitants of the States within the States, it will be but another exercise of that power to declare them all free.

“The coincidence of a marked principle, moral and political, with a geographical line once conceived, I feared would never more be obliterated from the mind ; that it would be recurring on every occasion, and renewing irritations, until it would kindle such mutual and mortal hatred as to render separation preferable to eternal discord.

“The Missouri question, by a geographical line of division, is the most portentous one I ever contemplated. — is ready to risk the Union for any chance of restoring his party to power, and wriggling himself to the head of it ; nor is — without his hopes, nor scrupulous as to the means of fulfilling them.

“The people of the North went blindfold into the snare, and followed their leaders for awhile with a zeal truly moral and laudable, until they became sensible that they were injuring instead of aiding the real interests of the slaves ; that they had been used merely as tools for electioneering purposes, and that trick of hypocrisy then fell as quickly as it had been got up.

“I envy not the present generation the glory of throwing away the fruits of their fathers’ sacrifices of life and fortune, and of rendering desperate the experiment which was to decide ultimately whether man is capable of self-government. This treason against human hope will signalize their epoch in future history as the counterpart of the model of their predecessors.

“I regret that I am to die in the belief that the useless sacrifice of them-

selves by the generation of 1776 to acquire self-government and happiness for themselves is to be thrown away by the unwise and unworthy passions of their sons, and that my only consolation is to be that I live not to weep over it."

How accurately this venerable statesman foresaw the operation of the doings which he thus deplored, has been only too closely demonstrated by the course of subsequent events. To what absolute extent, either literally or in their spirit, his sad reflections and gloomy auguries have been fulfilled, need now be scarcely the object of inquiry. It may be justly remarked, that, if the seed of national dissension was sown, at the establishment of the first geographical line drawn in 1787, it was in the compromise measures of 1820-'21 that the root of bitterness, growing out of that seed, was nurtured, from which sprang the future ills of the American Republic. For the Missouri Compromise was practically a shift to the future of a present embarrassment, by a bargain which either did not contemplate, or else did not regard the remote, but natural results likely to ensue, when affairs were ripe; and sure, in that event, to prove the occasion of a still more aggravated quarrel.

The North had made a practicable breach in that ordinary and equitable condition for the admission of States into the Union, that they be received "on an equal footing with the original States, in all respects whatever." Slave States and free States¹ had originally formed the Union. For new States, therefore, *an equal footing with the original States, in all respects whatever*, could but be their admission, whether with or without slavery, indifferently. Southern men who voted for the measure, less provident of the future than Mr. Jefferson, can only have done so for the sake of quiet. But peace founded on expediency is not in its nature lasting. The Ordinance of 1787, though a violation of the principles of the Constitution, was of no real import in its merely practical application to the territory subject to its provisions. Nature

¹ Massachusetts and others, which had provided for emancipation.

had originally established an ordinance paramount to it, but with which it coincided.

In the other case it was different. Into a part of the national territory, in which slave labor was thought indispensable, and lying contiguous to slave States, under the same line of latitude, immigrants with their domestic train of laborers would be sure to find their way. Their arbitrary exclusion, therefore, was by the enforced application of a doctrine, which competent and judicious statesmen have generally held to be quite outside of constitutional powers. Looking at the question from that point of view, it is certainly difficult to see how considerations founded upon mere moral sentiment, or arguments derived from policy alone, could be entitled to weight. In such a case, the fundamental law of the land can be the only rightful criterion. While that remained in force, legislative action in contravention of its provisions could be but sectional and unpatriotic; and, therefore, hostile to that section of the Union which rested under the ban of its restriction.

One other quotation from the correspondence of Mr. Jefferson should be added to the passages already given. It is of striking interest, and appropriately leads to a suggestion or two upon certain relations, other than political, which existed at the period of the latter compromise between the North and the South. In a letter to a friend, he says:

“The line of division lately marked out between the different portions of our Confederacy is such as will never, I fear, be obliterated, and we are now trusting to those who are against us in position and principle to fashion to their own form the minds and affections of our youth. If, as has been estimated, we send three hundred thousand dollars a year to Northern seminaries for the instruction of our own sons, then we must have five hundred of our sons imbibing opinions and principles in discord with those of their own country. This canker is eating on the vitals of our existence, and, if not arrested at once, will be beyond remedy.”¹

In this particular respect, however, the views of the venerable writer were far less sound than on some other

¹ Letter to General Breckinridge, Feb. 11, 1821.

occasions. There was very little danger that the sons of Southern families would imbibe any prejudice against the slave system at their homes, among the young men with whom they chiefly associated at the colleges of the North. In those institutions, at the period in question, and in the existing condition of public sentiment among the better educated classes at the North, it may be doubted whether such subjects of speculation had many charms for the youthful mind. Probably, the students from the free States knew little, and thought little, on the subject of slavery. It appears by the annual catalogue of Harvard College, that, in the year 1820, there were no less than fifty youths from various Southern States in its list of undergraduates, amounting altogether to two hundred and eighty-six. It is not improbable that they would be found in, at least, a similar proportion at Yale and Princeton, since the seminary at Cambridge was situated so much farther North. If Mr. Jefferson's computation were correct, the proportion must have been still greater in those two colleges, or the distribution may have been more extensive.

The effect of the temporary residence of these young persons in such institutions of learning was just the reverse of that which he imagined. Many of the dearest ties of friendship which earth affords were there formed, between them and their Northern classmates, which afterwards withstood all the mutations of diverse ways, and the chilling effect of time and distance, and lasted unaltered during their common lives. Doubtless, the sectional tendencies of many at the South, who held back during the late war, were more or less repressed by the influence of their early associations with New England college life; and doubtless, also, the national patriotism of many at the North, who revered their whole country, was warmed and invigorated by the remembrance of their Southern friends, in days before worldly thoughts and things had subdued the freshness of generous sentiment and feeling. Many of those young men, from both departments of the land, were sure to exert no little influence, in

concert, upon future public affairs. Those from the South were even more likely than the others to take a leading part in politics, for they were generally the sons of men of fortune, and frequently of those already known in political life, and were less subject to general competition for office than were their contemporaries in the Northern States.

There were other causes at work, tending strongly to promote a better state of feeling among the widely diffused population of the country. The Roman historian tells us of a primitive people, remote from the imperial city, to whom every thing which was unknown seemed wonderful. Owing to some peculiarities of character and education among the inhabitants of the extreme North, and to a total ignorance of the condition of things at the South, whatever was not familiar to them, and which they did not understand at all, appeared to them simply and unqualifiedly objectionable. Whatever home instruction they had received upon the subject was calculated still further to influence their prejudices. There had been a vast deal of enthusiastic declamation against "chains and fetters," during the Revolutionary War, and upon many anniversaries after it ended; and the common mind at the North found it difficult to discriminate between the metaphorical enslavement of white men, though now released from that thralldom, and the practical, still-existing, bondage of the blacks. They forgot, that during the whole war for freedom, negro slavery had been kept up, as usual, by the champions of liberty, and remained in the same condition after the deliberate establishment of a free constitution.

In a word, hating the abstract idea of slavery, they conceived that all mankind were entitled to, and qualified for the enjoyment of liberty. Assuredly, this was a radical error. Those who mistake liberty for an end, instead of a means, leave out of the reckoning its true aim, and the whole body of its uses. They forget that it is a good only, as a sign of order, safety, and the opportunity of improvement. They are like those who should cheat themselves with the

idea, that outward union with a Christian church answers all the purposes of religion. But civil liberty, unless it finds men fitted for it by character and capacity, so that it can make them wiser and nobler, better citizens and better neighbors, is mere license. Liberty, in fact, is but the embryo of a thing to grow; a seed, the thriftiness and value of which depend altogether upon the nature of the soil in which it is sown. And when it has once sprung up, it needs steady nurture, or it will run to waste, and pine and die. It were poor husbandry to look to weeds for the fruit of wholesome plants. The first may have their uses; but all the culture in the world could never draw a rose out of the stalk of a nettle.

The people of the North had mainly forgotten all about the negro bondage of the preceding generation, in its languishing state, amongst themselves; and that of the Aborigines, at an earlier period, had passed quite out of recollection. Their notions of the servitude at the South were very vague. In the maritime towns there was experience, for several years after the beginning of the present century, of the cruel slavery to which American seamen were occasionally subjected, after capture by the rovers of Algiers, Tunis, and Tripoli. At the same period there were traditions from times not very remote, throughout New England, of the surprisal of block-houses near the outskirts of civilization by the Indians, and of the march to Canada of those captives whom the tomahawk had spared, principally women and children, by toilsome and painful stages, and of their sale to the French inhabitants.

A very affecting narrative of the sufferings of several women with their young families thus taken prisoners and sold, in the year 1755, while France and Great Britain were at war, appears in a school book, "The American Preceptor," once in extensive use, of which the stereotyped edition now referred to was published in Boston in 1815. It is gratifying to observe that those unhappy persons received kind treatment from the French families, into whose hands they had fallen, and from the French authorities, and that a certain

number of them who survived were finally ransomed. There must be persons living in one of our seaport towns, who can recollect the obloquy to which a merchant had subjected himself, by refusing, or neglecting to furnish a ransom for his son, a slave among the Barbary powers. The incident itself occurred not far from the beginning of the present century. In the same work, designed for the education of youth, besides a versified remonstrance, by Merry, against slavery, as authorized and kept up by the British Government in this country before the Revolution, there is a poetical piece by Mrs. Morton, entitled "The African Chief." In order to move the admiration of the reader for his dignity, as well as to excite compassion for the sufferings of the character eulogized, he is styled "The Princely Slave," and a single stanza will give at least some idea of the imaginative power of the poet:

"A Chief of Gambia's golden shore,
Whose arm the band of warriors led,
Perhaps the Lord of boundless power,
By whom the foodless poor were fed."

Leaving this sonorous verse without other literary criticism than of the image presented, it must be admitted that the picture is extremely fanciful. A lord of boundless power, in Africa, if there were any such to be found, was certainly a person as little likely to become a slave as the King of Spain. He, and every inferior "princely" chief, were always ready to take advantage of any opportunity to make a ready penny, by the capture and sale to white men, and to one another, of every one of their colored brethren upon whom they could safely lay their hands. Not the sons of Jacob had less scruple in selling Joseph to the merchant men of Midian, for twenty pieces of silver, than they about trafficking in their own flesh and blood. It is equally certain that "the foodless poor" would have been much more likely to be eaten up themselves, in many parts of Africa, if not, at a season of scarcity, on Gambia's golden shore, than to be partakers of any of that bounty which the benevolent author

supposed her chief was in the habit of providing for their sustenance.

By such sentimental effusions, in the school-book cited, and others, of the same period, and too often by exaggerated descriptions of Southern slavery in the Northern newspaper press, the minds of ingenuous youth were moulded. The latter teaching was prompted by political motives, as the former, doubtless, often was by ill-instructed considerations of humanity. But in this way it happened, and, to a certain extent, by the influence of the pulpit, also, that the people of New England, especially, were educated in a system of prejudices against those who tolerated an institution, which seemed abominable to such as heard only about its worst features. At a much later period, when this sort of literature had become more telling in its effect, a highly popular writer gave to the world a series of poems, devoted to the special purpose of uplifting the negro in the general scale, and of exciting express and active sympathy in his behalf, as a slave. One of these pieces, which sets forth the interesting qualities of a venerable colored person, begins by bringing him at once within the range of our religious associations :

“Loud he sang the Psalms of David,
He a negro and enslaved.”

But while this performance reminds one of Sir Piercie Shafton's remorseless chant of five hundred love verses, at the tower of Glendearg, the reference to the minstrel king in the couplet was, perhaps, introduced for the sake of the awkward rhyme ; since, proverbially vocal as the race is, the Psalms in question, either wholly or in part, must be supposed to have been sung only in the admirable paraphrases of Dr. Watts, or those of the Wesleys and others. Afterwards, was produced by a lady, who even surpassed Mrs. Morton in imaginative faculty, that highly sensational romance, in which the vicious incidents, which may have been spread over the surface of a generation, were collected and brought into the compass of a brief experience ; and then,

mixed up with absurdities and impossibilities, were exhibited as a picture of the effect of slaveholding upon the superior race in the South, on the one hand; while on the other, the worthy and pious black man, whose name and dwelling-place give the title to the work, was represented as the type of all those virtuous and noble qualities which have graced the lives and dignified the last hours of the most illustrious heroes and martyrs.

If these exaggerated and distorted delineations were to be taken as true, it would seem that, whatever other objections might be urged with justice against Southern slavery, it was a condition by no means inconsistent with a manifestation of the highest human characteristics. But after the arrangement of the Missouri question, a considerable period had elapsed, and a great deal of training had been undergone, before the public mind of the North was prepared to give writings of the latter description, the enthusiastic welcome which at length they actually received. After the culmination of that controversy, the topic of slavery, in most of its aspects, ceased, for a series of years, to excite any particular interest in the popular mind.¹ Sectional sentiment, so far as it entered into the consideration of politics, had been thus far superficial and temporary in its influence among the masses of the people.

¹ Enlightened philanthropists devoted themselves to the colonization of negroes in their native country, under continual opprobrium from the abolitionists, and the respectable and flourishing Republic of Liberia was the fruit of their thoughtful and liberal care.

CHAPTER III.

The former "Federalist" and "Republican" Parties.—Political Questions during Mr. Monroe's Administration, and that of Mr. Adams and General Jackson.—Certain Sources of Good Feeling between the Sections.—West Indian Emancipation.—George Thompson.—Anti-Abolition Meeting in Boston.—John Henry.—Great Britain and the United States.—Washington's Advice.—Mr. Roebuck's Speech at Sheffield, June 10th, 1865.—Progress of Abolition.—Views of President Jackson, Governor Marey, Governor Everett, and Mr. Clay.

THE old party lines of Federalists and Republicans had become almost obliterated by the general fusion of both, at the election of Mr. Monroe for President, in the year 1816. On that occasion, this slaveholding successor of Jefferson and Madison received the electoral suffrage of sixteen States, amounting in all to one hundred and eighty-three votes, against thirty-four given to his Federal rival, Mr. King of New York, by Massachusetts, Connecticut and Maryland. Mr. Monroe was chosen for his second term of office in 1820, by an electoral ballot lacking only one vote to make it entirely unanimous. The elements and the political tendencies of the former parties remained, indeed, distributed throughout all the several States, without essential change in the comparative numbers of the advocates of old opinions. France, in the mean time, had finally emerged from the vortex of revolution, had been an empire instead of a republic, and was now a monarchy under the rule of its ancient line of kings. The long European struggle had enlisted the feelings of the two parties in this country, in correspondence with their earlier prepossessions. The war of the United States with Great Britain had still further widened this division of sentiment. The occasion and the foundation of

this diversity of opinion, however, had now passed away; and it is probable that the popular feeling, which had been wrought upon until it led to the free-soil demonstration of 1820, was very much owing to the want of any other absorbing subject of national difference to engage the attention of political parties.

During the course of Mr. Monroe's administration, however, the several subjects of the Tariff, the United States Bank, of Internal Improvements and the Navy, had undergone thorough discussion, and had finally awakened the eager interest of the nation. The first named, though obviously national in its general results, by promoting the revenues of the Federal Government, yet, in its specific operation, affected the two sections in different ways. If the protection afforded by it added to the value of the manufactures of the North, the tariff also furnished the South a nearer market for its chief productions, to be distributed among fellow-citizens, and to be procured at a lower rate of transportation. If the competition between the foreign and the domestic manufacturer brought down the price of the article, that evil would be partially cured at least, whenever the latter should be able to measure strength successfully with his foreign rival. As soon as it becomes no longer advantageous to the foreigner to export manufactured goods into the country which produces the raw material, the price of that material to the home manufacturer becomes, to a considerable extent, within the control of its producer.

By adhering judiciously and systematically to such a policy, as was originally proposed by the South and finally assented to by the North—but which was deviated from, upon political considerations totally apart from the interests actually at stake, and therefore substantially without regard to them—incalculable benefits would have accrued to the common country, and a closer bond of union would have been maintained.¹ The discussion of the other topics of national

¹ On the other hand, it should be remarked that, upon constitutional principles, such a restriction of trade, or forced diversion of it from any

policy referred to brought into more or less prominence the former differences of opinion, in regard to Federal and State rights. A national bank, a powerful navy, and a system of internal improvements, conducted under the patronage of the General Government, it was held by the opponents of those measures, tended to build up a formidable central power, not unlikely to prove unfavorable to the common liberty. The second of these points was a mere question of policy, no more involving considerations of constitutional authority, than the support of a sufficient military force for the land service; and it might have been remembered, that a navy in all ages has proved almost uniformly and signally patriotic. Mr. Monroe had doubted the constitutional power of the General Government to institute works of internal improvement; but so impressed was he with the conviction of their general value and necessity, that he recommended, by message to Congress, an amendment of the Constitution, by which that power should be conferred.

Doubtless, the benefits to be derived from such works would be felt very unequally by the several States since the improvements would be principally made in the comparatively unsettled portions of the country, where they were most needed: but the eventual advantage, of a great public

ordinary channels into one particular direction, could be defended only on the ground of making all the interests of the country contribute as equally as possible, in their degree, to the general benefit. Any system of domestic policy, for example, which tends to the limitation of free trade, ought to be adopted, if at all, in order to promote the welfare of the Republic, by strengthening the bonds of the Union. Hence, it was peculiarly incumbent upon the New England States, which derived especial advantage from the tariff system, to cultivate Union sentiments, and to discountenance whatever tended to enfeeble them. This they did for a considerable period; but at length it appeared that very many of those whose private interests had been most promoted by such a system, after the North had obtained sufficient power to reestablish and to uphold it, were persuaded to change their political positions, and, with strange inconsistency, to serve the ends of the "geographical" party. This seems neither grateful nor just; nor does it seem likely to provide their substantial interests in the end.

road for instance, would accrue to all, either directly or incidentally. In regard to a Bank of the United States, for the deposit and ordinary use of the public funds under suitable safeguards and regulations, there seems to be no objection to such a corporate body, which does not apply to all human institutions; to countervail which no safeguards whatever can be absolutely effectual. It is possible that such a bank might fall into the management of directors who were in opposition to a temporary administration. It is possible that a part of its funds might be sometimes lent to those intending to use them for party purposes. But from the nature of the case, such an institution must be managed, in general, by those who are entirely above all reasonable suspicion, and who could not deliberately, or even carelessly, misuse their trust, without a degree of depravity not to be imagined of any body of ordinarily honest men.

All those measures excited warm opposition and the strongest party feeling. But those which had not been already adopted became soon a part of the public policy. The Bank, which stood upon as strong a foundation as any such institution in the world, until its foundation was taken away by the Government—which exhibited a singular jealousy for liberty by the exercise of a singularly arbitrary act—was broken down under the administration of President Jackson. But these great and exciting questions, which, in whole or in part, earnestly enlisted the public feeling, during the administrations of Mr. Monroe, and of his successor, Mr. John Quincy Adams, and finally of President Jackson, swept out of sight, almost altogether, those darker clouds, full of the fury of sectional agitation, which had hung so ominously over the country during the progress of earlier years. Questions of constitutional authority, or limitation, which are matters of opinion, resting purely upon a speculative basis, and which do not touch directly either the pockets or the sensibilities of the common people, will usually settle themselves in one way or another, at last, without danger to the order of society.

This will occur, even when they actually involve considerations of the deepest import to the general welfare. Nations seldom, or never, have fought for a principle, merely; and when they have seemed to do so, it will be found that practical causes have been previously at work to bring them up to the final point. For example, not the most animated discussion of the Bank, or of Internal Improvements, could ever have stirred up the women and children of the Northern States to that pitch of intolerant zeal, under the influence of which their individual feebleness lent, in its combination, such accumulated energy to the crusade of abolition. The signal efforts of the platform, the pulpit, and the school-house, so efficient in the latter direction, would have proved discouragingly futile, however earnestly devoted to the elucidation and recommendation of those other drier and less moving topics.¹

It may be well to recur for a moment to some of those causes, which had the happiest influence in keeping up good feeling between the two sections. Among a scattered agricultural population, like that in the Southern States, the advantages of even common education could not be enjoyed so readily as by the more compactly settled inhabitants of the North. Oftentimes, the great extent of the plantations, and the distance of the proprietors' residences from each other, would render that combination of interests inconvenient, by which schools could be established and maintained. In the Northern States, provision being made for this object by law, the richer classes are taxed like the poorer, according to their means, in order to secure the fundamental elements of

¹ Several years ago, when the contest ran high between two candidates for the Presidency, and questions of finance were pressing, an orator of more reputation than tact, at an evening caucus in one of our larger towns, saw fit to address the assembly on the subject of the currency. Signs of impatience soon began to show themselves among the audience. The respectable chairman repeatedly demanded order, with some temporary effect. At length the disturbance became almost tumultuous. "Order, order, gentlemen," cried the chairman; "I know this is tedious, but it may be useful."

education to all. Had the expenses incident to a common school system been left to the voluntary action of the people, in both parts of the country, it may be doubted if the disparity between the two, in point of instruction among the lower classes, would have been so great as has been often alleged.

In order to remedy this evil as far as possible, the people of the South made large drafts upon the ampler educational resources of their Northern fellow-citizens. They manifested none of that apprehension of danger to the principles of their sons, through familiar intercourse with the people of the free States, which had so troubled the imagination of that "apostle of universal freedom," Mr. Jefferson. They continued for many years to send their young men, in large numbers, to the New England academies and colleges. It often happened, that they trusted these objects of their affection and hope to such dangerous quarters, from a period of tender years, when impressions are most readily received, up to the very dawn of manhood. At the same time they held out sufficient inducements to young men and young women of the North to come among them, as private instructors in their families, or as teachers of their better classes of schools. It was a very common thing for this requisition to be complied with; and not a few of those afterwards distinguished in public affairs owed their first start in life to the compensation, and to the advantages of various sorts derived from this description of useful service. Many of both sexes formed connections, which made it agreeable for them to remain permanently in a part of the country to which they had repaired only for a temporary sojourn. A wide field was also open in that region for the offices of ministers of the Gospel; and very many eminent clergymen of the South have been of Northern extraction. Whatever unfavorable prepossessions these young persons may have originally entertained, in regard to the prominent domestic institution of their hosts, they generally returned to their homes with their opinions very much modified, if not altogether reversed.

Naturally, it followed, from the condition of things described, that the better classes of the people of the slave States made frequent, and often annual journeys to the free States. They came to visit their children or brothers, or near friends, at the Northern literary institutions. Afterwards, from habit, or for pleasure, or to escape the heat of their own climate, these excursions would last, not unfrequently, for a whole summer long. The watering-places, the hotels, the mountains, the lakes, the shores of the North, were usually thronged at such a season with a class of visitors, who were generally welcomed and esteemed, for they were generally cultivated, refined, and genial. In the course of years, also, the intercourse of business between the two sections had become immensely enlarged, and of vastly increased value in its results to both. It requires little philosophy to recognize a period like this as the halcyon days of the republic, during which no thought of civil disturbance, or of the possibility of mutual slaughter, could find resting-place in any rational or patriotic mind.

But when the brooding of the storm began, at length, to be heard, this whole agreeable scene suffered a deplorable change. The summer birds, after much lingering delay, fairly took their flight, and repaired to their wonted haunts no more. As the abolition agitation became more and more vehement, and especially when the question of slavery became fixedly mingled with the politics of the country, excursions from the South to the North, for social or healthful purposes, grew gradually less and less frequent, until, at length, they ceased altogether. For some years before the war, scarcely a youth from the former quarter could be counted in the New England seminaries; and the intercourse of business, which is the last to feel any sensible diminution, upon merely political considerations, was largely affected by the prejudices which had grown up between the two sections.

The North had allowed its better sense and feeling to be perverted and irritated by the wild harangues of mad enthusiasts, and the acts of unscrupulous demagogues; and the

South had retorted with offensive measures, which it held important to its own protection. Saying nothing, for the present, of the eventual and outright struggle between the two, whether for political power or for civil security, it is certain that the decline of agreeable intercommunication between the one and the other, which has been described, and which it was so much for the interest of both to maintain, was contemporaneous with unfriendly, at least, if not unconstitutional legislation by the Northern States; fatally leading, in due course of time and events, to slave-rescues, which were violent infractions of the Constitution, and to a "John Brown raid," which was mere brigandage in him, and on the part of those who set him on an atrocious attempt to institute civil and servile war.

Reference has already been made to the fact, that few petitions, touching upon the subject of slavery in any of its relations, had been presented to Congress between the years 1827 and 1836. The instances appear to have been but two during that interval. The first, asking that children of slaves born in the District of Columbia might be declared free after a certain age, was offered to the House in 1827, and met with such general disfavor, that no action was taken in regard to it, except the refusal to print it by a large majority. The next case occurred in 1831, when Mr. John Quincy Adams presented fifteen memorials from inhabitants of Pennsylvania, relating to the abolition of slavery and of the slave trade in the District. It was upon this occasion, that, expressing his disapprobation of making the first topic a matter of discussion in Congress, he moved the reference of the petitions to the Committee on the District. Subsequently, the committee was discharged, at its own request, from further consideration of the subject.

It is important, at this point, to inquire into some of the causes which set in motion the flood of memorials to this intent, which poured in upon both branches of the 24th Congress, at its session of 1836. Certain it is, that an extended and simultaneous movement for the promotion of their ob-

jects, took place in the antislavery ranks at that time. Heretofore, the active abolitionists of the North had been few in numbers and insignificant in character and influence. The two great political organizations, extending throughout the country, were known as the Democratic and the National Republican parties. The latter, not long afterwards, took the name of Whigs, in reference to various strong measures of President Jackson's administration, which, as they thought, savored more of toryism, and, in fact, of absolutism, than of democracy.

However general was the dislike of slavery in the free States, yet the abolitionists proper had only here and there a local society, consisting of a handful of zealous, but wrong-headed, men and women, of the class more recently known as the strong-minded. They met in obscure apartments, and attracted scarcely any public attention; or, if brought to notice by accident, were the objects of only popular ridicule and contempt. The general public mind was entirely settled in regard to the uselessness, as well as the unlawfulness of interference with slavery in the States; and hence no mode of action was left to the abolitionists, except by occasional memorials to Congress upon indirect points affecting the question, or through their few unregarded publications, which were read by nobody but themselves. In the mean time, the steps which had been for some years in progress, for the emancipation of the blacks in the British West Indian possessions, had just reached that object.¹

The course of this event had been watched with the utmost eagerness by the abolitionists of the United States. Nor were they at all backward in seizing upon every argument which could be derived from such an example. England had liberated four hundred thousand slaves, at the cost of £20,000,000, paid to their owners. She had a perfect right to do this, since her colonies were under the complete control of Parliament. The abolitionists in the United States, however,

¹ In 1833 and 1838.

would never listen to the suggestion of paying the South for its slaves, could its consent for their liberation be procured; but the General Government had no control whatever over the disposal of them. Six years before the consummation of this process, the highest courts of Great Britain had in vain endeavored to discover that peculiar characteristic of English air, imputed to it by Lord Mansfield,¹ which, it had been before alleged, immediately interfered with the respiration of a slave, who ventured to step upon English soil.² In fact, Lord Stowell decided that a British subject of one of the colonies might bring his slave with him to England, and take him back again still a slave; involving very much the principle afterwards contended for, in regard to the territories of this country. The basis of this opinion obviously was, that otherwise one British subject would not enjoy those rights which other English subjects did enjoy, or might if they chose—an argument appealing to principles which every Englishman would at once comprehend.³

The property of a certain class of white men, therefore, but accidentally, and, perhaps, involuntarily, thus classified, was recognized and protected by law, in contravention of those rights claimed, on the other hand, for negro slaves, as belonging to them indiscriminately with the whole human race.

The first ostensible effect of emancipation in the British West Indies was the appearance of the then obscure, but afterwards notorious, Mr. George Thompson, from London, on an abolition mission to this country. Well-known American abolitionists had also visited England about the same period, and Exeter Hall became the common nest of that species of birds of which it was afterwards so conspicuously the nursing mother. The motive which had induced Mr. Thompson to undertake an enterprise at once so impertinent

¹ See Lord Stowell's decision in the case of the slave Grace. 2 Haggard's Reports.

² "Slaves cannot breathe in England."—Cowper.

³ See "Remarks on the Review of Inchinquin's Letters," in Appendix.

and so mischievous, if any effect whatever could ensue from his efforts, became speedily a subject of some inquiry. It was not imagined that pure benevolence towards the human race had prompted a mission of such an extraordinary nature. When he was chosen, upon his return to England, to represent the Tower Hamlets in Parliament, it was seen that he did not work without his promised reward. The Boston *Atlas* of August 4, 1835, at that time the leading Whig newspaper in New England, in the course of some forcible remarks deprecatory of the antislavery agitation, thus expressed itself in regard to the movement in Great Britain:

“We regret to learn that there is to be more American agitation on this subject in England. The Abolition Society is sending out agents to work for them there—how or to what end? To raise funds for the purchase of the slaves; or to pay itinerants for preaching up an excitement in New England and New York?” etc.

That journal earnestly urged the propriety of a public meeting of the citizens of Boston, for the solemn consideration of this movement, which it was then easy to see threatened the ruin of peaceable relations between the North and the South. Accordingly, in about a fortnight appeared a formal summons to a public meeting at Faneuil Hall, subscribed by the signatures of some eighteen hundred leading citizens, comprising the names of men belonging to both of the great political parties. Probably most of the signers of that document have passed away, after the lapse of thirty years; but it might be a matter of curious interest to observe how many there are among the survivors who have adhered to the constitutional principles, then thought so sound, so patriotic, and so essential to the preservation of the Union.

An immense assembly gathered at the call. The presiding officer of the meeting was General Theodore Lyman (then Mayor of the city), a gentleman of the very highest social standing, at that time acting with the Democratic party, though of old Federalist connections. The resolutions, strongly in condemnation of the whole abolition movement,

were proposed by Mr. Richard Fletcher, a leading advocate at the Suffolk Bar, and shortly afterwards member of Congress, with appropriate introductory remarks. Addresses of a kindred spirit were made to an enthusiastic audience by Mr. Peleg Sprague, who had been a well-known Senator of the United States from Maine, and became afterwards so eminent as Judge of the District Court of the United States for Massachusetts, and by Mr. Harrison Gray Otis, United States Senator during the period of the Missouri controversy, who had also been Mayor, and who was distinguished by a graceful and fascinating style of eloquence, to which, it was thought by his contemporaries, that none of his rivals made any approach.

This effective gathering was soon followed by an "anti-abolition meeting," at the neighboring town of Cambridge, the seat of the University, conducted by gentlemen of similar standing, which adopted resolutions of a like import. If the abolition excitement were growing, the anti-abolition sentiment was vastly preponderant. In a few weeks after these demonstrations, the English emissary, Thompson, who had already addressed some sympathizing circles in New York, but in no way to attract much public notice, advanced towards Boston; speaking, on his way, to a faithful few at the town of Abington, in Massachusetts, afterwards notorious as the scene of those annual burnings of the Constitution of the United States, by that band of philanthropists whose wide-sweeping love for mankind left their own country out of the sphere of their affections. He had made one or two highly offensive speeches in the city, and word had been given out that he was to address the "Ladies Anti-slavery Society," at a set time; but the manifestation of popular indignation in the neighborhood of the hall proposed for the occasion, was such as completely to discourage him from making his appearance. Indeed, he sought the earliest opportunity to quit a country, secretly and in disgust, which had shown so little gratitude for his disinterested intentions of setting its people by the ears.

It was upon this occasion that his American confederate, Mr. Garrison, though by birth a native of the British American provinces, was let down by a back window of the building engaged for the occasion, and attempted to conceal himself. He was hunted out, however, and then rescued by the city officers from a mob, which was too good-natured to intend him any serious mischief; and he declared, as the portals of the common prison, to which he was taken for safety, were at length shut upon him, that "never before was a man so glad to get into jail."

There were many who remembered, upon this occasion of the visit of Thompson, the appearance of a certain British subject, one Captain John Henry, in New England, for a correspondent object, somewhat less than thirty years previously. The only difference between the missions of the two was, that Henry came with the avowed design of promoting those divisions between the North and the South, which had grown out of the non-intercourse and embargo acts; and Thompson, professedly on the part of the negro, but really to make use of antislavery agitation, in order to effect the same purpose which had been the design of his predecessor.

The subject of interference in our affairs by British agents deserves a candid examination, and far more attention than it has yet received. Perhaps the children of those who invited this Thompson over, on his more recent visit to this country, and countenanced him, while here, in the not very efficient services which a foreigner could then render, to foment civil troubles already too far advanced to admit of aggravation by such means, may have occasion hereafter to blush at the conduct of their fathers. It scarcely comports with the intention of this work to discuss, in their details, the circumstances attending the earlier agency of Henry. Whoever may desire to become fully possessed of the facts in the case will obtain a fund of information on the subject in Benton's "Abridgment of the Debates of Congress."¹ Certain it is,

that this person was in the employ of the British Government; that he entered the United States, by the way of Canada, in the year 1809, and repaired to Boston; and though he found little popular sentiment, eventually, to encourage him in the pursuit of his avowed object, which was the separation of the Eastern States from the Union, the fact remains indisputable that he was possessed of official authority to proceed in his undertaking. Upon the failure of his enterprise, and of his expected reward, he placed his correspondence on the subject at the disposal of the Government at Washington. He thus betrayed his employers; but, however low his treason may sink his own character, the information which a traitor furnishes may, nevertheless, be true; and it affords as strong ground for action as that derived from an honorable source, if sufficiently corroborated by other more trustworthy testimony, or by circumstances of sufficient weight to give it reasonable title to credit. The British Minister at Washington disclaimed all knowledge of this intrigue for himself, and expressed his conviction that the Government of Great Britain could have had no complicity in schemes hostile to the internal tranquillity of the United States.

The President, Mr. Madison, however, whose communication of these documents to Congress had called forth the note of the British Envoy, stated in his message of June 1, 1812:

“It has since *come into proof*, that at the very moment when the public minister was holding the language of friendship, and inspiring confidence in the sincerity of the negotiation with which he was charged, a secret agent of his government was employed in intrigues, *having for their object the subversion of our Government, and a dismemberment of our happy Union.*”

The Committee of Foreign Relations, to which the President's Message was referred, among other justifying causes of war, declared:

“The attempt to dismember our Union, and overthrow our excellent Constitution, by a secret mission, the object of which was to foment discontent and excite insurrection against the constituted authorities and laws of the

nation, as lately disclosed by the agent employed in it, affords full proof that there is no bounds to the hostility of the British Government towards the United States; no act, however unjustifiable, which it would not commit to accomplish their view. This attempt excites the greater horror, from the consideration that it was made while the United States and Great Britain were at peace, and an amicable negotiation was depending between them for the accommodation of their differences."

It is well worthy of recollection that Mr. Calhoun was Chairman of the Committee which made this report, expressive of such warm attachment to the civil institutions of the country, and of indignation at any foreign interference to its prejudice. The Report had set forth the wrongs, which, in the judgment of the committee, called for an immediate appeal to arms, and recites this particular intrigue as "an act of still greater malignity than any of those which have already been brought to your view." The Report was accepted by Congress, and the bill declaring war against Great Britain was thereupon passed. The proceedings in the House of Lords (May 5, 1812), upon the call for the correspondence in relation to this affair, would seem to furnish conclusive evidence in support of Henry's revelations. At the close of the debate, Lord Holland declared that the charge "remained unrefuted;" but the ministry was sustained by a vote of 73 peers against the production of the papers, to 27 in favor of the motion. It was one of those cases which sometimes occur, in which the justice of the defeated claim of the minority was made at least morally clear by the party action of the majority.

The motive for such a procedure, on the part of Great Britain, at that period, may not seem very transparent, at first sight. That resentful feelings would still linger in many of the hearts and homes of our ancestral isle, against the rebellious provinces which had wrested the recognition of their independence, twenty-six years earlier, from the mother country, was natural enough. But such a state of feeling would hardly account for active efforts by the British administration to promote civil dissension in the country, unless some expectation of advantage from the undertaking gave a

spur to the sentiments of wounded pride. But the truth is, that, during the considerable number of years which had elapsed between the peace of 1783 and the date of Henry's mission, Great Britain had never become quite free of the impression that the States of America were yet her own colonies. The idea of republican institutions was offensive to her; they were of very dangerous example, and a mere experiment of, at least, very doubtful issue.

Probably, the ruling classes of Great Britain had not become, at that time, so much alarmed as afterwards, on account of the influence which a young and vigorous Republic might exert on her own institutions. Only a few months earlier than the surrender of Cornwallis, at Yorktown, an event which was substantially the end of the war, long before evidently turning in favor of the rebels, a motion was made in the House of Commons, "that his Majesty's ministers ought immediately to take every possible measure for concluding peace with *our* American colonies." Nor was it until the termination of the War of 1812, that the separation of her ancient, and certainly beloved, if sometimes ill-treated American possessions, from Great Britain, was looked upon by that nation, generally, as final and irretrievable. The year 1809 was among the most gloomy in the modern annals of England. Some years before, Mr. Pitt had folded up the map of Europe, in token of his judgment, that the supremacy of his country in the affairs of the world had been taken from her hands, and that her own protection and defence would henceforth require her undivided attention. Napoleon was now at the very height of his glory and his power. It was not unnatural that England should turn her eyes towards her ancient possessions in the young and vigorous Republic of the West, kindred in blood, and still allied to her by many ties of old affection. Nor was it strange, however erroneous and unjustifiable such a project might be, that she should think of strengthening her hands, in her extremity, by a little policy; which, taking advantage of existing dissensions among the children of her own body, might finally

bring them all together to her hand, and replace them as precious jewels in her crown, and once more, by their gallant aid, bid defiance to the great waster of cities, and to the united world.

At the period of Mr. Thompson's ill-omened and ill-fated adventures in this country, a combination of motives must be assigned for the encouragement afforded to his undertaking by those in whose service he acted. That his mission was prompted by those in the possession of political influence, appears evident enough from the fact, that the recompense which he received for his services, upon his return home, was itself of a political character. If well-known reports in regard to his previous history are worthy of credit, this person was very unlikely to have been elected on his own merits, to represent a portion of the constituency of London in Parliament. Nor was this legislative experiment repeated in his favor. His employers appear to have thought, that they had sufficiently discharged themselves of any obligation which they might have incurred to their agent, by conferring upon him a barren designation, for a single term in the imperial assembly; and, so far as appears, he remained in an obscure condition from the time of his first appearance in the United States, in the year 1835, until his second advent, in 1864. At the latter period, anybody would pass muster among a large portion of the American community, who professed indifference to color, or, perhaps, preferred African to Caucasian complexions, with whatever hues his own personal reputation might have been tinged.

But in the interval between 1809 and 1835, vast changes had taken place in the fortunes of this country. The struggling New Englanders of the period immediately succeeding the War of 1812-'15, who then emigrated in crowds to "The Ohio," as the western country was familiarly denominated—long before "The Far West" had even entered into the imaginations of the people of the Atlantic border as a place of settlement—had become extremely prosperous, in the course of something less than a generation. The manufacturing

interests of the Eastern States had risen to rapid and vast consequence, at the enchanting touch of enterprise and industry. Their commercial marine covered the ocean, and had penetrated to the remotest harbors of the globe. They successfully competed with Great Britain upon her ancient and favorite domain of the seas, and promised soon, if they did not already, more than to rival her in those departments of manufacture which she had held to be even more exclusively her own, and to which she had long owed the chief elements of her unequalled wealth.

This state of affairs had by no means escaped the anxious attention of the parent country. Here was a great and growing Republic, which, in the progress of half a century, had reasonably tested the endurance of its democratic institutions; occupying an immense extent of territory, in comparison with which that of Great Britain proper was of the most insignificant dimensions; in its vast variety of soil, climate, and productions, exemplifying the characteristic qualities and capacities of every quarter of the globe; and possessing a population of unsurpassed intelligence and energy, giving tokens that in another generation it would outrun in numbers the teeming millions of the mother-land. Not only was it burdened with no debt, but in the year 1833 there was found to be a surplus revenue of many millions, steadily accumulating in the public treasury, which, by an act of legislation, probably unparalleled in the history of nations, was in that year distributed among the States, to be by them appropriated to such local objects of public use and improvement as their several legislatures might deem most fitting. Such was the condition of its credit, that a bank-bill of the United States Bank was as good in China as specie, when the exaction of silver was the rule—perhaps the invariable rule—in the commercial transactions of the people of that Empire with the traders of other nations. The pirates of the Indian seas had been taught, by exemplary chastisement, that the arm of the Western Republic was long enough and strong enough to avenge the wrongs of its

citizens, in whatever remote corner of the world; and the star-embazoned flag commanded universal respect in the waters of whatever zone it floated to the breeze.

It was impossible that a spectacle like this should fail to be the occasion of alarm among various thoughtful and interested classes in Great Britain. She was in great danger of being outstripped in both her commercial and her manufacturing pursuits.¹ The vision of the New Zealander, contemplating the ruins of her deserted capital from a broken arch of London bridge, might not prove altogether an illusion of the imagination. The promised advantages of the Western hemisphere were drawing into the tide of emigration hundreds of thousands, annually, of her "bold peasantry, a country's pride;" while the clamors for reform of those who remained behind filled with novel apprehension the minds of the "princes and lords," who considered the strength, the splendor, and still brightening prospects of the now rapidly maturing Republic.

The danger to the civil institutions of the kingdom—especially to the aristocratic orders of its society—from such an ominous democratic example, were thought by many to be only too appalling. From other European countries they had nothing to fear on this particular score. The gradations of society were of a similar character in them all; and, besides, whatever occasional overturns might for a time disturb their several communities, the difference of language was an insuperable bar to any common bond of general revolution. When God confounded the speech of men upon the plain of Shinar, they became scattered abroad over the face of the earth, according to their several means of com-

¹ A very interesting letter of Professor S. B. Morse, of New York, giving the statements of General Wilson, a British officer, employed by the government in the arrangements for emancipation in the West Indies, has been before the public for some years. The statement of General Wilson was, that Great Britain sought a footing, by this act of emancipation, from which to promote dissensions between the North and South, in regard to slavery, so as, by disunion, if possible, to promote her own manufacturing interests.

municating by words with each other. But here was a mighty people growing up, of a language, a literature, and a spirit, identical with the tongue, the sentiment, and the temper of the ancient land, claiming for themselves vast improvement upon ancient social and political forms, and daily welcoming to their shores throngs of those, who had left the old world in weakness and dissatisfaction, but who longed for the day when they might return to it, in strength and in hope, for its own future reformation.

It seems, to be sure, scarcely less than chimerical, for British statesmen to entertain serious alarm in regard to a fabric so substantial as that of the British aristocracy, built upon landed possessions which cover three-quarters of the kingdom, buttressed by a parliamentary power which is more than three-quarters their own, whichever party may be up in the State, and holding in their own hands the almost entire control of every means of defence. That such a panic, however, was then more or less prevalent, and has ever since exercised important influence upon their sentiments, can be no more reasonably doubted, than that Mr. George Thompson came to this country, in 1835, for the purpose of stirring up strife between the free and the slave States, and that he was rewarded for his labors with a seat in Parliament, upon his return home from his bootless errand.

Upon the eve of the declaration of war by the United States against Great Britain, the official charge, brought by the administration of this country against the British ministry, of having contrived secret agencies with a view to effect a dismemberment of the Union, stood "unrefuted," by the judgment of Lord Holland, the Earl of Lauderdale, and twenty-five other opposition peers. At the time of Thompson's mission, the direct motives for setting on foot new intrigues, in order to promote the same object, were multiplied beyond comparison, in number and in weight. Few persons would be so uncharitable as to believe, that any such design would be entertained or countenanced by the main body of the English people. But it requires an extraordinary stretch of

charity to imagine, that the emancipation of the blacks in the West Indies was due to any mere sentiment of philanthropy, overcoming, among a people of solid sense, their inevitable convictions, that owner and slave must be alike sufferers in no common degree by the change. And even such an almost boundless degree of charity must be still more elastic, to conceive that this otherwise unaccountable act of the British Parliament were owing to any other cause, than the design to use the cheaply purchased liberation of their own slaves as a lever to overturn the organized system of labor in the Southern States, and thus to disturb, if not to destroy, one of the main sources of the prosperity of the country. Or else, should that project fail, it was to employ the same instrument as a means of aggravating dissatisfactions, then scarcely composed, between the two sections; so that in the event of separation, British manufacturers and merchants might derive commercial advantages, not likely to be so readily accorded by the South to the hostile North.

It might be easy, if it would not seem tedious, as well as needless, by showing the course of public and private, if not official action, coming down to a very recent date, to confirm a view of the case which presents itself with tolerable clearness on its very surface. The history of mankind instructs us, that moral considerations are by no means the leading motives in the construction of the devices of statesmanship. In the eyes of cabinets, a foreign nation, and especially one which is a rival in regard to important interests, is almost inevitably looked upon in a hostile light. Very unneighborly means would be used without hesitation to its disadvantage, if involving no public danger, by men who would shrink from the idea of a base transaction in their private relations. Upon that occasion, whatever designs were formed unfavorable to our national welfare were doomed to at least a temporary failure.

In later times, the tokens of our original maternal origin have been more manifest. We have listened with more complacency to the voice of the charmer. We have taken and

eaten the fruit, which has shut us out from a primal condition never to be too much deplored. The admonitory counsel of the Father of his Country, in that farewell address, which Chief Justice Marshall has told us, "contains precepts to which the American statesman cannot too frequently recur," we have forgotten. We have disregarded the solemn warning of that address against the seductive arts of other nations, whose interests were adverse to our own, and which could employ those arts only to lull us into dreams of security, from which we should awake despoiled. It tells us:

"Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens), the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of a republican government."

We have listened to the alien emissaries of foreign combinations against our peace, declaiming to us from the forums and the pulpits on our own soil; and we have seated the native-born agents of the same unfriendly influence in our own high places of political power. We have even sought instructions for the conduct of our republican institutions from the traditional toryism of Oxford. It is as if Cromwell had taken counsel of those halls, which were the hope and the refuge of "the martyr Charles," when almost all things else had abandoned him to his fate. We have disdained the precepts of that long line of illustrious citizens, who, from the days of Washington to our own, have been the supporters of the Constitution, which is but another name for the champions of public and private liberty. We became as wearied of the praises of that great charter of our freedom, as the Athenians were of hearing their incorruptible lawgiver called "the Just." Instead of Marshall and Clay and Webster and Crittenden, and the host of men of bright and noble names, the living and the dead, who in or out of the line of political life have illustrated our annals by the defence of our institutions—in the very midst of a convulsion, shaking the Republic to its centre—George Thompson and Goldwin Smith, and John Bright

and Stuart Mill, have been our accepted instructors; not to mention the blandishments of a brilliant list of distinguished foreign ladies, with their compliant satellites among our own fellow-citizens. We have often descended very low, beneath any known standard of ability and merit, to find the statesman who should be the guide and shield of the Republic.

Scarcely has such an instance of fatuity been exhibited to mankind, since the Children of Israel, at the foot of Mount Sinai, when He, who by His servant had wrought their great deliverance, went before them, daily and nightly, in cloud or in flame, compelled their other prophet, out of their own senseless gold, to make for them an idol, which should be the express symbol of all brutish weakness and imbecility. And, perhaps, it will at length appear plain to the understanding of all, which was clear enough beforehand to the comprehension of prudent men, that we have impoverished ourselves for the benefit of our chief commercial rival; that we have essentially diminished and put off, for an indefinite time to come, our means and chances of recovery. To say nothing, here, of public and private losses and sacrifices, most of which might have been averted by pursuing a policy, which would have been judicious in the degree that it was honest; or of heavy burdens, yet to be felt in their extreme severity, from most of which we might also have been saved—we have taken counsel of our follies and our fears, and have imposed upon ourselves another burden, likely to prove intolerable in the end, by the enforced discharge from restraint of 3,000,000 or 4,000,000 helpless and irresponsible creatures, hitherto entirely dependent upon others, and incapable, by nature, of the independent action demanded by a civilized community.

If, then, we should now complete this notable work, by conferring upon the negroes a nominal equality, and ask of them to enter upon the exercise of privileges and powers, to which they are, and must remain forever, incompetent, we shall show ourselves also most unworthy and incapable of self-government, which is the government of the understanding,

and not of passion or sentiment. We shall then put our folly to its climax, gratify by our self-degradation the worst hopes of our most malignant enemies, and secure for ourselves the unqualified amazement, at least, of all men, now, and of the remotest ages of the world.

At this time commenced that systematic organization of the whole machinery of abolition, which required a considerable series of years for the complete development of its influences. Whether at the beginning it acted in concert with, and was based upon the English antislavery movement, the candid and judicious reader will consider. A vast deal of amiable sentiment has been uttered within the last thirty years, but, perhaps, more on this side of the Atlantic than the other, in regard to the relations which, it was conceived, ought to exist between this country and Great Britain. The general tenor of these expressions has been, that we are of one blood and language, interested in a common literature, and some have gone so far as to say, in a common history. It is believed that such remarks have been made most frequently by those who, while they were thus excluding the other nations of the earth from the benefits of that peculiar sympathy and affection held due to England, were at the same time for including the colored race within the wide circle of a universal human brotherhood.

“With all her faults,” very great respect is undoubtedly due to England. In all that constitutes the greatness of kingdoms, she is unquestionably supereminent above all civil communities that are, and perhaps all that have heretofore existed upon the face of the whole earth. For many weighty reasons, it would be such a calamity to the world as has not happened since the fall of man, if by some overwhelming convulsion she were struck out of the list of empires. Nevertheless, in something more than a merely literal sense, every one of those commonplaces, which have so often formed the staple of after-dinner speeches, when citizens of both countries have been in company with each other, is at least susceptible of dispute. We know there are many who

can count an unmixed descent from the first English settlers upon these shores. But, in no small degree, our blood has been mingled with that of millions of wanderers from every other nation under heaven. Though the English tongue is certainly by far the most prevalent among us, yet the languages spoken in the United States are as various as the dialects of counties in Great Britain.¹ We have, therefore, any thing but a universal interest in her literature; and as for our history, it became, to all intents and purposes, disjointed from her own, upon the formal recognition of the independence of the United States. In any other than the ordinary sense of amicable alliance with a people, with whom we have no national interests in common, except those which are common to both with all civilized mankind, it is a misfortune to us that England should be regarded, on our part, in any other light, than that in which, according to the language of diplomacy, "the most favored nations" are viewed.

To be the satellite of another power, in an earthly sphere, is to be its victim. The truth of the matter is, that England has pursued her own interest, naturally without regard to that of this country; while we have allowed ourselves to be deluded out of a great position which gave us a decided advantage over her. In fact, after the separation of these States from the mother country was effected, we should always have kept in memory that clause of the Declaration of Independence, which placed Great Britain precisely on the footing of other foreign nations, as "enemies in war—in peace, friends." But we should have been only the more guarded against any special weakness towards her, that she had principal interests running counter to our own.

In illustration of these remarks, the subjoined passages from a speech recently addressed by Mr. Roebuck, M. P., to

¹ Pegge's "Anecdotes of the English Language," tells us of "the unintelligible gabble of nine-tenths of the provincial inhabitants of the remoter parts of England, which none but the natives can understand. Bring together two clowns from Kent and Berkshire, and I will wager a ducat that they will not be able to converse, for want of a dialect common to them both."

his Sheffield constituents, will be found extremely apposite. The London *Times* of June 10, 1865, from which paper these extracts are made, thus describes the meeting :

SHEFFIELD.—Mr. J. A. Roebuck, M. P., and Mr. G. Hadfield, M. P., addressed an open-air meeting of their constituents, yesterday in Paradise Square. The capacious square was crowded, there being upwards of ten thousand persons present. The Mayor (Mr. Jessop) presided. At present there are no opposition candidates in the field.

In defending himself against such objections to his public course as were brought forward by his opponents, and which a candidate for office, at the English hustings, is pretty sure to be called upon to meet, Mr. Roebuck came to the following point :

“The last time I expressed my opinion in this town about America was in this very square (‘It was,’ and ‘Hear, hear’), and the people of Sheffield upheld my opinions. (‘Hear, hear,’ and ‘No, no.’) I say they did. They outvoted you (turning to the malcontents, who retorted by again crying ‘No, no’)—they outvoted you. (‘No.’) Can you have the face to look me in the face and deny it? (The Mayor asked for order.) There was a meeting like this; the opinions of that meeting were taken, and the gentleman who opposed me said, ‘You have fairly won the fight.’ (‘Hear, hear,’ cheers, and ‘So he did.’) But what then? Was I wrong? (‘Yes,’ ‘No,’ and Mr. Glegg, ‘Certainly.’) I say I am as opposed to slavery as you (‘Hear, hear’), but there are many ways of getting rid of slavery. One is to get rid of the slave. That is being done at the present moment. They are dying by hundreds of thousands. (‘Where?’ and ‘No.’) I then said, and I say now, that the best way of emancipating the slaves, was to do it gradually and carefully; to fit them for freedom, and by that means not to incur the horrible guilt of killing many millions of your fellowmen. (Laughter.) That is all I need say about America. (‘How about recognizing the South?’) I am quite sure that if the South had been recognized, great good would have been done. (Cheers.) In the first place, the arrogant, the overbearing, and great Republic of America would have been split in two (cheers, and a hiss), and for the safety of Europe that is required.”

It cannot be alleged that these were the expressions of individual opinion merely, since it appears that a majority of the voters of Sheffield upheld their member, in the promulgation of these views, on the former occasion; nor is it to be imagined that those who entertain such sentiments are circumscribed by the bounds of a single manufacturing dis-

trict; or that they are not as likely to be held by many other members of Parliament, as by Mr. Roebuck, though his own temperament may lead him to blurt out ideas, which more politic or cooler Englishmen may withhold from public assemblies.

At a later stage of his remarks, the member for Sheffield recurred to the same subject, and specifically explained the grounds of the policy which he conceived should have been adopted by Great Britain towards the United States. Mr. Roebuck is a Liberal and a reformer, and it will be observed that, both on economical considerations (*quoad* Great Britain) and humane principles (*quoad* the negroes), he held it better for "*the great Republic of America to be split into two.*" He thus expressed himself upon this point, and has been subsequently reelected by the same constituency:

"The reason I advocated the acknowledgment of the South was this: I believed that if England and France unitedly had acknowledged the South, the North would have ceased to attack the South; I was quite certain of that. As a statesman I answer, it is a matter which I have long considered, in which I had no personal interest, but in which England had great interest. I will tell you what England's interest is. (A voice—'Not to acknowledge the slave power.') We have acknowledged the slave power ever since the United States were guilty. We have acknowledged it in every quarter of the globe. ('The more the shame.') It is all very well to say 'the more the shame,' but we have done it. My reason for desiring the acknowledgment of the South was this: I wanted the great Republic of America to be split into two. I honestly and openly confess it; and if it had been so it would have been better for us. Now, another thing: where we have sent £2,000,000 or £3,000,000 of property to America during this war, if peace had come with a separation of the States, we should have sent £30,000,000 or £40,000,000. Merely looking at the matter in a pounds, shillings, and pence view, I say I was wise. Looking at it in a humane view, I say that the slave now is a miserable creature because of his emancipation. They are starving by thousands, and you are obliged to come to England and beg support for them. ('Slavery forever!' and cheers.)"¹

It is a striking fact, certainly, that emancipation movements in the West Indies should have been contemporaneous

¹ It has been stated by very high military authority, that the number of negroes who perished during the war, and shortly afterwards, amounted to twenty-five per cent. of the colored population of the South, or not far from one million.

with Nullification in South Carolina. Before the former measure was completed, however, the latter movement had ceased, though unhappily leaving a source of discord behind it. It would be apart from the province of this work to discuss the question raised by the Convention of South Carolina in any detail. The dispute originated in opposition to the protective tariff system, which had been originally so much favored by her own statesmen, but who had changed their views from convictions, that the advantages of the system were exclusively reaped by the Northern States, and that an unequal burden of taxation was thus thrown upon those of the South.

They advanced the doctrine, that a State was itself the ultimate tribunal in controversies between itself and the General Government; repudiating, therefore, that clause of the Constitution which provides that the judicial power shall extend to "all controversies to which the United States shall be a party." They proceeded to pronounce all acts of Congress, which imposed duties on imported goods, null and void within the State of South Carolina; forbade the collection of such duties therein; prohibited any appeal to the Supreme Court upon the question; and declared that any attempt on the part of the United States to compel obedience would be deemed inconsistent with the longer continuance of South Carolina in the Union; and that the people of the State would thereupon organize a separate and independent government. All the other States, by proceedings in their several legislatures, took action upon this threatening question. Virginia alone maintained those doctrines of State-rights, promulgated by the resolutions which her legislature had passed, in 1798; but despatched a commissioner¹ to South Carolina, to urge her to desist from carrying matters to extremities. Every other State expressed its disapproval of nullification; but several denounced the protective system as unconstitutional and inexpedient, and others urged a modification of the tariff.

¹ Mr. Benjamin Watkins Leigh.

It was under these circumstances that Mr. Clay introduced the bill "to preserve the protective tariff for a length of time, and to restore good feelings and tranquillity among the people," which received the approval of Mr. Calhoun on the part of the nullifiers, and became a law, March 2d, 1833. It was feared by many, in consequence of the decided expressions of not a few of the State Legislatures, including that of one New England State, and from the supposed views of a majority of the Congress next to assemble, that the manufacturing interest would be in great danger, unless some settlement of the question could be immediately effected. It was owing to this cause mainly, rather than to the position assumed by South Carolina, that this second compromise of opinions and feelings, due so largely to the influence and exertions of the great statesman of Kentucky, was eventually brought about.

Mr. Clay did not escape, on this occasion, the ill chances of that insolent game which fortune frequently plays against the best disposed arbitrators between contending parties. Neither of these was satisfied with the disposition of the question. Perhaps, the course he took deprived him of his prospects of election to the Chief Magistracy, which would have proved so eminently able and brilliant in his hands. But it can scarcely be imagined that any motive, except his profound interest in the welfare of the "American system," of which he had been so long the distinguished advocate, and which he believed to be in peril, could have prompted his efforts at this alarming period. Otherwise, notwithstanding those purely patriotic principles and feelings which governed the conduct of his life, and led him so earnestly to labor for harmony between the sections, his sagacious mind might have conceived, that the future peace and welfare of the country would be best promoted by testing the point, at once, between the General Government and a single State which had ventured upon such irregular action. In that event, the trouble would soon have passed by, leaving only the benefit of a salutary example, with no worse conse-

quences than resulted from the violent proceedings in Kentucky, in regard to the navigation of the Mississippi River, and the whiskey rebellion of Pennsylvania, both during Washington's administration; or the serious dissensions which distracted New England, on account of the policy pursued by the administrations of Jefferson and Madison.

In 1834, an apparent understanding having taken place between Exeter Hall and Stafford House,¹ on the one hand, and the not very conspicuous halls, which were, at that period, at the command of the abolitionists in this country, on the other, the work for a time went on without much public observation of the process at the North. At that time, the epoch of West Indian emancipation, the avowed abolitionists, that is, those who belonged to, or acted in coöperation with any antislavery association, were few in numbers, and possessed no public influence. That coterie which Mr. Thompson intended to address in Boston was known, so far as known at all, by its title of "The Ladies' Antislavery Society." There can be little doubt that the number of women who mingled their feebleness with the originally feeble agitation of this subject, far exceeded that of the men. For it is certain that the antislavery movement, in any political point of view, was then, and continued to be for many succeeding years, of the most insignificant account. It only assumed a character of any real importance when, owing to circumstances in which the welfare of the negro was as little concerned as was that of the Camanches, politicians, who had never been thought the subjects of tenderer sensibilities, or the interpreters of a more scrupulous conscience than their neighbors, found it convenient to bring into the arena of

¹ From this ducal residence proceeded, some years later, the philanthropic movement which resulted in dispossessing the tenantry of many generations in the county of Sutherland, Scotland; in order to convert the vast territorial domains of the noble proprietor into the more profitable condition of extensive sheep farms. It was in many respects a similar process to that so pathetically treated of in a famous work called "Goldsmith's Deserted Village."

party struggles a topic affording such ample opportunity for vague declamation, and which was the easiest of all to dilate upon by those who had little else to say. Indeed, in this respect, a round gift at scolding was all that was necessary.

The earliest knowledge which the Northern public had of this extensive scheme for the reformation of the South, came to it in echoes from the latter quarter. Certainly, at the outset, no open appeal had been made to the principles, the emotions, or the pockets of influential persons in the Eastern States, nor would such have stood the slightest chance of any favorable response; and the West was, at that period, almost as impervious to antislavery efforts as the South itself. As matters became more and more developed, it was evident that the agents of the movement must have obtained from sources outside of their own limited and far from opulent circle the means of carrying forward their enterprise, to an extent which soon became excessively annoying to the people of the South. Those who reflected upon the subject naturally looked over the water, where means were abundant and interests were engaged, to account for the supply of funds. It was naturally thought that an undertaking of such magnitude as the conversion of the South to a state of mind favorable to the sacrifice of property worth, perhaps, forty times the amount paid to the West Indian planters, and which involved the subversion of their whole agricultural system, could not have been entered upon by any handful of the most unreasoning of all enthusiasts, unless they were encouraged to proceed by means afforded and promised, quite apart from any resources at their own command.

Peter, the Hermit, had, indeed, been able, from apparently somewhat small beginnings, to preach up the Crusade. But he could offer the most powerful religious motives to kings and nations, whose business was arms. Like the great conqueror, whose followers he proposed to dislodge from the Holy Land, who had gathered his own forces and gained his victories by a similar engagement, he could promise paradise

to those who perished; and considering the state of those times, and the habits and manners of many of those who rallied to his standard, it is probable that this motive may have suggested to them that this was a solitary opportunity not to be neglected. But the crusade against the South presented obstacles, both physical and moral, scarcely inferior; and in the hands of the abolitionists alone, it would forever have remained of all enterprises the most absurd and hopeless. It would have been as if Peter himself had undertaken to expel the Infidel, at the head of a procession of his monks.

The measures adopted by the combined agents of abolition, in order to overturn the deeply rooted system of the slave States, necessarily required for their success either the willing assent of the South to the influence of argument and persuasion, or else the destruction of that system by force, which implied a revolution in the whole country through abrogation of the Constitution. If their earlier steps showed neither prudence nor knowledge of human nature, they indicated a certain degree of courage, more worthy of a crusade than their subsequent efforts. It is certain that none of the known promoters of antislavery agitation ventured to set foot upon the territory which was proposed as the theatre of such a formidable conquest. In the autumn of 1829, indeed, Mr. Garrison became engaged in the joint conduct of a newspaper already published in Baltimore, which had advocated the cause of "universal emancipation;" but, until then, in a spirit and by means really philanthropical, instead of fanatical. This connection was brought to a close, in the course of the next year, by the prosecution and conviction of Mr. Garrison for a libel, whereupon he returned to Boston and set up the "Liberator," at the beginning of the year 1831.¹

¹ Perhaps no more accurate idea of the strength and influence of the abolition cause in Boston, several years afterwards, could be formed, than from the reply of Mr. Harrison Gray Otis, Mayor of the city, to an appeal from the Mayor of Baltimore, requesting him to suppress the "Liberator," copies of which would, no doubt, be sent to the capital of Maryland, as fanatical and incendiary. Mr. Otis wrote that his "officers had ferreted out the paper and

The mission was conducted, however, by secret emissaries, in their behalf. Persons of various professions and pursuits, clergymen, colporteurs, and pedlars, insinuated themselves into the South, with the purpose of taking advantage of whatever opportunity might present itself favorable to the object in view. It was very speedily ascertained that the most delicate suggestions, made to the owners in reference to the subject of emancipation, involved a certain degree of danger to those who ventured to propose them. The masters had heard that Mr. Thompson thought it right that the slaves should throw off their bondage by the most violent means,¹ and the idea of assassination, and the natural horrors of a slave insurrection, had not struck them agreeably. Finding little acceptance with this class, the abolition agents secretly turned their attention to the slaves; but this proceeding proved still more offensive.

The owner of a thousand negroes, dwelling with his family upon an isolated plantation, who did not care to listen to the exhortations of a Northern abolitionist upon the wrongs and evils of slavery, saw still less propriety in permitting appeals to be made to the not particularly enlightened sensi-

its editor, whose office was an obscure hole, his only visible auxiliary a negro boy; his supporters a few insignificant persons of all colors."

¹ Mr. Thompson publicly denied this charge, but the following piece of contemporary testimony is from the *Boston Atlas*, of Oct. 17th, 1835:

"The *New York Commercial* received last evening contains a letter from Mr. A. Kaufman, Jr., of Andover, expressly stating that Mr. Thompson repeated three or four times to him that 'every slaveholder ought to have his throat cut.' With regard to the character of Mr. Kaufman, and his credibility as a witness, the following testimony is submitted:

"THEOLOGICAL SEMINARY, *Andover*, Oct. 12th, 1835.

"Mr. A. Kaufman, the subscriber of the above declaration, is a licentiate preacher, having spent three years in this seminary, with a distinguished character for talents and scholarship; a man of integrity, worthy of trust and credence, whose veracity is unimpeached and unimpeachable.

"L. WOODS.

"M. STUART.

"R. EMERSON."

These gentlemen were the eminent professors of the seminary.

bilities of his dependents, on this topic. Naturally enough, a great deal of exasperation was the consequence of the discovery that such a design was on foot. The treatment of those who were suspected of an intention to tamper with the slaves was often somewhat rough; though, perhaps, not much more so than that to which gentlemen in England are subjected, on certain occasions, when guilty of nothing worse than an honest ambition to serve their country in the grand councils of the nation. At that period, at least, the American people, in every part of the country, were, in general, as orderly as Dutchmen. Whenever an agent of the abolition societies was actually detected, however, in holding unlawful intercourse with the slaves, if he escaped with tar and feathers he was lucky; while sometimes an extemporary court and jury of the vicinage heard his case summarily, and, if they deemed the proofs sufficient, consigned him to the next tree, at the end of a rope.

These extreme proceedings were rare; but they served effectually to clear the Southern country, in a short time, of a class of persons, who, however strong-minded, were not emulous of the honors of martyrdom. Indeed, their chance of glory was small; for, whether it indicated a sounder state of sentiment than at present exists, or not, their fate excited scarcely more sympathy among peaceable and well-disposed persons of the North, or anywhere outside of their own limited circle of adherents, than it did at the scene of their disasters. They were generally looked upon as a set of pestilent fanatics, who justly deserved their doom, by a wilful violation of the laws of the States, into which they had intruded for a malignant and seditious purpose.

Incidents of this sort, however, were calculated to have their effect upon the more excitable classes of the community, who saw only the outrage, and made no allowance for the provocation. Some who had read the Constitution referred to the clause which provides, that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States." This provision, which is,

certainly, a very marked recognition of the rights of States, as well as of general citizenship, was sometimes cited in behalf of those excluded from the pursuit of incendiary designs at the South; but surely it does not mean that the citizens of one State may enter another, for the purpose of setting on fire the dwelling-places of its inhabitants, or of doing any thing else whereby their property or personal safety might be endangered. The people of the several States are the sole judges of the propriety or necessity of the laws which they may make for the prevention of domestic mischief, so far as those laws are not in conflict with the Constitution of the United States.

It was unfortunate that appeals were not made to the criminal tribunals, in all such cases as came under the statutes provided for the punishment of the offences charged; in conformity with the claims of justice and the nature of our institutions. By neglect of the salutary forms of law, an unfavorable impression was produced in the North, at last, in regard to the general state of Southern society; and the summary vengeance, which violent men occasionally took into their own hands, began to be thought by many characteristic of the main body of the people, in a part of the country with which comparatively few at the North were much acquainted. The exclusion from the slave States of those suspected of being abolition emissaries was naturally made the most of by themselves and their associates. The clause of the Constitution, just now cited, was much insisted upon; and it was not considered, in their own circle, that these persons did not appear in the slave States as citizens, but as enemies; and that they could scarcely claim the protection of the Constitution, while they were engaged in the violation both of its whole spirit and its specific letter.

Being thus debarred from the use of those personal influences, upon which they had reckoned for the removal of slavery from the soil of the South, the abolitionists resorted to other means, which might be thought to savor of disappointed, if not of vengeful feeling, on their part, rather than

to manifest much of the spirit of purely philanthropic action. The whole force of whatever presses were under their control was brought at once to bear upon the South. That quarter was flooded with "paper pellets of the brain." Newspapers, pamphlets, tracts, fairly loaded down the mails. These productions of the antislavery imagination were by no means of a soothing nature. They were addressed, through the post-offices, to persons to whom the very name of abolition was about as grateful as *coloquintida* to the palate. Men who went to church, and thought they were as good Christians, neighbors, and citizens, as others, found themselves called upon to "pay the post" for broadsides, which addressed them as tyrants and oppressors, thieves, kidnappers, and murderers. If a planter opened a bale of goods, or a box of shoes, intended for the use of his negroes, and carefully inspected the several articles, ten chances to one that he would find essays upon the wrongs and evils of slavery, or pictorial representations of slaves in chains, with the lash hanging over them, smuggled into the centre of the packages of cloths, or snugly tucked away in the capacious toes of the well-sized brogans.

The plague became, at length, in its degree, like that of the swarms of frogs, and flies, and locusts. Indeed, in the wild conception of the more fervid devotees of emancipation, the "sunny South" was likened to the land of Egypt, in which the children of Ham were blasphemously symbolized as the chosen people of the Almighty; and the new, self-delegated prophets, who were to work out their deliverance, with neither visible sign nor accredited mission, were these presumptuous Northern agitators and pamphleteers.¹

In order to exhibit in the clearest light the state of feel-

¹ It is to be remarked that, when the Almighty brought the children of Israel out of the house of bondage, in which they had dwelt for four hundred years, the purpose was not effected by breaking down the civil institutions of the Egyptians. He led them forth and subjected his chosen race to still severer hardships and trials in the wilderness for forty years, to fit them to enter into and possess the promised land.

ing which had been excited throughout the country by these incendiary proceedings, somewhat liberal extracts from public documents of the highest authority may find here their appropriate place. These passages are not taken from Southern sources; but, in the one instance, from the Message of the President of the United States to the twenty-fourth Congress, upon its coming together, at the close of the year 1835;¹ and, in the other, from addresses of the governors of two important Northern States to their respective legislative assemblies, at the beginning of the year 1836. Great complaint had already been made of the obstacles to the diffusion of abolition newspapers and tracts, by the refusal of Southern postmasters to deliver them to the persons for whom they were designed—that is, complaint by those up the stream, of disturbance to the waters by those below. President Jackson, it appears, deemed the efforts to circulate such productions by mail an offence justly calling for penal legislation. As he had withstood South Carolina, so now he turned upon the more insidious assailants of the Union at the North. His message thus requested the consideration of the subject by Congress:

“I must also invite your attention to the painful excitements in the South by attempts to circulate through the mails inflammatory appeals addressed to the passions of slaves, in prints and in various sorts of publications, calculated to stimulate them to insurrection, and to produce all the horrors of civil war. * * * It is fortunate for the country that the good sense, the generous feeling, and the deep-rooted attachment of the people of the non-slaveholding States to the Union and their fellow-citizens of the same blood in the South, have given so strong and impressive a tone to the sentiments entertained against the proceedings of the misguided persons who have engaged in these unconstitutional and wicked attempts, and especially against the emissaries from foreign parts, who have dared to interfere in this matter, as to authorize the hope that these attempts will no longer be persisted in. * * * I would, therefore, call the special attention of Congress to the subject, and respectfully suggest the propriety of passing such a law as will prohibit, under severe penalties, the circulation in the Southern States, through the mail, of incendiary publications, intended to instigate the slaves to insurrection.”

¹ December 7th.

Governor Marcy, afterwards Secretary at War¹ and Secretary of State, appealed to the Legislature of New York, January, 1836, in the following forcible language:

“A few individuals in the Middle and Eastern States, acting on mistaken notions of moral and religious duty, or some less justifiable principle, and disregarding the obligations which they owe to the respective governments, have embarked in an enterprise for abolishing domestic slavery in the Southern and Southwestern States. Their proceedings have caused much mischief in those States, and have not been entirely harmless in our own. They have acquired too much importance by the evils which have already resulted from them, and by the magnitude and number of those which are likely to follow, if they are further persisted in, to justify me in passing them without notice. These proceedings have not only found no favor with a vast majority of our constituents, but they have been generally reprobated. The public indignation which they have awakened has broken over the restraints of law, and led to dangerous tumults and commotions, which, I regret to say, were not, in all instances, repressed without the interposition of military power. If we consider the excitement which already exists among our fellow-citizens on this subject, and their increasing repugnance to the abolition cause, we have great reason to fear that further efforts to sustain it will be attended, even in our own State, with still more dangerous disturbances of the public peace.

“In our commercial metropolis, the abolitionists have established one of their principal magazines, from which they have sent their missiles of annoyance into the slaveholding States. The impression produced in those States, that this proceeding was encouraged by a portion of the business men of New York, or at least not sufficiently discouraged by them, threatened injurious consequences to our commerce. A proposition was made for an extensive voluntary association in the South, to suspend business intercourse with our citizens. A regard for the character of our State, for the public interest, for the preservation of peace among our citizens, as well as a due respect for the obligations created by our political institutions, call upon us to do what may be done, consistently with the great principles of civil liberty, to put an end to the evils which the abolitionists are bringing upon us and the whole country. With whatever disfavor we may view the institution of domestic slavery, we ought not to overlook the very formidable difficulties of abolishing it, or give countenance to any scheme for accomplishing this object, in violation of

¹ It is the modern fashion to write Secretary of War, but the former mode seems more correct. *At* is the Latin *ad*; that is, *about*, or in relation to war. In the case of the other Secretaryships, as of State, the Treasury, the Navy, the Interior, etc., it is a thing which is spoken of; whereas, war is but a condition of affairs.

the solemn guarantees we are under, not to interfere with the institution as it exists in the States. * * *

“Slavery was not finally abolished here [New York] until 1827. We were left to come to this result in our own time and manner, without any molestation or interference from any other State. I am very sure that any intermeddling with us in this matter by the citizens of other States would not have accelerated our measures, and might have proved mischievous. Such services, if they had been tendered, would have been rejected as useless, and regarded as an invasion of our rights. * * *

“If the abolitionists design to enlist our passions in this cause, such a course would be worse than useless, unless it had reference to some subsequent action. If it is expected in this manner to influence the action of Congress, then they are aiming at a usurpation of power. Legislation by Congress would be a violation of the Constitution, by which that body exists, and to support which every member of it is bound by the solemn sanction of an oath. The powers of Congress cannot be enlarged so as to bring the subject of slavery within its cognizance, without the consent of the slaveholding States. * * * If their operations here are to inflame the fanatical zeal of emissaries, and instigate them to go on missions to the slaveholding States, there to distribute abolition publications and to promulgate abolition doctrines, their success in this enterprise is foretold by the fate of the deluded men who have preached them. The moment they pass the borders of those States, and begin their labors, they violate the laws of the jurisdiction they have invaded, and incur the penalty of death, or other ignominious punishment. I can conceive no other object that the abolitionists can have in view, so far as they propose to operate here, but to embark the people of this State, under the sanction of the civil authority, or with its connivance, in a crusade against the slaveholding States, for the purpose of forcing abolition upon them by violence and bloodshed. If such a mad project as this could be contemplated for a single moment, as a possible thing, every one must see that the first step toward its accomplishment would be the end of our Confederacy and the beginning of civil war. So far, then, as respects the people of this State, or any action that can emanate from them, I can discover no good that has resulted, or that can be reasonably expected to result from the proceedings of the abolitionists; but the train of evils that must necessarily attend their onward movement is in number and magnitude most appalling.”

Mr. Everett was at the same time (January, 1836) Governor of Massachusetts, and took up the subject in a similar strain in his address to the Legislature, at the opening of the session, as follows:

“The country has been greatly agitated during the past year in relation to slavery, and acts of illegal violence and outrage have grown out of the excite-

ment kindled on this subject in different parts of the Union, which cannot be too strongly deplored, or too severely condemned. In this State, and several of our sister States, slavery has long been held in public estimation as an evil of the first magnitude. It was fully abolished in this Commonwealth in the year 1783, by decisions of the courts of justice, and by the interpretation placed on the declaration of equality in the bill of rights. But it existed in several of the States at the time of the adoption of the Constitution, and in a greater ratio to the free population of the country than at the present time. It was, however, deemed a point of the highest public policy by the non-slaveholding States, notwithstanding the existence of slavery in their sister States, to enter with them into the present Union on the basis of the constitutional compact. That no Union could have been formed on any other basis, is a fact of historical notoriety; and is asserted in terms by General Hamilton, in the reported debates of the New York Convention for adopting the Constitution. This compact expressly recognizes the existence of slavery, and concedes to the States where it prevails the most important rights and privileges connected with it. Every thing that tends to disturb the relations created by this compact is at war with its spirit; and whatever, by direct and necessary operation, is calculated to excite an insurrection among the slaves, has been held, by highly respectable legal authority, an offence against the peace of this Commonwealth, which may be prosecuted as a misdemeanor at common law. Although opinions may differ on this point, it would seem the safer course, under the peculiar circumstances of the case, to imitate the example of our fathers—the Adamses, the Hancocks, and other eminent patriots of the Revolution, who, although fresh from the battles of liberty, and approaching the question as essentially an open one, deemed it nevertheless expedient to enter into a union with our brothers of the slaveholding States, on the principles of forbearance and toleration on this subject. As the genius of our institutions and the character of our people are entirely repugnant to laws impairing the liberty of speech and of the press, even for the sake of repressing its abuses, the patriotism of all classes of citizens must be invoked to abstain from a discussion which, by exasperating the master, can have no other effect than to render more oppressive the condition of the slave, and which, if not abandoned, there is great reason to fear will prove the rock on which the Union will split. Such a disastrous consummation, in addition to all its remediless political evils for every State in the Union, could scarcely fail, sooner or later, to bring on a war of extermination in the slaveholding States. On the contrary, a conciliatory forbearance with regard to this subject in the non-slaveholding States, would strengthen the hands of a numerous class of citizens of the South, who desire the removal of the evil; whose voice has often been heard for its abolition in legislative assemblies, but who are struck down and silenced by the agitation of the question abroad; and it would leave the whole painful subject where the Constitution leaves it, with the States where it exists, and in the hands of an all-wise Providence, who, in His own good time, is able

to cause it to disappear, like the slavery of the ancient world, under the gradual operation of the gentle spirit of Christianity.”

These extracts serve to show to what lengths the abolitionists were then pushing their designs, and the sentiments with which they were regarded by eminent citizens of unquestionable patriotism. The picture would not be complete without the addition of a passage from a speech of Mr. Clay, delivered in the Senate at the same period. His vigorous and glowing, but unpremeditated language, forcibly portrays the real evil which then threatened the country; as his sagacious foresight indicated those future terrible trials and ills of which, if unchecked, it must prove the source; from the actual sight and experience of which he and his great compatriots of that earlier generation have been mercifully spared. With another Clay and another Webster on the floor of the Senate, popular delusion might have been turned aside, before it had overwhelmed the barriers of the Constitution, to the foot of which, in their day, its tide was never permitted to approach. In reference to the means by which the abolitionists were seeking to effect their objects, Mr. Clay remarked, on the occasion alluded to :

“ Another, and much more lamentable one, is that which this class is endeavoring to employ, of arraying one portion against another of the Union. With that view, in all their leading prints and publications, the alleged horrors of slavery are depicted in the most glowing and exaggerated colors, to excite the imaginations and stimulate the rage of the people of the free States against the people of the slaveholding States. The slaveholder is held up and represented as the most atrocious of human beings. Advertisements of fugitive slaves, and of slaves to be sold, are carefully collected and blazoned forth to infuse a spirit of detestation and hatred against one entire, and the largest, section of the Union. * * * Why are the slave States wantonly and cruelly assailed? Why does the abolition press teem with publications tending to excite hatred and animosity on the part of the free States against the slave States? * * * Why is Congress petitioned? What would be thought of the formation of societies in the slave States, the issuing of violent and inflammatory tracts, and the deputation of missionaries, pouring out impassioned denunciations against institutions under the exclusive control of the free States? Is their purpose to appeal to our understandings and actuate our humanity? And do they expect to accomplish that purpose by holding

us up to the scorn and contempt and detestation of the people of the free States and the whole civilized world? * * * Sir, I am not in the habit of speaking lightly of the possibility of dissolving this happy Union. The Senate knows that I have deprecated allusions on ordinary occasions to that direful event. The country will testify that, if there be any thing in my public career worthy of recollection, it is the truth and sincerity of my ardent devotion to its lasting preservation. But we should be false in our allegiance to it if we did not discriminate between the imaginary and the real dangers by which it may be assailed. Abolition should no longer be regarded as an imaginary danger. The abolitionists, let me suppose, succeed in their present aim of uniting the inhabitants of the free States, as one man, against the inhabitants of the slave States. Union on the one side will beget union on the other. And this process of reciprocal consolidation will be attended with all the violent prejudices, embittered passions, and implacable animosities, which ever degraded or deformed human nature. A virtual dissolution of the Union will have taken place, while the forms of its existence remain. The most valuable element of union, mutual kindness, the feelings of sympathy, the fraternal bonds which now happily unite us, will have been extinguished forever. One section will stand in menacing, hostile array against another ; the collision of opinion will be quickly followed by the clash of arms."

CHAPTER IV.

"Aggression" against the South in Active Operation at the North for Thirty Years before the War.—Resolutions of Congress, in 1836.—Action of the Legislature of Massachusetts upon the Resolutions of Five Southern States.—Conflict in Congress, in regard to Abolition Memorials, in 1837.—Its Resolution.—Remarks of Mr. Benton upon the Result.—The "Partisan Leader."—Mr. Van Buren.—The "21st Rule."—The Whig Party.—The Liberty Party.—The Shufflers among the Northern Democratic Leaders.

It thus appears that an active and alarming system of aggression against the South was in operation at the North, thirty years ago, threatening to excite servile insurrection, to imperil union, to stir up civil war. This fact rests upon testimony which cannot but be considered both impartial and conclusive. Few would think of questioning the patriotism of President Jackson, whatever they might think of many of the measures of his administration; no one ever doubted the exalted and all-embracing national spirit of Mr. Clay. Mr. Marcy was one of the ablest and most prominent leaders of the National Democratic party; Mr. Everett held an equal rank among the conspicuous members of the National Whig party. The danger apprehended by them, however, and by other persons of sound judgment, was in reference to the resentment of the South, provoked, as it could not but be, by these continuous missiles directed against its domestic relations from without, and not on account of the actual numbers of the antislavery agitators, or of any important influence which they could exert at home.

But it was generally thought, upon the whole, that the danger was rather a matter of speculative inquiry, than of a nature to excite present alarm for our institutions; and that

such a fearful contingency as truly patriotic citizens then never ventured to contemplate, except as remotely possible, under some new and terrible phase of affairs, would be, after all, averted by the good sense and sound feeling of the people. The state of sentiment in Congress, which had now been a good deal tried upon the subject, for several years, will appear by the following resolutions, unanimously reported to the House by a committee, consisting of Messrs. Pinckney of South Carolina, Hamer of Ohio, Pierce of New Hampshire, Hardin of Kentucky, Jarvis of Maine, Owens of Georgia, Dromgoole of Virginia, and Turrill of New York, to which the whole matter had been referred, and which were adopted May 25, 1836 :

Resolved, That Congress possesses no constitutional authority to interfere in any way with the institution of slavery in any of the States of this Confederacy. Yeas, 182; nays, 9.

Resolved, That Congress ought not to interfere in any way with slavery in the District of Columbia. Yeas, 132; nays, 45.

And whereas, It is extremely important and desirable that the agitation of this subject should be finally arrested, for the purpose of restoring tranquillity to the public mind, your committee respectfully recommend the adoption of the following resolution :

Resolved, That all petitions, memorials, resolutions, propositions, or papers relating in any way, or to any extent whatever, to the subject of slavery, or the abolition of slavery, shall, without being either printed or referred, be laid upon the table, and that no further action whatever shall be had thereon. Yeas, 117; nays, 68.

On this occasion, Mr. J. Q. Adams attempted (out of order) to resist these resolutions, on general grounds, as a violation of the Constitution, so he alleged, and of the rules of the House and of the rights of his constituents; but the votes show the sense of the House.

In the Senate, during the same session of Congress, all papers relating to slavery were invariably laid upon the table.

At this point of time an interesting spectacle was presented by the Legislature of Massachusetts, which should be cited in illustration of the state of sentiment in a body,

which has subsequently undergone such a thorough revolution in character, but which was then composed, in general, of men representing the better sense and principle of the Commonwealth. At the opening of the session, the Governor, Mr. Everett, had transmitted to the legislature certain resolutions, which had been adopted by the several legislative assemblies of the States of Virginia, Georgia, North Carolina, South Carolina, and Alabama, upon the subject of antislavery agitation. These embodied the idea contained in the preamble to the last resolution of the National House of Representatives, just cited. They had been sent to the Executives of all the Northern States, were couched in generally temperate and respectful language, called attention to the constitutional principles upon which the Union was formed, and appealed to the justice and patriotic sentiment of the North. In correspondence with the views of President Jackson, as expressed in the passage already quoted from his message to Congress, in some instances they requested that penal laws might be passed by the legislatures of the free States for the suppression of antislavery agitation.

The resolutions, in due course of time, were placed in the hands of a joint special committee of the two Houses. The President of the Senate was Mr. Horace Mann, who was then far from having become a political abolitionist, or from having any apparent sympathy with abolition at all. Indeed, the temper of a majority of the legislators, in both branches, was at that time altogether opposed to the antislavery movement. The abolitionists requested a hearing, and sought it in a spirit of apparent humility, quite in contrast with many of their more recent demonstrations. With considerable hesitation, since an exciting and disagreeable, as well as useless scene, might be the result, the committee finally determined to grant their request, upon the broad ground of allowing those who were struck at to be heard, at least, in their own defence. Accordingly, the meeting eventually took place in the hall of the House of Representatives,

and it at once appeared, from the numbers assembled, that the abolitionists had summoned their adherents from far and near. Among other conspicuous devotees of the cause appeared Miss Harriet Martineau, then on a visit to this country, whether in the interest of Stafford House or not, was not understood, or, indeed, thought of, at that time. The hearing proved to be any thing but agreeable. The demonstration in the streets of Boston, in which Mr. Garrison had played so prominent a part, had taken place during the preceding year. No opportunity had since been afforded for breaking a silence which must have been trying, and there was a great deal of pent-up matter boiling to be let out.

Doubtless, many took an interest in the proceedings, who thought the general liberty of speech was in danger of being infringed, in a State where freedom of this sort was as universal and untrammelled as it is possible for it to be in any civilized community. As evidence of it, the speakers on this occasion exercised a very unlimited degree of free utterance. Their speeches were in the usual antislavery strain. They addressed themselves to the passions of the assembly, instead of speaking to the committee, and were often checked for this irregular conduct. They exhibited the usual pictures of men, women, and children, in chains, and subjected to the most cruel hardships and sufferings. Much was said which was incredible to a rational mind, and revolting to a heart actuated by patriotic principles and emotions. If one thought that the liberation of negroes from bondage were the paramount duty of American citizens, all this might pass muster; but if he conceived himself to be under solemn obligations to the law of the land, imposing upon him duties with which the liberation of negroes by his own intervention was inconsistent, neither his conscience nor his feelings could find gratification in the fiery and irrational staple of such harangues.

The committee was placed in a somewhat embarrassing situation. On the one hand was the grand theory of free speech; on the other, that license which the more ardent

abolitionists mistook for it, and which they imagined it to allow. Regarding all men, under all circumstances, as standing on a perfect footing of personal equality, the radicals did not understand then, nor have they ever, that a principle so artificial in its application demanded the most entire concession to others of all which they claimed for themselves. They held free speech to mean the liberty, to them, of saying whatever they pleased, at all times and in every situation; and were not too mindful, therefore, of the ordinary rules of civility, or of the recognized deference due to constituted authorities.

In fact, it was the spirit of radicalism, in general, which had incited their zeal for the cause of the negro in particular. At the close of the session of the committee, which had been devoted to this hearing, an adjournment to another day was requested and allowed, in order to permit another series of speakers to present their views. This second meeting took place on March 9th, 1836; and it was likely enough that neither the committee nor the remonstrants would come together in the very best humor with each other. The audience was much more numerous than upon the former occasion; in fact, the spacious hall of the House of Representatives was thronged with an eager crowd, a majority of whom were probably upon the abolition side. In the course of the proceedings, Mr. Garrison rose, in turn, to speak; and it may be important to state the incident which then occurred, since it shows the views entertained by him, and, it may be presumed, by his confidential associates, of that early period. It is believed that the following was very nearly his precise language, as derived from minutes taken on the spot:

“I feel myself, Mr. Chairman, like Paul in the presence of Agrippa. They tell us, sir, that if we proceed in our course we shall dissolve this Union. But what is the Union to me? I am a citizen of the world.”

It may be, that the chairman of the committee felt too much reverence for the great apostle of the Gentiles to be particularly pleased with Mr. Garrison's assumption in this respect; and perhaps he did not much like the comparison

of himself to the King of Palestine. He called the speaker to order, and, in language certainly somewhat emphatic, as appears by the same memorandum of the proceedings, addressed him nearly as follows :

“It must be remembered, that this is a committee of the Legislature of Massachusetts, all the members of which are sworn to support the Constitution of the State and of the United States. They cannot, therefore, in the way of their duty, sit to hear such sentiments as have been now expressed by one who acknowledges himself a traitor [meaning, by his declaration of his disregard for the Union] and an outlaw [meaning, by his statement that he was ‘a citizen of the world,’ and consequently owing no obligation to the laws governing the tribunal to which he now appealed]. You will please take your seat until I consult the committee, to learn whether they are disposed to hear you further.”

The committee decided not to hear Mr. Garrison. The excitement already existing among a portion of the assembly was considerably increased upon the announcement of this determination. Afterwards, numerous speakers took the floor, in succession, devoting many of their remarks to remonstrance against the action of the committee, and evidently enjoying the agitation which had been stirred up. At length, several hours having been allowed, on this second as on the first occasion, to an unprofitable hearing, at which nothing of importance or of novel interest had been presented, the patience of the committee was exhausted, and, by its direction, the session was finally dissolved, by proclamation of the sergeant-at-arms.

It will be perceived that no injustice is done Mr. Garrison by this relation, since the declarations made by him at the time in question, are correspondent in spirit with the motto which he so long displayed in his paper, the *Liberator*: “THE CONSTITUTION—A COVENANT WITH DEATH, AN AGREEMENT WITH HELL.” It only serves to show how early he avowed those principles which his compatriot, Mr. Wendell Phillips, at a later date, boasted had been his own also for nineteen years. The transaction is of importance, in one respect, as showing the sense then entertained, in regard to these proceedings, and upon the general subject of antislavery agi-

tation, by the Legislature of Massachusetts, as evinced by its action, when the matter came under the cognizance of the two Houses.

A report upon the subject of the resolves of the five Southern States was made by the committee to the Senate, which body accepted it on March 12th, 1836, and ordered three thousand copies to be printed.¹ In the mean time, the remonstrants had made formal complaint to the popular branch of the legislature, that they had not enjoyed a suitable hearing. After an animated debate in the House, on March 11th, that body voted by a large majority to refer the memorial of the abolitionists *to the committee which, that document alleged, had refused to hear them*. On the next day, this matter came up for consideration in the Senate, to which body a special report as to the memorial had been made; and after some discussion of the question, it was also referred to the same committee, in concurrence. No further action was had upon the general subject, in deference to the express wishes of some very leading gentlemen in the State. They thought that the abolitionists had received a substantial rebuke from the legislature, and that the state of politics, considering that a general election was to occur the next year, rendered it advisable to let the matter rest. Accordingly, the resolutions reported by the committee were never called up; though there could be no doubt that they would have been adopted by the legislature; and it may be questionable now whether the course taken in regard to them was the most judicious. The chance was given up for the record of a just remonstrance against the proceedings of the abolitionists, by the legislature, in which the sentiments of the great body of the people of the State would at that time have concurred.

Such having been the decisive action of Congress upon this exciting topic, and of the Legislature of Massachusetts, sitting in the capital city of New England, it might have been

¹ For report, see Appendix III.

reasonably expected that the calm which had been apparently restored would prove lasting, by the discouragement thus given to the popular elements of discord. But the contest was renewed in Congress, during the next year, proceeding from a Northern quarter, and rose at once to a pitch of unprecedented fury. The twenty-fourth Congress, in May, 1836, had adopted the resolutions already cited on a preceding page.¹ The twenty-fifth Congress came together, in extra session, September 4th, 1837. The merely legal right of the latter body to take action upon any subject, in contravention of the deliberate sense of its predecessor, is indisputable. A nation may hold a treaty with another power no longer binding; but there should be some novel cause to warrant a breach of the obligation. The points comprehended within the scope of those resolutions were not of ordinary legislative jurisdiction, and had been agreed upon for the purpose of composing national differences, and for preventing discussions, which could promote no good end, in the somewhat excitable arena of the floor of the House. They could be properly disturbed only on the highest grounds of expediency.

Looking at the matter with calm judgment, and especially in the light of subsequent events, it may be held certain, that the moral obligation to maintain the existing state of things was sufficient to counterbalance all other considerations. A large majority of the House eventually so decided; but it was only after the conflict of antagonistic views and feelings, which left many unhappy traces behind it. Possibly, if some of the members had thought more of their duty to the nation at large, than of securing support for themselves from a faction at home, which grew by their countenance and was beginning to eat into the vitals of the country, the direct evils to which it has been subjected might not have befallen it, at a later day. The movement in Congress was made December 20th, 1837, by a member of the

¹ Page 105.

House from Vermont. He presented two petitions asking for the abolition of slavery in the District of Columbia, and moved their reference to a select committee, of which, according to ordinary custom, he would himself be chairman, and would thus obtain the opportunity of making, at least, a formal minority report. Mr. Benton thus describes the occasion and the commencement of the conflict which forthwith ensued :

“The immediate occasion of this contest was the pertinacious effort of Mr. Slade, of Vermont, to make the presentation of abolition petitions the ground of agitation and action against the institution of slavery in the Southern States. Mr. Slade had moved to refer the resolutions presented by him to a select committee, with instructions to report upon them. Upon making this motion, he commenced a violent assault upon the institution of slavery.”¹

The member from Vermont was speedily called to order, but persisted in pursuing a course of remark which was exceedingly offensive to a numerous body of the members, and not agreeable, certainly, to the sense of a majority of the House, as became sufficiently apparent in the end. An extraordinary scene of tumult and confusion followed. Members gathered in knots, and in a state of extreme excitement discussed the several points at issue, among themselves. At times, it was impossible for the Speaker to preserve any semblance of order. That officer, temporarily in the chair, was Mr. White, of Kentucky, who appears to have discharged his duty, on a difficult occasion, with no little impartiality. Whether heard or unheard, Mr. Slade showed no inclination to discontinue his speech, but proceeded in his remarks at great length. A variety of motions had been made, for the purpose of checking him, in mid-volley; but in such a state of excitement, they were not chosen with judgment, or in conformity with the rules of the House; and the Speaker had repeatedly decided against them, affording Mr. Slade whatever opportunity existed, amid such a turmoil, to set off anew, after a momentary lull in the storm.

¹ “Thirty Years’ View.”

At length, a member from North Carolina hit upon the expedient which brought affairs to a crisis by suggesting that, according to the rule of the House, when a member was called to order he should take his seat, and if the decision made him out of order, he could not be allowed to speak again without the leave of the House. In the midst of renewed uproar, the Speaker found it difficult to make known his determination upon the point; but finally read the rule from the Manual, and directed Mr. Slade to be seated. That member still demanded leave to proceed; but thereupon an adjournment was moved, and there proved to be 116 ayes to 63 nays; between fifty and sixty members having previously withdrawn from a scene which must have been far from agreeable to quiet men.

In this way, for the first time in Congress, broke out an open and violent conflict, on the topic of slavery, in which passion took away the control from reason and moderation. A meeting of the Southern members was held immediately after the adjournment; which it is unnecessary to notice, except as an early display of deplorable alienation between the North and the South in the National Legislature, resulting from the countenance afforded to Mr. Slade by the minority of the House. But although extreme councils found warm advocates at the meeting, they did not finally prevail. It was determined that the subjoined resolution should be offered in the House on the following morning:

Resolved, That all petitions, memorials, and papers, touching the abolition of slavery, or the buying, selling, or transferring of slaves, in any State, District, or Territory of the United States, be laid on the table, without being debated, printed, read, or referred, and that no further action whatever shall be had thereon.

The resolution having been read by the member from Virginia, to whom it had been intrusted, objection was made to its reception by Mr. John Quincy Adams, on behalf of those who then acted with him. His procedure may seem, perhaps, somewhat singular and inconsistent, since the ground taken by Mr. Adams and his associates was in oppo-

sition to that of those who objected to the reception of certain papers sent to the House from the North, by persons who were not members. But here he proposed to refuse even a hearing to a resolution presented, on the part of the South by a member of the very body which he was contending ought to vindicate and uphold the rights of free speech! In order to obtain leave to submit the resolution in question, a vote of two-thirds, for the suspension of the rules, was necessary. Upon putting this point to the trial, the result stood—yeas, 135; nays, 63; which was more than sufficient. Some further disorder occurred upon bringing the resolution to final determination, but it was ultimately adopted by a vote of 122 yeas to 74 nays.

Mr. Benton's remarks upon these transactions and their result give an idea of the extent to which the antislavery agitators had carried out their design to promote discord in Congress, and, by consequence, in the nation; and of the impression which the spirit manifested by them made upon well-disposed persons who did not sympathize with their doings. For it could scarcely be considered any thing but faction, bent upon mischief, which would seek to force upon a reluctant Congress the discussion of antislavery topics, under whatever specious guise they were presented. Mr. Benton says:

“Thus were stifled, and in future prevented in the House, the inflammatory debates upon these disturbing petitions. It was the great session of their presentation, being offered by hundreds, and signed by hundreds of thousands of persons—many of them women, who forgot their sex and their duties to mingle in such inflammatory work; some of them clergymen, who forgot their mission of peace to stir up strife among those who should be brethren. It was a portentous contest. The motion of Mr. Slade was not for any inquiry into the expediency of abolishing slavery in the District of Columbia (a motion in itself sufficiently inflammatory), but to get the command of the House and bring in a bill for that purpose, which would be a decision of the question. This motion failed.”¹

Slavery was not, in fact, declared to be abolished in the District until the year 1863, almost a generation later than

¹ “Thirty Years' View.”

the period of the events just detailed. A few days after the disposition made of Mr. Slade's memorials, Mr. Calhoun introduced into the Senate a series of famous resolutions, in reference to the general subject, which, as amended on motion of Mr. Clay, were adopted by a very large majority of that body.¹

The outbreak, occasioned by this attempt of Mr. Slade to convert the House into an arena for a battle-royal on the subject of slavery, had resulted in the adoption of the resolution quoted on a preceding page.² The Senate had pursued a similar course, for the two previous sessions of that body, and adhered to it until the period of actual secession had made it an open field for any disposition of the topic which might be acceptable to the Northern majority. For several years after this correspondent action of the two Houses, they enjoyed a partial, though by no means a complete immunity from abolition memorials; since little encouragement remained for vigorous effort in procuring signatures to petitions to a national assembly, which had predetermined to treat them with entire neglect. It is a little singular, that at this time was written by a Virginian author, and printed, though not published for more than twenty years afterwards, a work of fiction, called "The Partisan Leader," in which the overthrow of the Government by Mr. Van Buren, then President, was depicted, his own assumption of the style of Emperor, in the interest of the abolition party, and the occurrence of civil war; but the events imagined were on a much inferior scale to those which subsequently took place. As a work of art, the book is of slight consequence; nor, although within its scope the details of events in the novel are not dissimilar to some of those which time has actually unfolded, is the story worthy of much attention, since the record of facts in the experience of the country goes so far beyond every thing which it was possible for imagination to conceive. Its chief title to notice now is derived from its suppression at the time, clearly on party grounds; from the

¹ Appendix IV.

² Page 113.

fact that Mr. Van Buren received and accepted the nomination of the abolition party for President in 1848;¹ and from the conduct of not a few of the leading supporters of his administration, in connection with the causes of the war, and with its history, after it actually broke out.

In 1838, however, the Legislature of the State of Vermont saw fit to pass certain resolutions for the consideration of Congress, in favor of the abolition of slavery in the District of Columbia, which were presented in the Senate by one of the members from that State. These resolutions were very much complained about by the Southern Senators, particularly by Mr. Preston, of South Carolina, as bringing charges of "immorality and irreligion" against the people of the South, in general; though it would seem, from the course of the debate, that these charges were contained in a resolution which had passed the lower branch of the Vermont Legislature only, and which, therefore, had no more official sanction than if acted upon by any ordinary assembly of citizens. The resolutions were laid upon the table, in the usual course of proceedings.

The annexation of the Republic of Texas to the United States had now become a subject of contemplation, and occasionally of discussion by the public press. Doubtless the project was conceived for the purpose of strengthening the political power of the South, which had been so long subjected to such various assaults, by direct or indirect appeals to Congress from many quarters. Certainly, in the state of

¹ The party which nominated Van Buren is properly styled "abolition," though it professed obedience to the General Government, and resolved, thereupon, that "We, therefore, propose no interference *by Congress* with slavery within the limits of any State." But its final resolution reads:

Resolved, That we inscribe on our banners free soil, free speech, free labor, and free men; and under it will fight on, and fight ever, until a triumphant victory shall reward our exertions.

Mr. Salmon P. Chase was chairman of a Committee of Conference appointed by this Convention, and the nomination of Van Buren was reported by Mr. Joshua Leavitt, editor of the *Emancipator*, a paper published in Boston.

the public mind, at that period, and long afterwards, no real danger existed of interference with slavery in the States; and the long-delayed action of a triumphant Republican majority in Congress, after the election of Lincoln, upon the question of abolishing slavery in the District of Columbia, indicates clearly enough, that, so long as the expectation of the return of the seceded States to the Union in their original relations was entertained, little apprehension need have been felt on that particular point.

It was evident, however, that the safety of the South depended upon the just consideration of the North, which, in the ordinary course of events, was acquiring a great superiority of population. There was a constant accession of free States to the Union, and the balance of power had been for some time steadily passing into the possession of a part of the country which was, at least, strongly divided on the subject of abolition. It did not tend to quiet the alarm of Southern statesmen, that the warmest Northern supporters of the Union seldom alluded to the subject of slavery, without putting in a caveat, to satisfy their hearers that they regarded it as a moral and political evil, and that such reluctant countenance as they rendered to the institution was given simply in deference to the requirements of the Constitution.

There can be no doubt that this state of the case kept the minds of thoughtful Southern men in a condition of nervous agitation, and that they came together in Congress with a constant dread of a Northern majority which might be induced to attack their rights and endanger their security. In this view of the matter, in January, 1840, upon a motion for some amendment of the rules of the House of Representatives, Mr. Cost Johnson, of Maryland, proposed the following, which soon became well known as the "twenty-first rule," and was adopted by a vote of 114 yeas, to 108 nays:

"No petition, memorial, resolution, or other paper, praying the abolition of slavery in the District of Columbia, or any State or Territory, or the slave trade between the States and the Territories of the United States in

which it now exists, shall be received by this House, or entertained in any way whatever."

Substantially, the same principle had been already adopted by both branches of the National Legislature. The only real difference between this rule and the resolution of the House, in 1836, correspondent with the previous action of the Senate, was, that the resolution provided for laying such papers on the table, while the rule refused to receive them at all; but was equivalent, in effect, to the course of proceeding already in practice. This rule, however, was the occasion of great prejudice, and became the ready means of increasing and intensifying antislavery agitation.

Amongst other indications of Northern dissatisfaction, was an attempt made in the Legislature of Massachusetts, in the year 1840, to relieve the negro of certain social disabilities, which had long denoted, in that State, a more marked distinction between the races than had existed, perhaps, in any other State of the Union. In the year 1705, during the reign of Queen Anne, a provincial statute had been passed, of the following tenor:

"None of her Majesty's English or Scotch subjects, nor of any other Christian nation, shall contract matrimony with any negro or mulatto."

It is evident from the phraseology of this statute, that negroes and their offspring were regarded in the Puritan Commonwealth as neither more nor less than heathen; and, as religion then exerted a powerful influence in political and social affairs, such a mixture of races was looked upon much as idolatry would have been, or any vicious and depraved degradation of the accountable human being to the base uses of merely sensual indulgence. By the State law of 1786, Indians were also included within the forbidden limits. This law was reaffirmed by the Revised Statutes, passed in 1836, and the issue of marriages between whites and negroes, mulattoes and Indians, was declared illegitimate. So that, for a hundred and thirty years, the people of Massachusetts had kept in force a penal statute against an intermixture of

racess, which they regarded as contrary to good morals, and with the evident design of interposing a safeguard against any casual tendency to the deterioration of the superior species.

In the year 1840, upon a petition presented to the legislature for the repeal of this statute, the matter was referred to a committee, which reported favorably, but the bill was voted down. The measure was brought forward again, by the same process, in the legislature of 1841, and, after an animated debate, was decisively defeated in the House. The argument generally urged by the advocates of the repeal was, that the statute was practically useless, since few or none would be inclined to contract marriages ordinarily so repulsive. On the other hand, it may be said that comparatively few persons actually commit murder, or any of the higher class of crimes; yet every moral and social consideration requires that the warning and the penalty, in such cases, should be provided by the law. On one of the occasions referred to, the petition for the repeal of the statute was subscribed by more than five thousand males and a not much less number of the more delicate sex. There could be no doubt that it was a movement of the abolitionists, and designed to break down the most conspicuous barrier which could have been raised to denote the generally admitted inequality between the several races in question.

It is a striking fact, whatever the inference may be, that this object was effected in the year 1843, when Massachusetts had elected one of the Democratic party for Governor, and a majority of Democrats to both branches of its legislature. Doubtless, this result was due, in part, to the strongly intimated abolition opinions of Governor Morton, and to his extremely liberal sentiments upon the subject of equal rights, as expressed in his inaugural address to the legislature; but even more than this to the anomalous situation in which the two chief political parties had recently been placed. The Governor, in addressing the General Court of Massachusetts, which could do nothing, and was bound to do nothing, in

regard to slavery, had seen fit somewhat rhetorically to say:

“While some are rejoicing in freedom, others bow under the oppressor’s yoke, or reluctantly submit to the despot’s chain. Can such a state of civil society be in harmony with the will of Him who created us all of one flesh and blood? Does it not cry for melioration?”

On the same occasion, the Chief Magistrate of the Commonwealth advanced the following remarkable doctrines in favor of almost universal suffrage:

“I hold that every man has a natural right to a voice, and an equal voice, in the government under which he lives—a voice which, like other essential rights, he may forfeit by his own misconduct, but of which he cannot rightfully be deprived without his fault. *That right is not derived from the Government.* It cannot be bought of it by the payment of a price; nor can it be withheld by an omission to call for, or a refusal to receive money. Every man, whether he pays taxes or not, owes duties to the Government over him; is entitled to protection from it; is bound by its decrees, and has a right to be heard in making them.”¹

Under the influence of teachings like these, it was no wonder, *perhaps*, that a legislative assembly, composed mainly of “unterrified” Democrats, who claimed for themselves, individually and collectively, no stinted liberty of thought and action, should be obedient to recommendations proceeding from so high a quarter. Accordingly, they hastened to do all they could for the cause of universal equality, by repealing the act which forbade the marriage of whites with negroes, mulattoes, and Indians.

The truth is, that the great Whig party had inherited from its predecessors of earlier times and other names, and had often reaffirmed, a set of doctrines on the subject of slavery, in general, which rendered their position in this re-

¹ In his address to the legislature of 1840, Governor Morton had laid down this doctrine still more broadly. He then remarked (and it may be, at least, questioned whether the “virtue of an *if*” here is not on the same footing as that of *perhaps*): “If the right of self-government, the right of suffrage, be a natural one, belonging to every rational human being, there can be no just cause for depriving any citizen of it, except, perhaps, as a punishment for crime.”

spect impregnable, and occasionally an object of envy to their fellow-citizens—the Democrats—as a political party. Their axioms were, that they had no right to interfere with slavery in the States, in any way whatever; that it was inexpedient, if not inequitable, to take any action upon slavery in the District of Columbia; but that they had a clear right to oppose, and were honestly bound to oppose, the introduction of slavery into any territory of the United States already free. They stood before the country, therefore, first, upon the plain principles of the Constitution, and next, upon their views of the demands of justice and sound policy.

These were the principles often held up and advocated, with consummate ability and eloquence by their great leaders, Mr. Webster and Mr. Clay, and were assented to, in general, by the chiefs and adherents of the party, in the South as well as in the North. The Democratic party in the South entertained other opinions than these, in regard to the territories, while in the North that party was by no means united in sentiment on the subject. The Whigs, occupying an entirely definite position in this respect, were cordially hated by the abolitionists, who could expect nothing favorable to their purposes from men who stood firmly pledged to the principles of the Constitution. As evidence of the sentiments with which the Whigs of that day were regarded by the "Liberty Party" men, of the same period, to whose instrumentality the Republican organization at length owed its origin, the extract given below, from the *Boston Atlas*, of December 7th, 1844, will be deemed of value. This passage is quoted from a letter written by the editor of the *Albany Weekly Patriot*, and was published in the *Boston Emancipator*, a paper edited by Mr. Joshua Leavitt, already mentioned in connection with the Buffalo Convention which nominated Mr. Van Buren in 1848. It runs as follows, the Whig party being thus specifically proscribed by it:

"Henceforth, the Liberty party is its enemy forever, and the complete and full separation from its aims, its purposes, its political economy, its measures,

and its men, is what, in my opinion, is necessary to the self-preservation, the growth, and the ultimate success of the Liberty party.”

It is a great pity, and was, indeed, a fatal mistake, that the Whig party did not steadily persevere, to the end, in justifying this dislike. They stood, as has been already remarked, upon an impregnable foundation, and needed only to be true to their principles and to themselves, to hold the destinies of the country in their hands. The Liberty party, it is true, helped to defeat Mr. Clay, in 1844, by means of the few votes which they were able to cast for their candidate, Mr. Birney, in New York. This diversion of force to a third party candidate, which, if the Liberty party men had been honest in their professions of support to the Constitution, would have been certain for Mr. Clay, gave the thirty-six electoral votes of New York to the Democrats, and secured the election of Mr. Polk.

The Liberty party, therefore, refused their support to a Whig candidate from a slave State, who entertained the most rational and humane views on the subject of slavery; and wilfully promoted the election of a Democratic candidate from another slave State, who was thoroughly imbued with the most extreme Southern opinions on the same subject.¹ The *Atlas* of the same date says of the *Emancipator*,

¹ The electoral vote stood: for Polk, 170; for Clay, 105. With the 36 of New York, Clay would have had 141, to 134 for Polk. The popular vote in that State was: for Polk, 237,588; for Clay, 232,473; for Birney, 15,812. Less than half of the latter given to the Whig candidate would have elected a President whose administration would have been brilliant beyond example; which would have drawn to it the ablest men in the country, and which would have served as a much-needed guide to the people in the elucidation and reëstablishment of constitutional principles.

Mr. Clay was President of the Colonization Society, under the auspices of which the flourishing and valuable colony of Liberia, in Africa, was established, and has been brought forward to the excellent condition it has maintained for years. The abolitionists were always the fiercest opponents of colonization. The practical improvement of the negro, in his native country, did not suit them so well as the impracticable idea of equalizing black men with white in a strange land. It was this same “better-to-reign-in-hell” spirit which induced the Free Soilers to coalesce with the Democrats against the Whigs in 1851.

that it is "a paper which has contributed more to the election of Polk than any other Locofoco paper in the country." There was nothing whatever gained to the cause of liberty, or to any other useful object, by the factious conduct of the third party of that day, which then became, for the first time, recognized as a political organization; though in 1840, about seven thousand votes had been cast for Mr. Birney, who was again their candidate in 1844.

But from the election of Mr. Polk, an event procured directly by their means, proceeded the Mexican war, the annexation of Texas, the embitterment of the sectional conflict, and the long train of evils which has since ensued. Yet the history of the two national elections which immediately followed upon that of Mr. Polk shows clearly enough, that their power, though able in that instance to work such a beginning of mischief, was yet extremely limited; and through judicious action by the two great parties, it might soon have become as insignificant as the influence of the abolitionists themselves. In 1844, their vote amounted to 62,300, out of an entire vote of 2,698,605. In 1848, when General Taylor was elected by the Whig party, though Ex-President Van Buren had consented to become the candidate of the Liberty men, and they were aided by all the discontent to which the Texan question had given rise, they obtained 291,263 votes, in a popular vote exceeding that of the preceding occasion by about 174,000. In 1852, when the general public mind had settled down into contentment with the compromise measures of 1850, and General Pierce was chosen by the Democrats, aided by not a few Whigs, who believed that the internal peace of the country would be most surely rendered permanent by the election of a member of the other party, the vote of the Liberty faction for their candidate, Mr. John P. Hale, fell off to 157,296, although the popular vote had increased to 3,143,679.

But if the Whigs had afterwards stood firmly to their original principles, instead of making gradual concessions to a party, whose agents had declared that its self-preservation

depended upon uncompromising hostility to themselves, they might easily have regained the power which the Liberty party built up upon their self-sought ruin, and the country would have been saved from the incomparable ills with which it has been and is likely long to be afflicted.

A wide field was thus left open for such Northern Democratic politicians as preferred personal advantage to public principle; so that, by truckling to local prejudice, they might win votes for themselves, and sell their country to a faction. At a later period, it became more or less of a political scramble between the two parties for the favor of a class of men actuated by no sentiments of patriotism, and whom both should have been ashamed to court. In the end, the position of affairs was substantially reversed. The Northern Democrats, losing by desertion not a few of their conspicuous leaders, showed themselves, in the main, the defenders of the Constitution; while the masses of the Northern Whigs became entangled in the fatal meshes of sectionalism, leaving their more honorable chiefs, who had vainly striven to avert the current of demoralization, to struggle in vain, or to stand aloof from a controversy, in the issue of which they believed they saw the ruin of their free institutions.

CHAPTER V.

The Political Canvass of 1840.—The Whig Party Success.—A Whig Governor's Abolition Address to the Massachusetts Legislature, in 1844.—Revolutionary Resolutions of the same Legislature, their Presentation in Congress, and the Disposition made of them.—Resolutions of United States House of Representatives.—Appointment of a Massachusetts Commissioner to Charleston, South Carolina, and his Reception.—Its Effect.—The Expediency of the Measure considered.—Repeal of the "21st Rule."—The Texas Question.—The State of Parties.—Dissolution menaced by the Legislature of Massachusetts, in 1845.

IN the political canvass of 1840, the Whigs had apparently achieved a signal victory over their Democratic opponents. The administration of Mr. Van Buren had become extremely unpopular, by a course of policy injuriously affecting the commercial interests of the country. The sufferings and dissatisfactions were shared though in unequal proportions, by men in business who had acted with both parties. When Mr. Van Buren was elected in 1836, a comparatively small popular vote had been cast, for it was generally held certain that he would come in, upon "the footsteps of his illustrious predecessor." He then received 170 electoral votes, against 73 given for General Harrison. In 1840, although the contest was warm, and a very largely increased popular vote was cast, on both sides, the electoral ballot stood for Harrison 234, for Van Buren 60. On the former occasion, Van Buren had the majority in fifteen States and Harrison in seven; at the later election, nineteen States chose electors for Harrison, and seven only chose electors for Van Buren.

The victory was fully anticipated, and the Whigs had the opportunity presented, in their Convention, of making

the most of the favorable time, by selecting one of the two most eminent statesmen of their party, Webster or Clay, for their candidate. If the conflict between the rival pretensions of those great citizens had been disregarded, and either of them had been nominated for the Presidency, it is probable that the election would have been equally safe, in the temper of the popular mind, though perhaps not equally decisive; but the result would have given an entirely different turn to the course of public events. A defeat, in a contest of principles, would have been far preferable, and far more salutary in its future consequences, than such a short-lived triumph, achieved upon doctrines of expediency, and followed by complications and general public confusion, which subsequent events turned into the sources of absolute disaster. A gentleman of more sterling worth than General Harrison could not have been fixed upon; but he was at a very advanced period of life, and though certainly distinguished by more than usual ability and much public service, was selected rather as being unobjectionable, and in order to make the victory sure, than in reference to any special individual claims for a place of such dignity and responsibility. Mr. Tyler, who succeeded him, when the brief month of life permitted to President Harrison after his inauguration, was gone, had been a member of the Democratic party, was in attendance upon the Whig Convention as a recent convert, and was good-naturedly nominated for the Vice-Presidency, in the hurry of the occasion, and upon the refusal of others who had been thought of to occupy that position. Nothing could have been more injudicious than the conduct of the Whigs, in both instances. President Harrison, verging upon seventy years of age, speedily sank under the burdens of office; and Mr. Tyler, long balancing between his present and his former political associations, at length yielded to the latter. Hence, the Whig party lost altogether the fruits of a victory, which had been hailed with unexampled exultation as a pledge of the renovated fortunes of the country. The disappointment was keenly felt; but the false step was

productive of many future evil consequences. More than ever before, politics, instead of serving as the expression of true patriotism, was fast sinking into a game of adventurers and mere self-seekers.

At the beginning of the session of the Massachusetts Legislature, in 1844, that body had hastened to follow the example of Vermont; but far exceeded the action of that State, by passing resolutions to be offered to Congress of a decidedly revolutionary character. In his inaugural address, delivered January 10th, 1844, the Whig Governor, Briggs, seems to have determined not to be outdone by his Democratic predecessor. He also must needs bring up the vexed question of slavery. He remarked to the two Houses:

“Indeed, there is reason to believe that before the existence of our Constitution, our highest court held the opinion that the Declaration of Independence put an end to slavery in this State.”

Without staying to inquire, upon so loose a statement as this, whether it is conceivable that a highly respectable tribunal can have held, that the expression of any mere general declaratory opinion, by a convention of delegates of independent and sovereign States, can have had the legal effect of annulling the laws of those States—it may be remarked that such a view is totally inconsistent with the Articles of Confederation, agreed upon two years after the Declaration was issued, and with the Constitution of the United States, as finally adopted.¹ Of course, if that Declaration, the object of which was simply to dissolve the bonds of allegiance of the colonies to Great Britain, could put an end to slavery in one State, it would have the same effect in all; and hence the Constitution of the United States would rest under the

¹ Not to cite other clauses of the Articles of Confederation, the second Article is sufficient, namely:

“Each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right which is not by this Confederation expressly delegated to the United States in Congress assembled.”

The Constitution, by Article IV., section 2, provides for the delivery of persons held to service or labor:

imputation of establishing slavery anew in all the States, elsewhere than in Massachusetts, instead of merely recognizing it as an existing fact in the States where it was to be found.

The Governor, however, having thus stated his case, proceeded to reason upon it, as if it were certain that the court held such an opinion; and as if the opinion would be of any value, if so held; and to deduce from it conclusions scarcely to be accounted logical. He said:

“With this fact in relation to slaves and slavery, in her own history, can it be a matter of surprise to any one that the people at home, and their representatives in the Federal Government, should feel bound, by every consideration of justice and humanity, to oppose the least extension of an institution which they believe to be morally and politically wrong, and to exert every power consistent with their constitutional obligations to the Union to hasten the time when every human being in this Republic shall enjoy ‘the inalienable right of life, liberty, and the pursuit of happiness?’”

This was rank abolition. It does not seem to follow necessarily from the supposed fact, that the highest court of Massachusetts had held slavery abolished in that State by the Declaration of Independence, that it became, therefore, the bounden duty of its people to exert themselves for its abolition in other States; the highest courts of which had not so decided, and in which the Constitution of the United States had left the institution standing. The abolitionists proper had by this time seen that the Constitution presented an insuperable obstacle to emancipation; and they characterized that instrument, therefore, as “a covenant with death—an agreement with hell.” The Governor held that every exertion should be made, consistent with constitutional obligations, to hasten the time of universal emancipation; when, in fact, no exertion whatever could be made to that end, in the United States, which would not necessarily be in direct derogation of constitutional obligations.

The effect of the Governor’s recommendations appeared speedily in the passage of the resolutions referred to, which were approved January 16th, 1844, only six days after the

delivery of the inaugural address, and forming the earliest of the series of resolutions adopted at that session of the General Court. Equal alacrity was shown in the speed with which the resolves were forwarded to Washington. Mr. Bates, of Massachusetts, presented them in the Senate, January 23d, 1844, and it appeared that they instructed the Senators and requested the Representatives of the State to seek for such an amendment of the Constitution as would allow only free persons to be represented; or, in other words, to annul the constitutional provision for the representation of a quota of the slave population. The legislature had not yet reached the point of asking that negroes in slavery might vote; but they sought to weaken the political influence of the slave States by depriving them of a part of their representation based on two-fifths of their slave population, for which they were liable to taxation, as for property, by the provision of the Constitution.

Mr. King, of Alabama, who had previously acted as President of the Senate, during three several Congresses, but was now upon the floor, and who had shown more than ordinary moderation when questions of this sort had come up in that branch of Congress, expressed his regret that a proposition should thus come from Massachusetts to *dissolve the Union*. Remarks were also made by other members; and Mr. Bates replied, that he felt it his duty to present the resolutions, but he wished to avoid, instead of beginning discussion on this subject, and moved that they be laid on the table and be printed. The Senate agreed to the first part of his motion, but refused to print, by a vote of 14 yeas to 26 nays.

On the same day, Mr. J. Q. Adams proposed the same resolutions in the House of Representatives, and asked a suspension of the rules for leave to present them; but after a brief debate, leave was refused, by a vote of 50 yeas to 105 nays. On February 5th, several members from New York brought forward petitions, praying for the amendment of the Constitution, already suggested, and for the abolition of slavery in the Southern States, which were not received.

Other petitions were offered for the repeal of the 21st rule, and that the Ordinance of 1787 might be extended to all territory west of the Mississippi River, which were severally laid on the table, the vote ranging from yeas 118 to nays 56. On the same day, Mr. Adams once more brought up the Massachusetts resolutions; but the House again refused to receive them.

Three days afterwards, Mr. Bates took occasion to remark in the Senate, that "he had presented the resolves of the Massachusetts Legislature, because, as a Senator from that State, he thought it his duty to do so. He had moved to lay them on the table. There was not within his contemplation more than one event that could happen which could induce him to call them up. *He was not for disturbing the foundations of the Government.*" He suggested, however, that the Senate had permitted certain counter-resolutions from the legislatures of Southern States to be printed, after the opportunity had passed for him to renew his motion to print those offered by himself. But the Senate may have thought, that it was not of such evil example to print resolves in favor of sustaining the Government, as those calculated to disturb its foundations.

In fact, it seems that the House, acting in concert with the views of the Senate, had referred to a select committee certain resolutions of the legislative assemblies of Virginia and Alabama, protesting against the proposed amendment of the Constitution. This matter was finally set at rest by the action of the House upon the report of this committee, which was made March 22d. The chairman, Mr. Dromgoole, of Virginia, in presenting the report, said that the committee was desirous "to let the country know whether the vote of this House would sanction the change proposed, or would preserve the Constitution. There was nothing in the report harsh or unkind to the Legislature or people of Massachusetts." The report, which is brief, sets forth the views of the committee, as follows, the facts here omitted being of less general importance:

“The select Committee report that they have maturely considered the proposition of the General Assembly of Massachusetts, to amend the Constitution of the United States, by apportioning representatives and direct taxes according to the whole number of free persons now embraced in the determination of the federal numbers. This proposition is strongly and unanimously condemned by the General Assembly of Virginia, and is regarded, in truth, as a proposition virtually to dissolve the Union. The committee * * are of opinion that the proposed alteration of the compromise would produce a peaceable or violent dissolution of the Union. The committee, anxiously desirous of preserving the Constitution in its true meaning, as formed by the convention and ratified by the States, and confidently believing that such is the deliberate sense of the States, and of the people thereof, with very rare exceptions, are of opinion that no such proposition as that of the General Assembly of Massachusetts ought to be recommended by Congress, or favored in the least degree.”

Accordingly, they proposed the following resolutions :

Resolved, That the rule established in the Constitution as the basis of representation and direct taxation, resulting from a spirit of concession and compromise, essential to the formation and preservation of the union of the States, ought to be held sacred by the friends of the Union.

Resolved, That no proposition to alter or amend the Constitution, in relation to representation and direct taxation among the States, ought to be recommended by Congress ; but that any such proposition ought to be promptly and decisively condemned.

The vote was taken forthwith upon this report, and the first resolution was passed by yeas 158 to nays 18, and the second by yeas 127 to nays 41. The reason for this difference of votes upon the two propositions is not very apparent. If the rule in question “ought to be held sacred,” it is obvious that Congress ought not to recommend, and ought to condemn any proposition to change it.

It appears, therefore, from this recapitulation, that if the Democratic Governor of Massachusetts coquetted with abolition, in 1843, the Whig Governor was no less forward to pay it court in 1844 ; and, that, while the legislature of the first-mentioned year showed its readiness to place the negro, the mulatto, and the Indian on an equality with the white race of the country, in regard to the most delicate and sacred of all relations, the legislature of the succeeding year adopted

a measure, which, in the judgment of other States, and of the National Congress, amounted to a proposition to "disturb the foundations of the Government," and, in fact, to dissolve the Union.

It should be noticed, at this point, also, that at the session of the Massachusetts Legislature of 1843, under a Democratic administration of the State, resolves had been adopted which provided for the appointment of agents, who were to repair to the several cities of Charleston and New Orleans, in order to bring to legal test a matter which had caused much dissatisfaction at the North. Under the laws of many of the Southern States, it had been the practice of the port-officers of their seaports to take all colored persons out of the crews of vessels arriving in the harbor, and to lodge them in some place of confinement, at the charges of the owners of the vessels, until the time for sailing again arrived. The ship thus lost, for a time, the services of the steward or cook, or of such other colored individuals as constituted a part of her crew, and the owner was subjected, in addition, to the cost of their support during the prescribed period.

This was certainly a hardship; especially as persons of African blood were thought best suited to the culinary department on board ship, and were generally employed in that capacity in the larger class of Northern vessels which proceeded to the Southern ports, and afterwards pursued their voyages to Europe. The ground assumed for the practice in question regarded the evils which it was thought might result from free intercourse of blacks directly from the free States, and particularly from the Eastern States, with the blacks who were either slaves or freedmen in the trading cities of the South. At the period indicated, the local authorities in the latter quarter would be likely to be more than usually tenacious on the point at issue; since, in consequence of the active agitation of the slavery question, and of noted efforts to circulate papers, by the mails, calculated to excite uneasiness among the negroes, it would naturally be suspected that colored persons attached to ships from the free States might

be the express emissaries of abolition organizations. The Legislature of Massachusetts urged that citizens of that State were thus deprived of the privileges and immunities secured to them by the Constitution.

Without presuming to discuss a question of law, more recently considered by the Supreme Court, and which had not then come up for determination, it may be observed that the Southern people acted upon views affecting their own security, and were, doubtlessly, in a frame of mind not favorable to a calm hearing of the proposition of Massachusetts. They had ample notice of the proposed measure, however; because, although the legislature of 1843 contented itself with resolving, and the Executive took no action upon the subject; yet, in the following year, the resolutions were renewed by their Whig successors, and suitable agents were appointed conformably with their design. The fortunes which attended the mission to Charleston prevented any attempt to fulfil the assigned duty at New Orleans. No choice could have been more proper than that by which the agent for the former city was selected. The gentleman fixed upon was of the best possible reputation, of venerable years, of eminent ability, and of agreeable address.¹ He was tinctured with none of the spirit of fanaticism; but held similar constitutional views, in regard to slavery, with those generally entertained by members of the legal profession, in which he was himself highly distinguished, and by most persons in leading positions at the North, who were not embroiled in the schemes of local politics.

Immediately on his arrival at Charleston, he communicated, by note, the purpose of his visit to the Governor of South Carolina. The Executive at once referred the subject to the Legislature of the State, then in session, by a brief message. But the visitor was, in the mean time, unofficially made aware that he would not be permitted to execute his mission, and that popular feeling upon the subject rendered

¹ Hon. Samuel Hoar, of Concord, Mass.

it advisable for him forthwith to leave the State. Accordingly, he retraced his steps. But the treatment which he received, though he had been subjected to no personal outrage, was warmly resented by many, who alleged that the State, of which he was the authorized agent, had been grievously insulted, and the Constitution of the United States violated, by his exclusion from the pursuit of a peaceful legal remedy for an alleged public wrong.

It is probable that, twenty years earlier, no resistance would have been offered to an attempt to bring the point at issue to the cognizance of the tribunals of the United States, if the remedy had been sought for by private citizens. But the mode adopted placed one State, in its capacity as a sovereign power, in direct antagonism with another State, upon a question in which feelings and interests, though differing in character and importance, were warmly engaged upon the one side and the other. Hence, whatever may have been the actual legal rights of Massachusetts and the constitutional duties of South Carolina, it may be deemed very questionable, whether the legislative proceedings of the former were not both inexpedient and untimely. Right or wrong, those proceedings, in the existing temper, were sure to give offence. It was a question of judgment and good temper, whether it were worth while to provoke it under such circumstances.

It is obvious, that the question to be determined, in this contingency, would not be the mere naked point—whether a negro arriving from the North could be lawfully held in temporary confinement, as a matter of police regulation, in the slave State; but that a grand problem of State rights, upon the interpretation of the Constitution, lay at the bottom of the controversy. Because, at that period, the general question would have opened a much wider field of discussion than the Dred Scott case—whether the clause of the Constitution, which assigns to the citizens of each State the privileges and immunities of citizens in all the States, includes:

1. Those citizens of the States who are such simply under the laws of the several States; or, means—

2. Only those citizens of the States who are also citizens of the United States, and—

3. Whether persons of African descent, who may have been reckoned citizens of some of the States, were also, in consequence, to be considered citizens of the United States.

For it may be worthy of grave consideration—whether a class of persons, not thought of as citizens, in either sense, in more than half the States, at the time of the adoption of the Constitution, could be rightfully accounted citizens of the United States, so as to be entitled to the privileges of citizens in all the States.¹

Such had been the course of the abolition struggle, for several years after the adoption of the rule which excluded all papers relating to the subject of slavery from the consideration of Congress. Repressed in one place, the fire of fanaticism broke out elsewhere. It is needless, and would be impossible, to present complete details of the action taken by those more or less in sympathy with the agitators, throughout the free States. The instances already cited may suffice to show to what extremities persons in official positions, who would have resented the imputation of being abolitionists, were nevertheless prepared to push measures really in aid of the objects contemplated by the abolitionists, and which could have no other effect, if effective in any way whatever. Massachusetts, which, for many preceding years, had held steadily by the several successive party names of Federalist, National Republican, and Whig, had become unsettled, like other States, by the great political contest of 1840, and confused by the events which followed upon the speedy transfer

¹ Although the fact of voting has been by no means a test of citizenship in some of the States—in New England, at least, until recently, the exercise of this right has been duly regulated and guarded. As to the voting of negroes, probably they may have been accustomed to do so from an early date in some of the cities, where they were numerous enough to make it worth while for the several parties to claim their suffrages. The writer is confident, however, that in one of the most populous towns of Massachusetts, in which there was formerly a large colony of negroes, long resident, they were never thought of as voters, and never did vote, until within a few years past.

of the responsibilities of office from President Harrison to President Tyler.

At length, the State stood somewhat nicely balanced between the claims of Whiggism and Democracy, and the fortunes of the latter, for the moment, turned the scale. A Democratic legislature, at the instance of a Democratic Executive, had demanded the abrogation of a fundamental provision of the Constitution, and had also provided for a sort of State mission to two of the principal slave States, which, under the guise of peace, was little less than a declaration of open war. The Whig successors of the Democrats, in the executive and legislative departments, when the tide had once more turned in favor of the former, had made extraordinary haste to place themselves upon an equal footing, in this respect, with their political opponents. The result of this party scramble, indicating the state of Northern sentiment elsewhere, also, than in Massachusetts, was of a very striking character in its effect on Congress. On the second day of the session of that body, in 1844, Mr. John Quincy Adams moved that the Twenty-first Rule, which had now been in operation since 1840, be rescinded. Without discussing here the propriety or expediency of a measure exercising a sweep so absolutely exclusive as that Rule, it may be remarked, that it was adopted undoubtedly on the principle said to have been suggested by a member of an early House of Commons, which obtained the assent of its members :

“ I hear a lion in the lobby roar ;
 Say, Mr. Speaker, shall we bar the door,
 And keep him out ? Or shall we let him in,
 And do our best to put him out again ? ”

If Congress, after its long experience of the effects of such papers, in the two branches, found that the consideration of memorials addressed to it, in relation to slavery, in any of its aspects, was unfavorable to the transaction of the ordinary business of legislation, and believed that their tendency was to disturb the national peace and to place the Union itself in imminent peril, surely it was bound to take some

decisive step to prevent debate in regard to that subject upon its own floors. This was a matter entirely within its discretion, of which it was itself the best judge and the rightful judge. Unhappily, subsequent events have only too surely confirmed the wisdom of the general view taken of this subject by Congress. But the question between itself and those in the Northern States who were disposed to press this matter to its ultimate conclusions, regardless of consequences, was of a different nature. Probably, the same end could have been attained, with less danger of popular dissatisfaction, if the House had adopted the plan uniformly pursued in the Senate, for twenty years after 1840, of quietly receiving such memorials, and laying them upon the table, without further notice. The shot would then have been discharged, with no more dangerous effect than in experimental gunnery, when the projectile is lodged harmlessly in the sand. As it was, the charge remained pent up, its operators longing for an explosion, and constantly adding to it new accumulations of missile force.

Upon the motion of Mr. Adams, the House voted to repeal the Twenty-first Rule, the ballot standing—yeas, 109; nays, 77. Whether owing to local considerations, or from real regard to the right of petition, which was the ground of argument of Mr. Winthrop and others, who spoke in favor of the motion, the names of no less than forty-seven Northern Democrats are recorded in the majority on this occasion; twenty-four of whom were members from New York, Maine, and Connecticut, one from New Hampshire, and one from Massachusetts. The Northern Whigs voted in the affirmative; but with them were six members from the slave States (Clingman of North Carolina, Hamlin of South Carolina, Kennedy, Preston, and Wethered of Maryland, and White of Kentucky); a fact clearly proving that no absolutely sectional line was drawn upon this question. On the negative side are to be observed the names of Mr. Andrew Johnson of Tennessee, and of Mr. Alexander H. Stephens of Georgia. In fact, the Northern Democratic

members had begun to discover, that they would find it difficult to carry their own elections, under the Twenty-first Rule.

On the first of December of the following year, an ineffectual motion was made to revive that Rule, in favor of which Mr. Johnson and Mr. Stephens again voted; but on the 11th of the same month, a petition from New York, praying for the abolition of slavery in the District of Columbia, and of slavery in general, was laid upon the table by a vote of yeas 108, nays 59. It thus appears, that however well disposed the House felt, to yield to popular sentiment in regard to the right of petition, its views remained substantially unchanged, as to taking any legislative action on the subject of abolition memorials, and continued adverse to giving them any actual consideration. Indeed, the position of the two great parties rendered this state of things inevitable. The Whig organization and the Democratic-alike, extended throughout the North and the South, in nearly equal strength. Maryland, North Carolina, Tennessee, and Kentucky, had just voted side by side with Massachusetts, for Mr. Clay. Maine and New Hampshire, and several of the free States of the West, had given their support, with South Carolina, to the pretensions of Mr. Polk.

The abolitionists proper professed that they took no personal part in politics, not even so much as to vote, under a government which it was their avowed design to overthrow. They confined their efforts for this great purpose to moral suasion and vituperation. Some of their conspicuous associates made a merit of throwing up commissions as justices of the peace, which they had happened to hold as incidental to professional positions. This view of their mission necessarily kept their esoteric circle extremely limited and exclusive, and made it totally inefficient for the accomplishment of any practical end. They were, in fact, a small body of morbid and fantastic enthusiasts, incapable of effecting any thing beyond the circumscribed limits of their own operations, in which only they themselves were specially interested. Ac-

cordingly, they were scarcely thought of at all, in the communities where they were most numerous, upon ordinary occasions, or in relation to politics; and whenever their annual meetings were held in public places, they were objects of general ridicule, and in their more excessive manifestations of general indignation.

The much larger class of persons who were most efficient in stirring up agitation, on the several points of public discussion which affected the general subject of slavery, professed opinions far less extreme than those of the abolitionists, and disavowed all sympathy with their declared objects of overthrowing slavery in the States. The Liberty party, which, strange to say, began its operations in seeming antagonism to the specific purposes of the abolitionists, showed at least more sagacity in devising and pursuing its plan of conduct.¹ It knew, that to affect men, it must act with men; and that a sect promiscuously made up of male and female visionaries, might go on dreaming forever, to no end, until the sphere of dream became exhausted of its indwellers, by the passage of one after another to a different state of being, in which the realities of a more mature existence should take the place of the shows and shadows of the world.

The Liberty party organization consisted of a different order of men. They were politicians; and it eventually proved that they had among them, actuated by a variety of motives, persons who held eminent public positions, and who could exercise more or less efficient influence upon the course of public events. Though, in the election of 1844, their demonstration had shown them to be comparatively few in

¹ The *Liberator*, Mr. Garrison's paper, thus characterized the Liberty party in December, 1844, in reference to the passage from the *Emancipator*, already quoted

"It fully sustains our charge, that the warfare of the psuedo-Liberty party is not so much against the *pro-slavery* of the two great parties, as against the *Whig party* itself, and 'its aims, purposes, its political economy, its measures, its men,'—whatever it may say or do, either in its local or general action, in behalf of the antislavery movement."

numbers, yet, the apparently insignificant vote which they were able to throw, in the State of New York, had been sufficient to give a turn to affairs, which, by the Whig party, at least, was regarded as disastrous in its promise to the future fortunes of the Republic. This Liberty party was, of course, confined to the Northern section of the country. It was impossible that the appearance of such an ominous gathering on the horizon should not produce a profound impression upon the minds of thoughtful persons at the South, and still more excite the passions of the less considerate multitude in that quarter.

While the one section, having direct personal interests in the question of slavery, would regard such a manifestation of ill-concealed hostility to the institution of slavery as tending to an infraction of their constitutional rights; the other section, having in the question merely incidental interests, looked upon the movement but as part of a political struggle, only involving the temporary political supremacy of the one party or the other, and not as seriously affecting the security of the common welfare. To the one section, it was the occasional exercise of a supposed lawful, but abstract right; to the other, it was thought to call for the steady, constant defence of home-bred concerns, which were absolute realities of daily and intimate necessity. To the one, the agitation of the topic might have seemed almost sport; to the other, in their view of their public and private rights, it was little less than death. This distinction prevailed, down to the very outbreak of the rebellion. The masses of the Republican party in the country, if not its representatives in Congress, though always forcing the matter hotly up to that point, yet never believed, to the last, that their action could provoke actual rebellion, and induce civil war. There were always those among them, however, both in Congress and out of it, who desired and sought that result.

It was amid this state of things that the question of the annexation of Texas to the United States became a theme of earnest controversy, the agitation of which finally appeared

to shake the country to its very centre. At the moment, the project was undoubtedly brought forward for the purpose of strengthening the political power of the slave States, in view of the antislavery storm which they had construed the various signs of the times to mean was likely before long to burst upon them from the North. Regarding it as a matter of mere territorial acquisition, comprising a region of vast extent and extraordinary fertility, and promising immense commercial advantages by its possession, the plan was not only unobjectionable in itself considered, but was received with great acceptance by large classes at the North, as it certainly met with almost universal favor throughout the South.

The idea of recovering this territory to the United States was by no means of recent origin. In 1825, Mr. Adams, during his term of presidency, had made a formal proffer for its purchase of Mexico, to which it had fallen under the improvident arrangements of a treaty between the United States and Spain, in 1819. Mr. Clay, at that period, had taken very strong ground against this cession, by earnest speeches in the House, and by resolutions which he introduced, in condemnation of the measure. The proposition to purchase had been renewed by Mr. Adams in 1827; and was, in like manner, the subject of similar unsuccessful negotiation, during the administrations of Presidents Jackson and Van Buren, in the years 1829, 1833, and 1835. Under color of the impolicy of the treaty of 1819, and of the originally undefined western boundary of the Louisiana Territory, the advocates of the present proposition spoke of the project under the name of *re-annexation*.

The Republic of Texas was now at war with Mexico; and President Tyler had taken advantage of the fact to offer to the former a treaty of annexation on his own responsibility, which would comprehend, by its terms, not only the actual territory of Texas, but a tract of very large extent belonging to Mexico itself. To be sure, by the treaty of Guadalupe Hidalgo, ratified at the termination of the war with

Mexico, the Rio Grande was afterwards agreed upon as the future boundary between that country and the United States, except so far as regarded the Territories of New Mexico and California, which were purchased of Mexico by the United States, under the provisions of the same treaty. Mr. Tyler, however, had seen fit to adopt that river as the boundary, without taking the trouble to seek any adjustment of preliminaries with Mexico. When this treaty came before the Senate, it was rejected by a very large majority (35 to 16), and the peculiar circumstances of this transaction had attracted more than ordinary attention to the general subject.

In the various propositions for final settlement of the question, the principle of the Missouri Compromise, excluding slavery from that portion of the territory lying north of $36^{\circ} 30'$ north latitude, was introduced, so that a chief source of controversy was virtually shut out from the vast range of discussion opened by this topic. It could not be prevented, however, from coming in incidentally. On one occasion, in the course of debate in the House, Mr. Douglas, of Illinois, having stated the fact that Mr. Adams, while President, had made overtures for the annexation of Texas, that gentleman explained that this was during the period that the province was a dependency of Mexico, which had previously abolished slavery.¹ This was true; but it was also true that the question of slavery or antislavery was then of very little political importance, it having been settled already, for the time at least, by the adjustment of the compromise line; under which all of Texas, it being situated below the latitude of $36^{\circ} 30'$ north latitude, would, of course, be subject to the introduction of slavery, upon its admission to the Union.

But the chief ground of opposition to the measure was the alleged unconstitutional mode proposed for carrying it into effect. The question had many political bearings in relation to the coming election of President; and, besides con-

¹ Retaining a modified and temporary form of servitude, under the name of peonage.

siderations of a public or of a sectional character affecting it, large private interests were also involved, by the amount of Texas scrip in the possession of individuals of both parties. In the main, however, it assumed the character of a dispute between the Whigs and the Democrats. The former contended, with great force, that, as Texas was no part of the territory of the United States, but actually a foreign domain, it could not constitutionally become one of the States of the Union by virtue of an act of Congress, which had no power in the premises, but must be annexed, if it all, by Executive authority; that is, through a formal treaty negotiated by the President, with the concurrence of two-thirds of the members of the Senate. As this body was nearly equally divided between the two great parties, the constitutional method of effecting the object was out of the question; but the Democrats held a majority in the lower branch.

Eventually this formidable obstacle was overcome in the Senate, by a very ingenious device. The resolutions for the admission of Texas, by act of Congress, upon the conditions as to slavery recognized by the Missouri Compromise line, passed the House, January 28th, 1845, by a vote of 118 yeas to 101 nays. Among the former were 51 Northern Democrats; among the latter, 19 Southern Whigs. When these proceedings of the House were before the Senate, on February 27th, an additional resolve was proposed. The resolutions of the House were recited, in the proposition to the Senate, and the further resolve declared that, if the President, in his judgment and discretion, should see fit to negotiate with the Republic of Texas, by treaty, instead of proposing to it the resolutions in question, then, it provided that a State shall "be formed out of the present Republic of Texas," and "shall be admitted into the Union, by virtue of this act, on an equal footing with the existing States." An appropriation was made "to defray the expenses of missions and negotiations, to agree upon the terms of said admission and cession, either by treaty to be submitted to the Senate, or by articles to be submitted to the two Houses of Congress, as the President may direct."

These amended resolutions passed the Senate, by a vote of 27 yeas to 25 nays. Of the majority in this case, twelve were Democrats from the free States; of the minority, twelve were Whigs from the slave States. The two Whig Senators from Maryland voted with the majority. The House concurred with the Senate, on the following day (February 28th), by a vote of yeas 132 to 76 nays. These resolutions were approved by the President, Mr. Tyler, March 1, 1845; and he forthwith selected the House resolution, providing for immediate annexation, and at once despatched a special messenger to Texas, to complete the necessary arrangements. Nor did he wait for the "judgment and discretion" of his successor, who was to be inaugurated within three days from the date of his own action upon a matter of so much consequence to the administration of the new President and to the country.

The country was roused to an extraordinary pitch of excitement by these remarkable proceedings. It was well known that the amendment of the Senate to the resolutions of the House had alone secured the passage through both branches of measures effective for the purposes of annexation. It was alleged by those who had the means of knowing, that Mr. Polk, the President elect, would have chosen the alternative resolution, which provided for the admission of Texas by negotiation.¹ It was obvious that war with Mexico must be the result of the admission of Texas by the mode adopted. This matter was viewed in very different aspects by different minds; perhaps, it should be said, by different political parties. Texas had been practically, as well as by formal declaration, independent of Mexico, for ten years preceding the annexation. She had revolted, when the Republic of which she had formed a State became subject to the power of a military dictator. She had been victorious in battle, and the dictator, Santa Anna, had formally agreed to her independence by treaty, while a prisoner of war in her hands, as the

¹ "Thirty Years' View."

condition of his liberation. Several of the principal powers of Europe had followed the example of the United States, and had recognized her nationality. No attempt had been made, in the mean time, to reduce her again to the domination of Mexico.

But the Mexicans had retaliated within their ports upon the commerce of the United States, on account of alleged sympathy with Texas, and of aid rendered to her, and had instituted exactions, and inflicted many and aggravated injuries upon our mercantile interests, for which no redress could be obtained. The more efficient part of the population of Texas consisted of emigrants from the United States, who had been induced to become citizens of the State, while under a republican form of government, and who had gallantly aided with heart and hand in the revolution against military dictatorship. Upon the pendency of the arrangements for annexation, Mexico had given plain notice of its intention to recover possession of Texas by arms. When the admission was consummated, by invitation of the United States, the entrance of the Union army into Texas, to defend one of her own States, was an imperative duty. The fault consisted in the original mode adopted to effect the annexation, which, it was obvious, could have been obtained peaceably, by treaty; and if any trouble had been then experienced in effecting a reasonable composition with Mexico, the blame would have been on the part of that Government. The result could then have been readily predicted, considering that its power and resources bore no comparison with those of the United States.

But an ample field was thus opened for discussion of a question of such national consequence, and presenting such a variety of bearings and relations, during the recess of Congress. The dispute raged in the North with a vehemence unexampled since the period of the Missouri settlement. The press, on both sides, was animated with all the vigor which a topic so intimately connected with extreme party interests was calculated to inspire, and multitudes of public

addresses testified to the zeal with which both parties entered into the contest.* Nor was the spirit manifested at the South less vehement. In some parts of it—in South Carolina, for example, and perhaps elsewhere—the cry of “Texas, or Disunion,” was openly raised, and warmly reiterated. Of the Northern States, Massachusetts had been promptly and decisively in the field, in its legislative capacity; and the tone of its resolutions, during successive years, before the question had been acted upon in Congress, and while it was in progress at Washington, may serve as an indication of the temper displayed by the more ardent opponents of the project. So early as in the legislative session of 1843, with a Democratic Governor in the chair, and a majority of Democrats in both branches of the General Court,¹ a stand was taken on this subject, which, as an expression of the deliberate opinion of sober legislators, may be thought to afford a somewhat ominous intimation of disunion sentiment in the North. It was, in fact, resolved:

“That, under no circumstances whatever, can the people of Massachusetts regard the proposition to admit Texas into the Union in any other light than *as dangerous to its continuance in peace*, in prosperity, and in the enjoyment of those blessings which it is the object of a free government to secure.”

It is plain that the words italicised could have had reference to the domestic peace of the Union alone; an interpretation which is confirmed by the only construction of which the context appears to admit. Indeed, it could hardly have been said with any reason by the legislature, that “under no circumstances whatever” could the annexation take place without danger of *foreign war*, since it certainly was possible to effect that object by amicable arrangement. Nor could there be any thing in the measure dangerous to the internal peace of the Union, except at the will of those who passed this resolution, and of others at the North in sympathy with them; since the people of the South were understood to

¹ That is the official style of the Legislature of Massachusetts, derived from a very early period.

be very generally in favor of the measure, against which this emphatic and unqualified protest was pronounced. The Governor was requested to forward the resolution to the Senators and Representatives of Massachusetts in Congress, and to call upon them to spare no exertions to oppose and, if possible, to prevent the annexation; and also to send a copy to the Executive of each State. The spirit of "the people of Massachusetts," therefore, so far as they were truly represented by the legislature, was thus extensively made known in other States.

For reasons which doubtless seemed to him sufficient, and which may, perhaps, be inferred, Governor Morton did not affix his signature to this resolution; a fact which was afterwards called to notice on the floor of Congress; to which Mr. J. Q. Adams made reply, that "the resolution was introduced into the legislature by the leader of the Democratic party."

But if any doubt could remain as to the meaning of the Massachusetts Democrats, in the legislature of 1843, no such question could attend upon the more specific language employed by the Massachusetts Whigs, in the legislature of 1844. But, in the preamble to a resolution of a still later date (1847), the action of preceding legislatures is referred to, as having taken place on this subject, "with great unanimity;" so that the conclusion cannot but be justified, that both Democrats and Whigs in the legislature concurred in the general sentiment expressed on those several occasions. In the year 1844, the legislature, directing that the proceedings should be sent to Senators and Representatives in Congress, as usual, and to the Executives of the several States, in this instance with the approval of the Governor, solemnly

*Resolved, * * ** That the project of the annexation of Texas, unless arrested on the threshold, may tend to *drive these States into a dissolution of the Union.*

The idea of the dissolution of the Union, therefore, as a consequence of the annexation in question, was contemplated

by the legislative assembly of Massachusetts, and was held out by it as a menace to the General Government, to prevent the consummation of the project. In later days, such action as this could hardly have failed to incur the imputation of "disloyalty;" and it affords, perhaps, one of the most emphatic examples possible of the assertion of "State Rights." As the time for the determination of this question drew nearer at hand, the spirit of the Massachusetts legislators proved to have become by no means abated in the interval. On the 22d day of February, 1845—whether the act was, or was not clothed with a more solemn sanction, by selecting for it the anniversary of the birth of the first great President from a slaveholding State—the Governor approved a further series of resolutions, passed with the usual formalities in regard to transmission to Congress and the Executives of other States. Their identity of character with those of a former date appears by the following extracts:

*Resolved, * * * And, as the powers of legislation, granted in the Constitution of the United States to Congress, do not embrace a case of the admission of a foreign state or foreign territory, by legislation, into the Union, such an act of admission would have no binding force whatever on the people of Massachusetts.*

Right or wrong as these several successive demonstrations may have been, as a matter of principle, it is quite evident that they enunciated the assertion of the right of nullification and secession; and that, if followed out to their legitimate results, they could have received their practical application only on the "peacably, if we can; forcibly, if we must" doctrine of a former representative of the State in Congress. In a further resolution of the same series (1845), the real reason for the objection appears, as follows:

"That the people of Massachusetts will never consent to *use the powers reserved to themselves* to admit Texas, or any other state or territory now without the Union, on any other basis than the perfect equality of freemen. And that while slavery, or slave representation, forms any part of the claims or conditions of admission, Texas, with their consent, can never be admitted."

To a careful observer, there may appear to be a partial inconsistency between these several expressions of legislative determination. By the first of the latter two resolutions, the members declared that the admission of a foreign state or territory, by legislation, would have no binding force upon the people of Massachusetts; by the second, that, in spite of the Missouri Compromise, or any other consideration, they will never consent to the admission, by any mode whatever, of such state or territory, with slavery or slave representation. The implication certainly is, by comparison of the two resolves, that the admission of such state or territory, by some other mode than legislation, would be of constitutional obligation; yet that they will not consent to be bound by it, if slavery or slave representation constitute either of the conditions. The language in italic letters in the resolve last above cited is remarkable, as being an extraordinary claim for *the reserved rights* of the people of a State. But the right to admit States was not among those reserved, it having been especially granted to the Congress of the United States.

Notwithstanding this action of the General Court of Massachusetts, with that of the legislative assemblies of various other non-slaveholding States, the two Houses of Congress concurred in passing the alternative resolutions for the admission of Texas, on the 28th of the same month of February. Mr. Tyler adopted the mode of procedure *by legislation*, on the first of March, and despatched his messenger to Texas. Mr. Polk thought, perhaps, after his own inauguration, that the matter had gone too far to warrant the attempt to recall the agent of his predecessor, or that such a step might have an awkward influence upon party relations—at the best not too concordant at the time—and the affair was permitted to take its course. At the beginning of the next session of Congress, in December, 1845, a multitude of memorials, on the one side and the other of the question, were heaped upon its tables, together with the proceedings of the legislative assemblies of various States.

But Texas, in the mean time, had formally acceded to the terms proposed; and on the 10th of December, a joint resolution for its admission into the Union was reported, by committee, to the House, and it passed that body by a vote of yeas 141 to nays 57. On the 22d of December, which, as a noteworthy coincidence, happened to be the anniversary of the landing of the Pilgrim Fathers at Plymouth, the Senate also adopted the resolution, by a vote of 31 yeas to 14 nays. Upon this final disposition of the question, the Southern Whigs acted in concert with the Southern and Northern Democrats. In the majority vote of the House, the names of Messrs. Johnson of Tennessee, Hamlin of Maine, and Davis of Mississippi, appear, in conjunction with those of such leading members of the Whig party as Messrs. Hilliard of Alabama, and Toombs and Stephens of Georgia. In the Senate, Messrs. Archer of Virginia, Berrien of Georgia, and Mangum of North Carolina, with their fellows, voted with Messrs. Calhoun of South Carolina, Cass of Michigan, Dickinson and Dix of New York, and other well-known members of the Democratic party.

It is certainly curious to trace the history of these State resolutions; because, however decided their phraseology, they often exert only a very temporary influence; and for another reason shortly to be noticed. It should be observed, that soon after Mr. Tyler's messenger was on his way to Texas, another series of resolves, directed especially against the President's action, passed the Legislature of Massachusetts, and was approved by the Governor, March 26th, 1845. These were entitled "Resolves concerning the admission of the slaveholding *nation* of Texas into the Union." They declared that Massachusetts refuses to acknowledge "the act of the Government of the United States, authorizing the admission of Texas, as a legal act," and promise every lawful exertion to annul and defeat it. They insist that no Territory ought to be admitted as a State, except on the condition that slavery shall "be utterly extinguished within its borders;" and that Massachusetts "denies the validity of

any compromise whatever, that may have been, or that hereafter may be, entered into *by persons in the Government of the United States*," inconsistently with this declaration. This seems to be a sort of guarded rebellion, in words. It was not a rendering to Cæsar the things that are Cæsar's. Besides, it annulled, so far as it could annul, the Missouri Compromise of 1820. Texas, however, having gained its footing in the Union, though by a clearly unconstitutional procedure of Congress, the legislature took breath for one succeeding year. But the war with Mexico having then become flagrant, finally it adopted the following resolution, which was approved February 27th, 1847 :

Resolved, That the people of Massachusetts will strenuously resist the annexation of any new territory to this Union in which the institution of slavery is to be tolerated or established; and the Legislature, in behalf of the people of the Commonwealth, do hereby solemnly protest against the acquisition of any additional territory, without an express provision by Congress, that there shall be neither slavery nor involuntary servitude in such territory otherwise than for the punishment of crime.

At the same session—to conclude this recapitulation of sectional remonstrances—by another series, approved April 26th, 1847, the legislature

Resolved, That the present war with Mexico has its primary origin in the unconstitutional annexation to the United States of the foreign State of Texas * * * that it must be regarded as a war against freedom, against humanity, against justice, against the Union, against the Constitution, *against the free States*. * * * that a regard for the fair fame of our country, for the principles of morals, and for that righteousness which exalteth a nation, sanctions and requires all constitutional efforts for the destruction of the unjust influence *of the slave power*, and for the abolition of slavery within the limits of the United States.

The resolutions also contained a general declaration, to the effect, that all the high and imperative motives above suggested called upon the country to retire from the position of aggression which it then occupied towards the sister republic of Mexico.¹ It does not appear whether Mexico de-

¹ Mexico, with which power we were at war, is amiably spoken of as a "sister republic;" while Texas, which had then been a member of the Union

rived any encouragement from this particular set of resolves, passed by one of the legislative bodies of a country with which she was then at war. It is certain, however, in spite of the whole series, so earnestly promulgated for so many successive sessions, that at the election of President the very next year (1848), the people of Massachusetts chose electors for General Taylor, a slaveholder and a citizen of a slaveholding State, and a victorious commander in the war just so eloquently denounced; a war, too, which had itself been the result of the admission of the slave State of Texas into the Union.¹

The question naturally arises here: Had the Legislature of Massachusetts, therefore, been absolutely insincere in its deliberate and repeated manifestoes on this subject? Or had it, through misapprehension, or, as Governor Marcy remarked to the New York Legislature, on "some less justifiable principle," so singularly misrepresented the sentiments of the people? Unquestionably, not a little of the fervor exhibited by both the Democratic and Whig politicians of the State, in the cause of antislavery, is to be attributed to the peculiar condition and relations of the several parties in Massachusetts, at the period in question. The "third party" was, in fact, the field of their operation, and its intermediate position furnishes the key to their legislative action. The policy of the Whigs and Democrats alike was, to detach adherents from the ranks of the Liberty men, if possible, in order to swell their own respective numbers, and to settle for that one which should be most successful in the political game the party supremacy, which was somewhat tremulously balanced between the two.

To effect this object, it was essential to concede some

for a year and a half, and revolted from Mexico for the maintenance of its republican institutions, when Mexico became subject to a dictator, is referred to as if in its former condition of a "foreign state."

¹ The popular vote in Massachusetts stood: for Taylor (Whig), 61,072; for Cass (Democratic), 35,284; for Van Buren (Liberty party), 38,133. Not long afterwards, the Democrats of Massachusetts coalesced with the Liberty party to break down the Whigs.

thing of political principle, for the occasion, in favor of the professed moral principle of those whom they sought to conciliate; but who, it can hardly be imagined, were more really conscientious than themselves. For this third party had discarded the chimerical theories of the earlier abolitionists, who supposed that they could remove slavery from the land by the ingenious method of flooding the section in which it existed with denunciatory and vituperative pamphlets, intended to work favorably upon the sympathies of the slaveholders, by informing them how utterly devoid they were of all claim to human and Christian communion with their fellow creatures.¹ On the contrary, the Liberty party had originated the unqualifiedly sectional idea. It had conceived the plan of finally erecting a gigantic antislavery power in the North, which should compel the unwilling submission of the South to its purposes, and it proposed to carry out this plan by political agencies. Their antislavery sentiment was an offshoot, or the bequest of the old Puritan intolerant spirit, self-conscious of no blemish of its own, but uneasily seeking for some spot elsewhere, upon which it might fasten itself and scrub it up into cleanliness, or a sore. It could not bear the thought of letting the wheat and the tares grow together unto the appointed day.² That its proceedings were prompted by no emotions of humanity, is evinced by its utter indifference to the actual fate of the negro. If it ever cared at all for him as a slave, the whole subsequent conduct of itself and its inheritors has shown that it cared nothing for him as a man. It was selfishness and not philanthropy which boiled over at the springs of its action. For how could philanthropy persistently and relentlessly urge on

¹ History is said to repeat itself. Thus, in the year 1566, the Protestants of the Netherlands conceived that a shipment of thirty thousand Calvinistic tracts to Seville, for the conversion of the Spanish Catholics, would help them to withstand the formidable power of Philip II.

² Eventually, it proved that they had to a large extent abandoned religion and found a substitute in fanaticism; or, the latter unclean spirit, entering into the house, had devoured its original tenant.

measures, which it was evident could lead only to that most fearful of all human calamities, civil war? And this, too, with the frightful prospect staring the philanthropist in the face, that servile war must also, in all probability, add its unspeakable horrors to the revolting spectacle of cruelty and terror presented by an internecine strife?

It could have been only party lust of power and the incidents of power, which thus made hair-brained men and unsexed women its tools, and brought philanthropy, sentimentality, disordered minds and hearts of wax, loose reasoning and incapacity to reason, infidelity, and all the countless forms of restless radicalism, likely to run rampant in demoralized popular institutions, into its insatiable service. For, surely, they can never be rationally thought of as the "friends of enlightened humanity," who, with whatever motive for seeking questionable good by means of certain evil, could contemplate unmoved, and could even excite the causes, which must inevitably inflict upon their native land calamities the most direful and irreparable in the harshest catalogue of deplorable human experiences.

CHAPTER VI.

The Whig Party and Democratic Party compete with each other for Liberty Party Votes.—“The Higher Law.”—The “Slave Power.”—The Uniformly Superior Physical Power of the North.—Mr. Cass and Mr. Seward in the Senate.—President Taylor.—Condition of Slavery.—National Greatness does not consist in the Extent of Population, or any mere Physical Causes.

If politics were, indeed, strictly identical with the science of morals, then political parties would be bound to frame their organizations with distinct reference to the clearest theory of moral sentiments; and then, too, religion might bear a controlling part in it, and exercise that power which it has often employed, when a sect, in the name of religion, has swayed the councils of the State. But though by no means inconsistent with the theory or practice of the highest morality, this is not the object of politics, which is the science of government; and in the United States, that government was based upon certain definite principles established by its Constitution. With those principles the moral notions of the Liberty party were inconsistent; and they finally pretended to justify themselves upon the theory of “a higher law,” imagined for themselves; the dictates of which were repugnant not merely to the casual legislation, but to the fundamental law of the land. The consequences were seen in the seditious acts and outrages which finally marked the progress of these licentious doctrines.

At length, in Massachusetts and elsewhere at the North, it became a contest between the leading parties, as to which should go farthest in pursuit of the common object, and outdo the others in the warmth and strength of the expres-

sions employed, on the one side and the other, in their legislative manifestoes. The natural result was, that each weakened its own position, and lost its own adherents to the third party, instead of strengthening itself. The positive element got the better of the negative. There were those of both the Democratic and the Whig organizations who constantly remonstrated against this suicidal and unprincipled policy, from the beginning; but their more sagacious counsels were unheeded by the temporizing politicians, who either would not, or could not see the consequences to which it must lead. In this struggle to win the popular vote, therefore, sprang up and grew those factious appeals to mere sentiment and passion, in disregard of more sober addresses to reason and conviction, which ought to govern the deliberate conduct of a free people, in high matters of state, profoundly affecting their immediate and future welfare.

It was in this way that politics became gradually so degenerate among the masses of even intelligent persons at the North. In fact, it was a descent from the highest civil state of man to the lowest; because, in a republic, whenever the popular mind becomes debased, or even indifferent, no check remains to the natural tendency to corruption in political affairs. For in these personal responsibility seems so much divided, that in regard to them men do not always act upon those nice considerations which they would apply to their private relations. Without meaning to institute any disparaging comparison, it may be remarked with justice, that the middle class of men at the South, whether owing to larger leisure, or to whatever cause, have in general more closely attended to, and more clearly understood, the principles of our government than the same class at the North. In the former quarter, most persons would ride many miles, if necessary, to vote at every election; while in the latter, nothing has been more common, than for men of fortune and education to avoid the trouble of stepping into the voting place, though almost at their very doors. Thus, too often, the field of active operation has been thrown wide open to

an inferior order of claimants for popular favor, and ordinary persons have gained the public places once occupied by the abler and higher-minded statesmen of another day.

In fact, there can be no question, that, while the North, until a comparatively recent date, was in part represented in Congress by members inferior to no statesmen in any country or any age, the Northern standard of qualification had become very sensibly lessened, at a period when the South was more careful to place in positions so responsible her citizens of the most eminent ability, the largest experience, and most thorough training in public business.

There seems to be no other rational mode of accounting for the origin of an expression, first officially employed, it is believed, in one of the resolves passed by the Legislature of Massachusetts, in April, 1847. It is therein alleged, that the highest motives which could possibly commend themselves to patriotic and conscientious citizens, both sanction and require "all constitutional efforts for the destruction of the unjust influence of the *slave power*, and for the abolition of slavery within the limits of the United States." Nothing can be more obvious, than that the proposition contained within the latter clause of this passage was false both to the spirit and the letter of the Constitution; which was itself founded upon the recognition of slavery, "within the limits of the United States," and upon two several provisions for its maintenance.¹ This, therefore, was rank abolitionism, in plain revolt against the Constitution.

Indeed, this coupling of the "abolition of slavery" with the alleged "slave power," clearly betrays the fact that the former, though conveniently shielded by a formal profession, was the real object in view. The point made in the first part of the extract against "the slave power," so called, deserves an impartial consideration, that it may appear what was the real character and condition of an alleged predominant and

¹ The compromise in regard to taxation and representation, and the clause providing for the delivery of fugitive slaves.

“unjust” force, which was thought to call for such efforts (though they could not be constitutional) for its destruction. The expression itself appealed, with no little vivacity, to the imaginations of the excitable portions of the community, to whom it presented the idea of some undefined but portentous monster; and this impression undoubtedly exercised a vast influence in promoting the struggles and final disasters of the country.

After the admission of both Texas and California into the Union, in 1850, there were sixteen free States and fifteen slave States, reckoning among the latter Delaware, which was only nominally in that category. This condition of the case secured a majority of Senators from the free States. Upon questions supposed to involve any test of opinions, the Senators of Delaware had usually acted with the Northern members. Thus, in 1845, Messrs. John M. Clayton and Thomas Clayton were in the minority of 14, upon the final vote for the admission of Texas. In 1850, their successors, Messrs. Spruance and Wales, voted with the majority for the admission of California, as one of the compromise measures of that period. According to the census taken in 1850, the Federal representative population of the United States amounted to 21,767,673. The representative population of the free States, by the tables of the same census, had risen to 13,435,931; leaving, therefore, to the slave States but 8,331,742. The preponderance, in this respect, had been uniformly with the North from the period of the first census in 1790, and at every later enumeration, the ratio had rapidly increased; until the very great disparity had grown up which has just been specified. The Rio Grande, the boundary between Mexico and Texas, might be considered as the extreme limit of the extension of the United States in a southerly direction. Westerly of Texas lay the Territories of New Mexico and California. The principal part of one of these, and about half of the other, were situated below the line of $36^{\circ} 30'$ north latitude; but in neither of them was there slavery, except, perhaps, a score or two of slaves in the first-

named Territory, and both of them were ill-adapted to slave labor by the conditions of Nature.

It is true, that, upon the annexation of Texas, it was stipulated that four additional States might be formed out of its extensive domain, either with or without slavery, as the people asking admission, in each State situated below the compromise line, might prefer. But the number of its inhabitants was then less than 200,000, while New York, for example, had at the same time nearly 3,000,000; so that any question of rivalry in those additional States might be deemed fairly relegated to a period somewhat remote. Besides this not very encouraging prospect for "the slave power," there remained the immense Western domain of the United States, north of the compromise line, with room for the seat of half a dozen great empires, and out of small portions of which half a dozen free States have subsequently been formed and admitted to the Union. In this definite view of the case, and in relation to the evident prospects of the country, "the slave power," thus factiously or ignorantly called up by partisans and fanatics, may justly be pronounced the most preposterous phantom ever evoked, to spread needless alarm and to work incalculable and irretrievable mischief; to disturb and break up the peace of a nation, prosperous and blest beyond all parallel; to scar the land with the deep-trenched wounds of fraternal strife, and to spread a cloud of impenetrable shadows over its once benignant and smiling future. In point of fact, at the very moment that this ill-omened cry of "the slave power" was raised, the South was entirely dependent, even for the ability to resist assaults, upon the justice and right feeling of the friends of the Constitution and the Union, whether Whigs or Democrats, in the North.

It is obvious, therefore, that this ominous "slave power," which was made the instrument of exciting such fanciful dread at the North, could not have been the comparatively insignificant body of 300,000 or 400,000 actual slaveholders in the South, in competition with the millions of qualified voters in the free States. It was simply a party cry, raised

against the natural, lawful, and just alliance between the lovers of the Union in both sections; and who were its lovers, not only from the sympathies and affections which had grown up and been fostered by friendly intercourse and community of service in peace and in war, and by pride in the glory and matured vigor of their native land; but from the sacred obligations which bound them, in duty, in judgment, and in feeling, to its organic and fundamental law.¹

This was, in fact, the power which the radicals and fanatics strove to break down. One of the most conspicuous of the Whig politicians of that day, who has since that time been more conspicuous still on the Republican side, and who is not among the least responsible for the causes which brought on the war, explained this matter clearly enough, in the course of a highly interesting debate in the Senate, in April, 1850. In reference to certain remarks of Mr. Seward, on the floor of the Senate, Mr. Cass observed :

“ If I understood the Senator from New York (Mr. Seward), he intimated his belief that it was immoral to carry into effect the provision of the Constitution for the recapture of fugitive slaves. There, sir, is a very strange view of the duties of a Senator in this body. No man should come here who believes that ours is an immoral Constitution; no man should come here, and by the solemn sanction of an oath, promise to support an immoral Constitution. No man is compelled to take an oath to support it. He may live in this country and believe what he chooses in regard to the Constitution; but he has no right as an honest man to seek office and obtain it, and then talk about its being so immoral that he cannot fulfil his obligations. It is the duty of every man, who has sworn to support the Constitution, fairly to carry its provisions into effect; and no man can stand up before his fellow-citizens and maintain any other doctrine, whatever reasons he may urge in his vindication. * * * In one of the most disingenuous portions of the speech of the honorable Senator from New York—which itself was one of the most disin-

¹ This sentiment of patriotism, which long bound the two sections so closely together, and while it existed was an insuperable obstacle to the designs of the fanatics, became, therefore, an object of slurring remark with the ideological orators. Their system of benevolence was so much expanded as to be very thin in every part, and did not admit of that local attachment to one's native land which has animated men's souls to noble achievements everywhere, in every age.

genuous I have ever heard—he speaks of “slavery having a reliable and accommodating ally in a party of the free States,” and he says, he “bears witness to its fidelity to the interests of slavery.” * * * Now, I ask the Senator from New York, if he believes there is one in this Senate from the North, whose course is influenced by his fidelity to slavery; and if he does, what right he has to cast odium upon gentlemen who are associated with him in the high duties which belong to his position?”

Mr. SEWARD.—The Senator addresses a question to me, and I rise for no other purpose than to answer it. I think it was Mr. Jefferson who said that the natural ally of slavery in the South was the Democracy of the North. I have heard it attributed to Mr. Jefferson. *However this may be, I believe it.*

Mr. FOOTE denied that Mr. Jefferson ever said it.

Mr. CASS.—I will not touch upon that question; but I will ask the Senator from New York in relation to another point—and that is, if he meant it in the sense which Mr. Jefferson, or whoever may have said it, intended? The one was intended as a commendation for their attachment to constitutional principles; the other as a slur upon a great party.

Mr. SEWARD.—I answer promptly and freely; I had no intention of casting reproach upon, or of reflecting upon, any member of this board, or any person anywhere. The remark had no such connection. I ask leave now to say, that such as I have described is, in my view, the political organization of the parties of this country; that slavery has the support, the toleration (given honestly and from patriotic motives, I admit) of the party to which I referred: and that its alliance with slavery constitutes its tower of strength. On the other hand, the party to which I belong is a party which is more distinctly identified with the progress of the sentiment of freedom or emancipation, and therefore it is weaker in its alliance with the South. * * * I will do the Whig party the justice or the injustice to say, that I have been a member of it all my active life; and I will do it the great disservice to say that, no matter what may happen, and whoever may put me under the ban, I shall be the last to leave it, however individuals may disown me, or the principles I maintain. I shall adhere to it, *because* I think, of the two great parties, it is *the most devoted to the cause of freedom and emancipation*. I will, however, do the Whig party the justice, if it be such, to say that these sentiments of mine upon that point are not in accordance with the sentiments of that party throughout the whole country—that I do not profess to speak for it, but for myself alone. I have, however, great hopes that the Whig party and the party claiming to be the party of progress, to which I refer, and ultimately all parties, will come to precisely the same conclusions which are the guide and governing principles of my own conduct.

Mr. CASS.—I was going to remark that, with respect to the creed of the Whig party, or the orthodoxy of the Senator from New York, it is a matter with which I have no concern; but with respect to progress I have something

to say. My progress is within the Constitution. My age of progress is circumscribed there. If the Senator from New York is going out of it, I do not believe in his progress at all. No, sir! My object is to support the Constitution which, under God, is the source of our prosperity and happiness.

Mr. SEWARD (in his seat).—That is mine.

Mr. CASS.—The Senator from New York says that also is *his* object. If it is, I think he has a strange way of showing it, by pronouncing it immoral, and denying the validity of its obligations. It would last scarcely a day if that Senator, with this avowed principle of action, had the direction of the Government. I don't say that it would be dissolved immediately, but the seeds of dissolution would be sown, and would ripen into a harvest of misfortune as speedily as the rankest vegetation gains maturity under a tropical sun.¹

So far as appears from Mr. Seward's replies, on this occasion, the sole tie which bound him to the Whig party of that period, was its more thorough devotion "to the cause of freedom and emancipation"—that is, to the doctrines of the abolitionists. For, since emancipation was not within the scope of the Constitution, or in any degree at the disposition of the Government of the United States, "the cause of emancipation" could mean nothing else than that revolution of the Government for which the abolitionists were striving. Revolution, with its dread attendants, can be justified only by oppression; and the power of oppression was not with the South, even supposing it had the disposition to exercise it.

In fact, Mr. Seward, shortly before this discussion took place, had voted for the reception of a petition for the dissolution of the Union, in company with only two other members of the Senate, Mr. Hale and Mr. Chase; to which fact further reference is had in a succeeding page of this volume. What "progress" the Senator from New York made in ten years from that time, were any further advance needed, may appear from a remark or two in a speech delivered by him, in Boston, in the summer of 1860:

"What a commentary upon the history of man is the fact that, eighteen years after the death of John Quincy Adams, the people have for their standard-bearer Abraham Lincoln, *confessing the obligations of the HIGHER LAW,*

¹ Abridgment of Debates, vol. xvii., pp. 440, 441.

which the Sage of Quincy proclaimed, and contending for weal or woe, for life or death, in *the irrepressible conflict* between freedom and slavery! I desire only to say, that we are *in the last stage of the conflict*, before the great triumphant inauguration of this policy into the Government of the United States."

In one respect, certainly, this singular piece of declamation is at least as disingenuous as the speech denounced by Mr. Cass. For, unbending as Mr. Adams notoriously was in following out his own ideas of obligation, he was any thing but one of those to be justly characterized, in general, as a prophet of the Higher Law. No one can think of him as an inheritor of the speculative vagaries of the French Jacobins and Terrorists of 1792; of a class aptly enough answering to Virgil's description of Rumor, with its head enveloped in the clouds, while its feet oscillate upon the earth; whose region of the Higher Law is only relatively above that of ordinary thought, by being removed from the sphere of reason and experience, as the inhabitants of Milton's "Limbo" are neither of heaven nor earth; a region which, obscured by perpetual mist, may well exemplify the saying: "When the light within is darkness, how great is that darkness!"

Unquestionably, Mr. Adams felt deeply aggrieved at the abandonment of himself by his Democratic supporters, in favor of General Jackson, as Mr. Van Buren also resented the preference shown by the same party to Mr. Polk; and it is well known, that the former long entertained the expectation of an absolute severance between the North and the South, and held to the right of secession.¹ There was a very

¹ "But the indissoluble link of union between the people of the several States of this confederated nation is, after all, not in the right, but in the heart. If the day should ever come (may Heaven avert it!) when the affections of the people of these States shall be alienated from each other, when the fraternal spirit shall give way to cold indifference, or collisions of interest shall fester into hatred, the bands of political association will not long hold together parties no longer attracted by the magnetism of conciliated interests and kindly sympathies; and far better will it be for the people of the disunited States to part in friendship from each other, than to be held together by con-

great difference between Mr. Adams in his calmer moments and the same person when, infuriated by conflict in the House, he poured forth rather the bitterness of his own political disappointments, than the sober convictions of his reason. No contrast could exist more striking, than in the conception of Mr. Adams, the dignified President of the United States, thinking and acting in entire concert with Mr. Clay, his Secretary of State, on the one hand; and, on the other, Mr. Adams, as described by Mr. Seward, the chief guide and exemplar of common brawlers and disturbers of social order.

There had been a change in his disposition, doubtless, during his later years. For instance, in 1831, he refused to support a petition for the abolition of slavery in the District of Columbia, on the ground of the inexpediency and impropriety of meddling with the subject. In 1836, he advocated the admission of Arkansas as a slave State; "Arkansas, therefore," he said, "comes and has a right to come into the Union, with her slaves and her slave laws." But, in 1843, after a speech, the sentiments of which had far surpassed the bounds of reason and moderation, in reply to a question by a member, whether he was ready for abolition, "no matter though five millions of the South perish"—he exclaimed, in his seat, "Five hundred millions, let it come!" This was the "Higher Law," with a vengeance! which would consent to the absolute destruction of one-half the human race, and with the same reason, to that of the whole; except that exceedingly small portion of it, comparatively, which it would enfranchise with novel liberties! It would be like the counsel of the fiend against the Almighty—

—— with hell-fire

To waste His whole creation—

for, surely, a world given up entirely to the negro race could not be very different from the desolate confusion of pandemonium itself.

straint."—*From Address of Mr. Adams, before the New York Historical Society, in 1839.*

But in that announcement of Mr. Seward, in its reference to pending events and the prospects of the future, was the voice of the battle-trumpet, the clash of swords and the terrible rumble of the carriages of war. Yet putting aside, for the moment, the question of policy thus early and distinctly declared by the expectant Secretary, as the guiding and determined principle of his party—"the irrepressible conflict between freedom and slavery," that is to say, necessarily, between the North and the South—which could hardly be regarded by the one section and understood by the other, as any thing else than a desperate threat of no peaceful struggle to come—it may be remarked, that even such a conflict, if "irrepressible," might still have been kept within due bounds, as it had been for nearly seventy years, but for the resolute purpose of a dominant party; and need never have been fatal in its progress and its consequences.¹ For notwithstanding those extreme opinions avowed by Mr. Seward, for which he was rebuked by the venerable Senator from Michigan—and, in spite of those auguries of his own which he had afterwards so much influence in working up to their fulfilment—it is certain that the condition of the two great parties, in their relations to the common cause of the country, was better and stronger, in the year 1852, than it had been for years before the adoption of the compromise measures of 1850. At the election of 1848, the Liberty party had cast 290,678 votes for its candidate, the ex-Democrat, Mr. Van Buren. At the election of 1852, though a much larger popular vote was thrown, that for the ex-Democrat, Mr. Hale, who was then, in the figurative language of Mr. Seward, the standard-bearer of the party, fell off to 157,296. The Democrats were exultant at the recovery of power, and

¹ In regard to powers or rights under the Constitution, derived from it only by inference, different persons might with propriety entertain different opinions; but to set up a "Higher Law," or an "irrepressible conflict," or a "sacred animosity," against an express and clearly intelligible provision of the Constitution, was simply treason, in a moral sense, though only an overt act is made such, in a legal sense, by the terms of the instrument.

afterwards unfortunately conceived that it would bear almost any strain upon it; and the Whigs of the South, with more than Roman virtue, considering the temptations to fall away, had nobly vindicated their fidelity to principle and their disregard of sectional influences, in concert with their ancient allies of the North.

Mr. Pierce, the candidate of the Democrats in that political campaign, had uniformly exhibited entire constancy to his party relations, without the slightest compliance with sectional pretensions. It was alleged of General Scott, the candidate of the Whigs, at a time when it was not unlikely to have some influence at the South, that his opinions in regard to slavery had a specially Northern tendency; though there was no actual ground for the intimation that he entertained any other sentiments on this point than those held by the leading members of the Whig party. Indeed, both he and his competitor were men of a spirit too thoroughly patriotic to be liable to any charge of preference of one section over the other. Both resided in free States, and both were well-known supporters of the Constitution and devoted lovers of the Union. The choice fell upon Mr. Pierce; though in a popular ballot, increased by nearly 300,000, in the course of four years, the vote for General Scott slightly exceeded that given to General Taylor in 1848. In fact, while the combined Whig and Democratic vote had risen from 2,876,164 to 3,126,375, the Freesoil vote had diminished from 291,678 to 157,296. But it is worthy of note, considering the condition of the times, that while the Democratic majority in the slave States was only about 79,000, in the free States it rose above 133,000; and that General Scott carried the majority in Kentucky and Tennessee as well as in Massachusetts and Vermont, while in three other of the slave States, Delaware, North Carolina, and Louisiana, the difference between the strength of the candidates amounted to little.

It appeared in that election that a considerable body of the Whigs, wearied of sectional strife, and hoping to give it a decisive *quietus*, voted for the Democratic candidate;

while, in some of the Southern States, more than half of the party, affected by reasons already alluded to, yet unwilling to act with their former political opponents, declined to vote at all. But it is evident, from the recapitulation just given, that, up to this period, notwithstanding sectional differences, the two great parties had shown a striking fidelity to their organizations throughout the country, while the influence and numbers of the third party had suffered a most discouraging diminution. But while one of the leading parties continued, in the main, true to its principles, the other was undergoing a variety of mutations, all conducting to the common disaster, in the end. In order to present this matter clearly, it is necessary, in some brief measure, to retrace the course of this inquiry.

In the election of 1848, notwithstanding the admission of Texas and the war which ensued, General Taylor had been elected President by large Northern majorities. Singularly enough, four of the six New England States, namely, Massachusetts, Vermont, Connecticut, and Rhode Island, together with every one of the Middle and Border States, except Virginia, namely, New York, New Jersey, Pennsylvania, Delaware, Maryland, Tennessee, and Kentucky, chose Whig electors. The fourteen slave States, excluding Delaware, were equally divided between the two candidates, though by small majorities; while the entire tier of Western free States, Ohio, Michigan, Indiana, Illinois, Iowa, and Wisconsin, manifested their preference in a body for the Democratic candidate.

The new President, like all army officers of his day, who felt themselves standing in peculiar and delicate relations to the common country, had previously formed no particular party alliance. He was known, however, to have been opposed to the measures which led to the war, but had warmly enlisted popular enthusiasm in his behalf, by his brilliant and victorious conduct of his part of the campaigns. In reply to an inquiry made of him, after his nomination, he had employed an expression which took strongly with large masses

of the people, in declaring himself "a Whig and a *quarter over*." There had been little in the experience of his past life fitted to train him for civil service, or to render him particularly conversant with national politics; but he was possessed of strong sense, a firm purpose, a kind nature, irreproachable integrity of character, and the capacity and habit of command.¹ It was said that among his not very extensive studies, outside of his profession, he was a reader of Plutarch; and to those who knew him well, there seemed many traits of his prompt, plain, and honest character, not unlike those attributed to some of his more primitive heroes by that entertaining biographer. The general sentiment inspired by President Taylor was one of personal affection and extreme good will. He was a Southern man, with broadly national principles and feelings, who had rendered distinguished public service, and who could desire nothing but the unqualified public good. His administration began, therefore, under auspices calculated to discourage sectional purposes, come from whatever quarter they might, and to interpose insuperable obstacles to the spread and effectual operation of fanatical sentiments.

President Taylor survived his inauguration but little more than a year. He had soon found himself importuned by some of his leading Southern supporters, to lend his official influence to measures looking directly to the advancement of supposed Southern interests. But, as he had publicly declared,

¹ General Scott, in his recently published "Autobiography," relates an interesting instance of General Taylor's high sense of pecuniary obligation. It seems that the latter, during a period of exciting speculation in Kentucky, had been induced to endorse for a friend to a large amount. The friend, with many others at the time, was ruined. In the mean time, a "stay-law" had been passed by the legislature of the State, which had also put in circulation certain bills of credit of its own, of no actual value, with which the indorser might have paid the debt, if he did not choose to take advantage of the stay-law. But General Taylor, then a colonel under Scott's command, asked for a short leave of absence, procured specie, took it with him to Louisville, and with it fully discharged the honorary obligation.

before his nomination, that he would not consent to stand for office as a merely party candidate, so he was resolved to allow no sectional bias to control him as President. Satisfactory as this agreeable state of things would naturally be to the masses of the people, it tended rather to inflame, than to check the efforts of the radical leaders. There had grown up in Northern communities, at that period, a class of men, generally styling themselves Democrats, but who, in the fluctuating condition of the two principal parties, in several of the States, scarcely knew on which side to range themselves. They were sincerely anxious for place, but entirely indifferent to political principle. They looked upon politics as a game, in which they hoped to get the winnings, and cared little what might "slide," so that the ground did not slide away from under their own feet. The triumph of the Whigs, especially under a President so personally popular that the prospect of change at the expiration of his term of office looked any thing but flattering, placed them in an embarrassing condition and filled them with gloomy forebodings. They had no care for national questions, except so far as these might be made to affect local politics favorably to themselves; and to this point they addressed themselves with all the zeal and ability they could summon.

The time had been in the North, and especially in New England, when only persons of established character, respected or admired for more than ordinary qualities, could expect to attain any eminent public position. The remarkable influence which Massachusetts, in particular, had enjoyed, had been very much owing to the popular regard for this principle of selection for office. Persons of this description, however, would stoop to no base method of attaining place, and, at an earlier date, could not expect to win the popular favor, if they did; but, in the change of manners, they stood no chance with adventurous claimants for office, who scrupled at no means likely to accomplish their objects. In the gradual withdrawal, therefore, of the higher class of men from a competition which seemed to them like personal

degradation, the field was rendered much more clear for a less worthy order of contestants. In concert with the latter, upon whom their political principles hung very loosely, were the outright fanatics, and, in general, the zealous advocates of antislavery doctrines; and radicals of every description were their natural allies.

Most of the more eminent men of the State were distinguished chiefs of the Whig party of Massachusetts, and its main body was composed, in general, of substantial and well-ordered citizens. In fact, it held a proud prominence in point of character and influence, and was sometimes sneered at by its opponents for its *respectability*. More intelligent and considerate Democrats, at a later day, when its glory had departed, and the clouds of national disaster had begun to thicken on the horizon, bitterly deplored any hand they might have had in hastening the downfall of an organization, which was such a pillar of strength to the national cause. One of the radicals of the day, who had been nurtured in the Whig party, and brought forward by its favor, and has since occupied a public position of importance, declared, in language originally applied to it from another quarter, that it should be pulled down, "if it were as pure as the angels in heaven;" and doubtless his confederates concurred in this pious sentiment. The effect of their efforts, in combination with other causes, was seen afterwards; but at present they were doomed to disappointment.

Actuated solely by the selfish hope of the spoils of office, this factious set of men devoted themselves to any cause of agitation which promised them the most abundant success at home. Utterly without principle themselves, they derided the idea of its influence over others. Not a few of them have subsequently been among the most active promoters of public commotion, and in the front ranks of the least dangerous places of the war. To suppose them impelled by any motives of philanthropy, or emotions of humanity, would be as impiously absurd as the deification of hypocrisy itself. Nothing is easier than to harangue against oppression

and cruelty, and the "slave power" afforded them a ready and an ample theme.

The moral and political consideration, that the States of the Union constituted one country, under one government, agreed to by all; and that to stir up hostility against a part of the States, on account of an existing and ineradicable fact, was to begin a needless and unjust domestic quarrel against the welfare and peace of the whole—suggested to these persons no conscientious scruples; or, if so, they paid such scruples no regard. Morally, they had no more concern with Southern slavery than the rest of the world. Politically, it was a matter of no real consequence to Northern interests, supposing that Northern interests were fairly entitled to regard, separately from the common good; for, in reality, the North far surpassed the South in numbers and political power, to which every year was contributing a large increase. In combination with the outright abolitionists and the anti-slavery advocates, in general, they deluged the land with lectures and tracts, upon the threatening approaches of this terrific power, which, however boastfully, was yet actually trembling at the time for its own defence; and, doubtless, in many a New England village, crowds of ignorant women clasped their children closer to their bosoms; and men, scarcely better informed, listened with gaping mouths, in vague dread of the advance of a hypothetical monster, gloomy, coiling, and insatiable, which, if not timely resisted, was soon to enclose the common country in its ferocious and fatal embrace.

Is this picture in the least overcharged? Such an idea as the following, presented in a speech by Mr. Seward, delivered at Rochester, N. Y., at a somewhat later date (25th of October, 1858), was well calculated to foster the idea, and stamp deeper the apprehension, and does credit to his rhetorical powers, however it may impress us in the light of philosophy or of fact:

"Either the cotton and rice fields of South Carolina and the sugar plantations of Louisiana will be ultimately tilled by free labor, and Charleston

and New Orleans become the marts for legitimate merchandise alone, or else the rye fields and wheat fields of Massachusetts and New York must *again be surrendered* by their farmers to slave culture and the production of slaves, and Boston and New York become once more markets for trade in the bodies and souls of men!"¹

The agitators and alarmists, on the score of "the slave power" hallucination, in general, animated by the vote which they had obtained in the late election, though insignificant in relation to the entire sum, renewed their efforts to stir up popular sentiment. There were other causes, resulting from dissatisfaction in certain quarters, at the postponement or neglect of the claims of competitors for the presidency, on both sides; and especially at the preference accorded to General Taylor by the Whigs. These tended to the promotion of their objects. The new President was held up by Democrats, and by certain of the impracticable Whigs, as "an available candidate" merely; as if his great popularity constituted his only pretensions to the exalted office to which he had been chosen; and as if this well-earned popular favor, due to public acts known to all men, and to plain, but remarkable and admirable characteristics equally well understood, formed a reason against, instead of one of a substantial nature in support of his nomination.²

¹ There can be no doubt that this representation had a serious influence upon popular sentiment, except among those who were capable of distinguishing its absurdity. For every one at all familiar with the subject is aware that rice fields cannot be tilled by white men, with any regard to human life, and cotton plantations and sugar plantations certainly to much less advantage than by blacks; while, with respect to the rye fields and wheat fields specified, as to be again surrendered to slave culture, every one knows that they were never so used, except in quite a limited sense. As to the "production of slaves," it was a scandalous imputation without any grounds whatever. The climate and nature of their products mainly regulated the kind of labor employed in the two sections. In the South, the blacks were always principally laborers in the country; in the North, they were principally servants in the cities and larger towns.

² How far his administration tended to justify the popular choice, during his brief term of office, appears in a very marked manner from the species of eulogy pronounced upon him, at its close, by leading Democrats in Congress,

This presentation of an unexceptionable candidate, of whose election there could be no doubt, was urged as a deviation from true principle: especially by persons who had shown their own regard for principle by abandoning the great national organizations with which they had previously acted, and by connecting themselves in active coöperation with a faction, in the service of which they might hope for more speedy promotion. For, although the Whig party in Massachusetts, for example, had cast more than sixty thousand votes for General Taylor—on the other hand, the Free-soil vote had risen to nearly forty thousand. In the one, the standard for eminent office was yet quite beyond the pretensions of those, whose talents for agitation were repressed, while subject to its law, by the constitutional principles and action of their party associates. In the other, they were well qualified to take the lead; and with such subjects of agitation at hand, and with such an aggregate of numbers already secured, it seemed by no means impossible, that, by active exertions, they might eventually obtain for the Free-soil party an actual plurality of the popular vote of the State. At all events, they were despondent of obtaining the objects of their ambition in the ranks of their own party, and they resolved, therefore, by whatever means, to break it down, and to build up another more conformable to their purposes, upon its ruins. In the mean time, the Whigs lived in a state of false security. They looked upon these factionists very much as Mr. Burke told the electors of Bristol he regarded the rage of his more violent opponents: “The highest flight of such clamorous birds is winged in an inferior region of the air. We hear them, and we look upon them just as you, gentlemen, when you enjoy the serene air on your lofty rocks, look down upon the gulls, that skim the mud of your river, when it is exhausted of its tide.”

as well as leading Whigs. See speeches on the occasion, of Messrs. Webster, Cass, King, Berrien, and others in the Senate; and of Messrs. Conrad, Winthrop, Baker, Hilliard, and others in the House, reported in *Congressional Globe*, and vol. xvi. of the “Abridgment of Debates.”

That profound theologian and philosopher, Bishop Butler, is said to have suggested the idea, that, by possibility, all mankind are mad. Whatever conclusions might be justified by careful speculation upon this point, it seems certain that the main body of a people may become so possessed of a delusion, as to approach very nearly to the confines of insanity. The Northern masses, who gave way to the anti-slavery excitement, acted upon false premises. A madman's conduct is rational enough upon the grounds which prompt his action. A child mounts a stick, and imagines himself on horseback. The range of a madman's fancies becomes circumscribed, or morbidly enlarged, and he lives within his own circle of thought in relations to that alone. He assumes, for instance, that he is a king, and makes use of the best means at his command to indicate his royal dignity. Under the former inhuman and ignorant mode of treatment practised towards such unhappy patients, he would wrap his tattered blanket around his naked limbs, in guise of a robe of state, and hold up a straw from his pallet for a mimic sceptre. That part of the Northern population, out of whose ignorance and excitable temperament the antislavery agitation was worked up into a wide-spread hallucination, assumed, and was instructed by those who knew better to assume, that negro slavery in the Southern States comprehended all the worst evils and vices of every description of bondage, in every nation and in every age.

It was on this theory that multitudes conceived themselves called upon to spare no pains to extinguish a system of such enormous wrong; and that no human statutes could justly restrain them from the discharge of superior obligations to the "Higher Law." The fault, or misfortune, was, that no real foundation existed for the assumption upon which they proceeded. Of all forms of involuntary restraint, under which one class of human beings is subjected to the control of another class, that exerted by Southern masters and mistresses over their slaves was the mildest and least objection-

able.¹ The evidence of this fact is complete, from the relations of numerous impartial foreign witnesses; but the negative evidence is still more conclusive; for it is not known that, among the whole four millions of Southern blacks, any one has been found to have complained of grievous wrong from his owner to the armies which have penetrated their country. Indeed, it had always been the practice of Southern families, in their visits to the North, to be attended by their household servants of either sex; and though the fanatics spared no pains to entice them from their masters; and though such was the condition of the law, at the period in question, and the mode of its administration, that freedom, when they were on Northern soil, was really at their own option, the instances were almost unknown of such slaves abandoning the service to which they were accustomed, and to which it may, hence, be assumed, they were attached.

It is equally certain, that the aggregate number of those who were seduced from their homes by the unceasing efforts of the abolitionists, during a series of years, was really inconsiderable. When the troops of the United States took possession of St. Helena, Port Royal, and finally of Beaufort, in South Carolina, early in the war, Northern chaplains wrote home letters, which were published, expressing their surprise that they saw no mulattoes or children of mixed races in that quarter. The statement was grudgingly received by many, who had held up the idea of widely prevalent habits of licentiousness in the Southern States. A little reflection, elevated and instructed by a certain degree of charity, might have led to the conclusion, that where temptations of the kind alluded to had the longest existed, among a Christian people, the social guards would be likely to be the most strict. Allowing for all exceptional cases of the kind, certainly Southern matrons and maids would be far from submitting to the insult implied in any such promiscuous concubinage; and it is well known that white men lost

¹ See Webster, 7th March Speech, pamphlet edition, p. 3.

caste at the South, who were notoriously guilty of such a vicious way of life. During the whole progress of the long struggle, even after the President had promulgated his decree of emancipation, and when the armies of the United States had their most widely extended possession of the Southern territory, no symptom of insurrection is known to have manifested itself among the slaves. This fact shows either great indifference to the boon of freedom, on their part, or a singular degree of control exercised over them by their masters; perhaps both.

But no more striking exemplification could be furnished, of that former contentment or quiet state of things, on one side of the Southern line, and of the state of opinion among a certain class of persons, on the other side, than in the "raid" of John Brown. That fanatic imagined that he could stir up an insurrection capable of overthrowing "the slave power," with a force of *twenty-one* men! But, although with the advantage of a year's residence on the Virginia border, not a slave joined his band. In like manner, during the late war, it was chiefly from plantations abandoned by their proprietors, as the army advanced, that the negroes followed in the rear of its march, more for the sake of precarious relief to their present misery, thus produced, than from any definite idea of civil regeneration. In most cases, the "sudden wrench" from a state of comfortable maintenance to one of helpless independence must have produced an utter confusion of faculties inadequate to the exigencies of their novel condition; and it seems certain, that those who thus perished from helplessness and hopelessness and want, and the diseases incident to want and despair, are to be reckoned by not a few hundreds of thousands.

It is not necessary to consider the system of negro slavery, in the United States, as one of unmixed good—supposing such a human lot in this world were possible—in order to conceive that it had its alleviations; or that, however repulsive the idea of slavery of any description might be to a white citizen unaccustomed to observe its operation;

yet, to a negro in the South, the benefits of such a condition far outweighed its drawbacks and disadvantages. To the white citizen, indeed, the grave question at hand presents itself in an aspect raised infinitely above any temporary or personal considerations. By bestowing freedom on the negro, with all the consequences of freedom, the structure of the republic is to be settled upon a different basis from that contemplated by its founders, and upon which it had risen to splendor and renown. Under the administration of the superior race, its future of prosperity and glory might be deduced from the history of the past. If trammelled with the embarrassments inseparable from the mixture in its public affairs of a numerous race, intellectually and physically inferior, the introduction of a new and more formidable source of discord cannot fail to be the consequence. Its action will be disarranged, its progress checked, its position degraded. Immense physical force it may have, for a time, but its moral superiority will be gone. It will fall in the scale of nations, as the most powerful empires have heretofore fallen, and may see its proud preëminence exchanged for the secret, if not the open, derision of the world. Thus, the Chinese Empire, comprising a territory of immense extent, and a population double that of all Europe—distinguished in agricultural pursuits, skilful in those of commerce, ingenious and successful in cultivating many of the curious and most of the more useful arts of life, and inferior to few nations in diplomatic management and tact—is yet at the mercy of single European powers, for want of homogeneity of race, of an all-pervading sentiment of nationality, of the pride and vigor of a people animated by common memories and hopes, of an enlightened patriotism inspired by the elevated promptings of the moral nature, instead of a mere policy dictated by material and often conflicting interests, sympathies, and passions.

CHAPTER VII.

State of Public Sentiment at the Close of the Year 1849.—California and New Mexico.—Mr. Webster's Speech of March 7th, 1850.—Trimming Politicians.—Sentimental Politicians.—The Church as a Political Engine.—M. Clay's Compromise Resolutions.—Petition for Dissolution of the Union.—Mr. Hale, Mr. Seward, and Mr. Chase vote to receive it.—Washington's Farewell Address.—Mr. Calhoun's Resolutions.—Action of Southern Members of Congress.—Mr. Webster.—The Compromise Measures of 1850.—State Sovereignty.—The Fugitive Slave Laws of 1793 and of 1850.—The Missouri Compromise abrogated by the Measures of 1850.

At the beginning of the session of Congress, in December, 1849, both the North and the South had become wrought up to the highest pitch of excitement upon the slavery question. In the one section, the embers of the fires which had been kindled by the admission of Texas still remained a body of living coals. Other questions now arising, in regard to California and New Mexico, heaped upon them the fuel for another and a more fervent flame. Warmly as the North entered upon the discussion of this topic, the South, perhaps, even exceeded it in earnestness; for it was regarded in the latter quarter as a test point, which was to settle definitely the equality of their rights in the Union and, as they alleged, their future relation to the republic.

In fact, the Northern mind had become morbidly active on the subject. Various and powerful influences had been for some years at work to produce this effect; if not in express combination with each other, yet tending to the same general end, and conveying the impression of a united effort, in the free States, against even the constitutional guarantees of the slave States, which was very far from being the case.¹

¹ "I left the Department of State in May, 1843, and shortly after I learned,

The manœuvres of certain leading politicians in the free States had a very great effect in producing this impression. In his great speech of March 7th, 1850, Mr. Webster pointedly alluded to this circumstance. He instanced, in particular, Mr. Dix, of New York, and Mr. Niles, of Connecticut, who, as members of the Senate, had been among the most strenuous and influential in insisting upon the extremest terms for the admission of Texas, and who had opposed and voted against a resolution introduced by Mr. Berrien, of Georgia, during the war with Mexico, which declared, that the war was not prosecuted for the acquisition of territory, or for the dismemberment of that power. Mr. Webster's further remarks upon this special point are too full of instruction, and too pointedly confirm the views already expressed in these pages, not to demand their citation. He proceeded to say :

“These two gentlemen, worthy and honorable and influential men—and if they had not been they could not have carried the measure—these two gentlemen, members of this body, brought in Texas, and by their votes also prevented the passage of the resolution of the honorable member from Georgia, and then they went home and took the lead in the Freesoil party. And there they stand, sir ! They leave us here, bound in honor and conscience by the

though no way connected with official information, that a design had been taken up of bringing in Texas, with her slave territory and population, into the United States. I was here in Washington at the time ; and the persons are now here who will remember, that we had arranged a meeting for conversation upon it. I went home to Massachusetts, and proclaimed the existence of that purpose ; but I could get no audience, and but little attention. Some did not believe it, and some were engaged in their own pursuits. They had gone to their farms, or to their merchandise, and it was impossible to rouse any sentiment in New England, or in Massachusetts, that should combine the two great political parties against this annexation ; and, indeed, there was no hope of bringing the Northern Democracy into that view, for the leaning was all the other way. But, sir, even with Whigs—and leading Whigs, I am ashamed to say—there was a great indifference toward the admission of Texas, with slave territory, into this Union. It went on.”—*Webster's speech in the Senate, March 7th, 1850.*

But they were right. It was not indifference to human freedom which influenced them, but indisposition to engage in propagandism against the South, upon peace with which they felt the safety of the Union depended.

resolutions of annexation ; they leave us here to take the odium of fulfilling the obligations in favor of slavery, which they voted us into ; or else the greater odium of violating those obligations, while they are at home making capital and rousing speeches for free soil and no slavery. [Laughter.] And therefore I say, sir, that there is not a chapter in our history, reflecting public measures and public men, more full of what should create surprise, more full of what does create in my mind extreme mortification, than that of the conduct of this Northern Democracy."

Subsequent events, however, showed clearly enough the course, the influence, and the result of these proceedings. The democratic masses, in general, stood firm to the last, though only too many of their leaders, known at a later date as "War Democrats," were acting this double and mischievous part. On the other hand, most of the Whig leaders—some of them, doubtless, the gentlemen alluded to by Mr. Webster in the speech already cited—manifested their constancy to principle, at such sacrifices and hazards as sternly test men's characters ; while the masses of the party exhibited the turn of their sentiments by voting for Fremont in 1856, and more numerous for Lincoln in 1860.

But in addition to political influences, thus able to divert men from steadfast adherence to those essential principles which had proved the source of the country's peace and prosperity, there had been other effective causes of anti-slavery agitation, which could not fail to attract the attention and engage the coöperation of a class of politicians strikingly vindicating their title to be reckoned "waiters on Providence." It was sometimes made a matter of boast by the Republican party, when it had reached such a height of power, that an argument with it, on this point, might be judged as inexpedient, as the Roman officer thought one would be with the master of thirty legions—that all the literature of the country, and all persons in it of any literary distinction, were on the antislavery side. This allegation was by no means literally true, though susceptible of confirmation to a very great extent. But, after all, it does not prove very much in favor of the cause. It may be presumed that almost all the literary leanings of Florence were on the

side of power and patronage, in 1302, when Dante was banished—the advocate of the people and the foe of tyranny; and now, after the lapse of six centuries of illustrious fame, the delegates of every refined capital in Europe have assembled in his native city to raise a monument to the memory of him, whose persecutors are best known by the record he has made of them in his own immortal verse. But, however permanent in its character most American literature may prove, it is certain that the portion of it devoted to the dissemination of antislavery sentiments could enjoy only a very temporary vitality. This consequence must result partly from the nature of the subject, and partly from the fact that the treatment bestowed upon it was not often in correspondence with either truth or good taste.

At the period under consideration, the negro had become a very general theme for magazine writers, contributors to the daily press, and lecturers on various occasions. Directly or indirectly, he was a prominent and staple topic of verse and prose. It was so easy to fall in with the sentimental view of the subject, so difficult to summon up the dictates of reason, so troublesome to feel one's impulsive liberty of thought and feeling checked by constitutional scruples or obligations, that multitudes, of both sexes, gave way to the infatuation of the hour. The rights and wrongs of the negro did not, of themselves, afford a very wide field of discussion or illustration, and the source of inspiration was not of absolutely Castalian depth and clearness. The range of speculation was widened, therefore, by introducing disquisitions upon Southern society, in a variety of aspects, either actual or imaginary.

This society, except in its relations to slavery, differed in no very essential degree from that of the North, either in intellectual or moral characteristics. Making due allowance for the effect of climate upon temperament, a lady or gentleman from the extreme South, though they might exhibit a somewhat more ardent disposition, resembled very much those of the same order in the extreme North. There was a

certain diversity of thought and of manner; but, between the two extremes, there was ample room for every shade of difference, resulting from physical or mental organization, to melt into and blend with each other. The distinction was in no respect so marked as that between Scotchmen and Englishmen, or between Irishmen and Englishmen. In both parts of the country, there were the rich, those striving for riches in the several pursuits of business, the laboring classes, and the poor.

The picture drawn of the people of the South by the anti-slavery agitators represented them as consisting only of the "oligarchs," or "lords of the lash," the slaves, and the "mean whites." It may be safely asserted that very few of those who thus drew upon their imaginations for their descriptions and illustrations had ever stepped an inch over Mason and Dixon's line. Mr. Garrison had scarcely enjoyed a brief, and probably not very extensive, opportunity of observation in a border State. Probably, Mr. Sumner, Mr. Wilson, Mr. Phillips, and most or all of the more conspicuous haranguers on topics connected with slavery, had never seen a plantation, or possessed any advantages of social intercourse with the people of the South. When they discoursed upon this subject they dilated upon what might have been, in other nations and other times, as if it were applicable to our own citizens and our own day. Some of them ransacked all history for instances of "man's inhumanity to man;" and undertook to deduce from the fact of the existence of slavery in the United States modern parallels for every example of ancient barbarity. To audiences certainly no better informed than themselves, they related "such stuff as dreams are made of," and inflicted upon them nightmares of troubled vision, which disturbed their nervous systems and haunted their waking hours. The sentiments which they sought to inculcate spread themselves through many of the ramifications of social life, and often embittered the gentlest bosoms, and alienated many accustomed friends.

Under the more skilful guidance of the antislavery poli-

ticians, they sought to systematize their sphere of operations, and, without developing their object, to introduce some agent of their opinions into every position of influence, whether connected with literature, politics, business, or religion. On the same grounds, their coöperation was always ready to exclude from every such position all persons whose opinions in regard to slavery did not coincide with their own. At their solicitation oftentimes it was seen, that legislative bodies passed resolutions to pacify their urgency, which afterwards placed the legislators in very awkward dilemmas. Thus it occurred, that, in anticipation of the compromise measures of 1850, Mr. Wilson, of Natick, a member of the Massachusetts Legislature of that year, and afterwards Senator of the United States, brought in resolutions for the instruction of the Senators and Representatives of the State in Congress, on that subject. To this proposition it was well replied, that the people were anxiously looking for instruction from men like Mr. Webster and Mr. Davis, then the eminent Senators from Massachusetts; and that it might well seem like assumption, for the State Assembly to undertake to teach such persons their duty, or to limit the course of their deliberate action.

It was impossible that the Church should not be seriously affected by this condition of sentiment, which, if it did not fairly represent the public mind, was, at least, a vigorous demonstration, on the part of very active and sometimes accomplished members of the body politic. The question arrogated to itself high grounds of moral obligation, and there might seem danger that the Church itself would be left behind in the march of social progress and improvement. The mission of the Church was clear; and its duty obviously was, whether temporarily behind or in advance of the age, to keep its garments and its ministrations pure. It was to follow the teaching and example of its Divine Founder, by striking at the root of all evil in the unconverted heart of man, instead of wasting its energies, like the Inquisition, for instance, and in some measure the Puritan Fathers, upon

special evils and causes of offence; particularly those connected with the administration of the civil government. In the latter case, it was inevitable that religion would degenerate into politics. The shrewder and wiser saw, that it was possible for fanaticism, by assuming the garb of religion, to intrude into the sanctuary, to oust the rightful possessor, and with a soul inflamed by zeal for some one sublunary object, which, if related at all to religion, was only subsidiary to it, and not of its essential essence, to degrade the high service of God into the worship of an earthly idol. Yet, for a long time, many of the more staid and sober-minded of the Northern clergy, scarcely interpreting correctly, it may be thought, the injunction of the apostle, to “remember those that are in bonds as *bound with them*,” seldom thought their public supplications to the Almighty complete, without an intercession, directly or indirectly, for the slave to be *freed with them*; and this, too, when the country was agitated by the question of slavery, in its bearings of political significance and importance.¹

¹ It may seem almost presumptuous to attempt the exposition of a passage of Scripture, which has left the learned in much doubt, after a great deal of inquiry into the subject. It is in 1 Cor. vii. 20–24; as follows:

“Let every man abide in the same calling wherein he was called. Art thou called being a servant? care not for it; but if thou mayest be made free, use it rather. For he that is called in the Lord, being a servant, is the Lord’s freeman; likewise, also he that is called, being free, is Christ’s servant. Ye are bought with a price; be not ye servants of men. Brethren, let every man, wherein he is called, therein abide with God.”

The Greek passage in dispute is as follows: *ἀλλ’ ἐι καὶ δύνασαι ἐλεύθερος γενέσθαι, μᾶλλον χρῆσαι*. The accusative case, which is wanting after the last word, is supplied in our translation by the word “it.” The point, as to the word which *it* represents, is discussed, with his usual ability, by that admirable scholar and divine, the late learned Professor Stuart, of Andover, in an elaborate pamphlet, written in commendation of Mr. Webster’s 7th of March speech. Professor Stuart states, that every one of the early Greek commentators, and many expositors in modern times, among whom he cites the celebrated De Wette, agree that the word to be supplied should be *δουλείαν*, *slavery*, *bondage*. The professor, however, admitting the force of their reasoning, which amounts to this—that such is the only construction which can support the

As early as the year 1843, the Wesleyan Methodist Communion had established a rule, excluding from "membership and Christian fellowship all who buy men, women, and children, with intent to enslave or hold them as slaves, or who claim that it is right to do so." Two years later, the Methodist Episcopal Church, North and South—an organization widely extending through all sections of the country—came to an absolute separation, in consequence of an attempt to depose one of their bishops in Georgia, for entering into the holy state of matrimony with a lady who owned slaves. The result was, a conference at Louisville, and a division of the property of the Communion between the two, which was afterwards enforced at law; the Northern body proving reluctant to relinquish its possession of the Southern portion of the funds. At a subsequent period, many disastrous consequences followed, among churches of every denomination, except the Episcopal and the Roman Catholic, both of which remained mostly free from divisions on a subject which could not be legitimately introduced into their form of worship. The Episcopal Church, North and South, has never been

proposition which the apostle is aiming to establish, viz.: "Let every man abide in the same calling" (or condition) "wherein he was called,"—yet inclines to the opinion of Calvin, "the first commentator of any note" who supplied *ἐλευθερίαν*, *freedom*, instead of *δουλείαν*, *bondage*. It may, perhaps, be diffidently suggested, that the difficulty may be obviated by the appropriate translation of a word, to which our common version does not give any translation at all. This is the conjunction *καὶ*. Mr. Stuart and others render it by the English word *even*; a meaning which, in fact, creates the discrepancy, which would be reconciled by translating it *also*. It would then refer to the *call*, not to the service; *e. g.* If thou art called while a servant, care not for that; but if also (if in addition to the call) thou mayest become a freeman, use it rather. The apostle meant to enjoin upon all the insignificance of our condition, in a temporal state, relatively to the spiritual state, to last forever. But it can hardly be presumed that one who, on a memorable occasion, had already vindicated his own freedom as a Roman citizen, intended to convey the idea that a state of civil bondage was in itself to be preferred to a state of civil liberty. Besides, it must be remembered that the bondsmen in regard to whom the apostle instructs his fellow-citizens, were white men.

separated in spirit. The roll of all the members of the General Convention has always been regularly called over, at the triennial meetings of that body, during the war. And now, an exceedingly good spirit prevails throughout the Church; and it is reasonably to be expected, that this healing grace may be a chief instrument to work the peaceable fruits, so much to be desired. As to the Roman Catholic Church, it scarcely need be said, through what ages of worldly mutations it has maintained the bond of union among its members, however widely scattered throughout the nations of the earth, or divided from each other by diverse civil institutions. But religious societies were sometimes completely broken up, and many persons of devout dispositions abstained from attending public worship, lest their sensibilities should be offended by the introduction of worldly topics; and a general decline of religious sentiment and restraint became only too observable throughout the community.

Early in the year 1850, Faneuil Hall, in Boston, a place held in peculiar reverence by the people, for its association with memories of the struggle for American Independence, and as the scene of vast popular outpourings, when the most eminent citizens of the South, as well as of the North, had addressed the assembly, on grand occasions, was now thrown open to the abolitionists, for the first time, by a city government of a turn of mind with which Boston had not been previously familiar. This incident was the source of extreme exultation to the triumphant fanatics; and the fact was noticed, shortly afterwards, in a pointed manner, by a Southern member, on the floor of Congress. When Mr. Webster returned home from Washington, the same city government saw fit to refuse the use of the hall to those who desired to listen, in the usual place of assemblage, to that great statesman; a position from which these municipal authorities speedily retreated in mortification and humiliation, amid the indignant reproaches of the people. At about the same time, two slaves, belonging severally to Mr. Toombs and Mr. Ste-

phens, of Georgia, were "run off," in the popular phraseology, by an Albany abolitionist, from Washington.

It is plain enough, from this general statement of the case, what must have been the condition of popular feeling, to a considerable extent, in the one section and the other. At the session of the 31st Congress (beginning December 8th, 1849), the Democrats, in combination with the Whigs from the slave States, could command a very decisive majority, in both branches, on all questions likely to arise affecting slavery. On the 29th of the following month, Mr. Clay introduced into the Senate a series of resolutions, embodying the principles of the several bills which were eventually passed by Congress, and which have been since known as the Compromise Measures of 1850. Some decisive steps were evidently necessary, in order to meet the public exigency. The whole country had been superficially, at least, wrought up to the condition of high excitement already in part described, and the gravest questions were pressing upon the attention of Congress, in relation to California, New Mexico, Texas, and the District of Columbia. In each of these the subject of slavery was either directly or indirectly a point of interest; and the necessity was apparent for some specific provision for the restitution of fugitive slaves, in conformity with the compact of the Constitution. At such a time, one might have expected that statesmen, of whatever party, would look calmly over the whole field of action, with the patriotic view of assuaging the elements of popular disturbance. It was, however, at this inopportune moment, that two petitions were offered in the Senate (February 1st, 1850), by Mr. Hale, of New Hampshire, which were couched in the following terms:

"We, the undersigned, inhabitants of Pennsylvania and Delaware, believing that the Federal Constitution, in pledging the strength of the whole nation to support slavery, violates the Divine Law, makes war upon human rights, and is grossly inconsistent with republican principles; that its attempt to unite slavery in one body politic has brought upon the country great and manifold evils, and has fully proved that no such union can exist but by the sacrifice of freedom to the supremacy of slavery, respectfully ask you to devise and

propose, without delay, some plan for the immediate, peaceful dissolution of the American Union." ¹

The nonsensical falsehood of this whole statement makes particular comment upon it needless, to any one capable of intelligent analysis. It may be remarked, however, that the Constitution only so far supported slavery, as to admit of rights already existing when it was formed, without the recognition of which there could have been no Constitution. It was a question, therefore, whether we should have a country, under one form of government, with slavery; or no country at all, but a number of independent and probably conflicting States; of which, those would still retain slavery, in their separate condition, which actually came with it into the Union. Our fathers wisely thought a union of States, as they were, preferable to a congregation of individual republics. Hence, they agreed to the Constitution; and not only honestly, but of necessity, devised every just provision for carrying its principles into effect. It might also be suggested to those who, on such grounds, announced themselves as the special expounders and upholders of "the Divine Law," that, in a fearful list of offenders against that law, denounced by Scripture, "truce-breakers" hold a not unobscure place.²

But, in truth, it was a chief fault or misfortune of a period of confusion, which some might think pointedly enough described, if not distinctly designated as the "perilous times" of "the last days," in the same passage of Holy Writ, that overtures like that in question were hardly considered of any serious moment, or deserving of any thing but contempt by persons of sober minds. Many such persons thought the

¹ On the 25th of February, Mr. Giddings, of Ohio, offered the same resolutions in the House, which refused to receive them by a vote of 162 to 8. Petitions to the Legislature of Massachusetts, requesting it to intercede with Congress for "a peaceable dissolution of the Union," were among the ordinary measures proposed to it by a certain class of persons for a series of years.

² See 2 Tim., ch. iii., 1, 9.

foundation of things too secure to be moved, however furiously the storm might pass over the towers and battlements. Others, perhaps, who neither intended revolution, nor foresaw the likelihood of any fundamental change, carelessly allowed themselves to tamper with the elements of danger, without thought of actual harm. In vain the Father of his Country had solemnly warned them :

“Towards the preservation of your government, and the permanency of your present happy state, it is *requisite*, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the Constitution,¹ alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown.”

And again :

“The unity of government which constitutes you one people is also now dear to you. It is justly so ; for it is a main pillar in the edifice of your real independence—the support of your tranquillity at home, your peace abroad ; of your safety, of your prosperity ; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth ; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed,² it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness ; that you should cherish a cordial, habitual, and immovable attachment to it ; accustoming yourselves to speak of it as of the palladium of your political safety and prosperity ; watching for its preservation with jealous anxiety ; discountenancing whatever may suggest

¹ The Republican managers always professed to act under “the forms of the Constitution,” while they were doing all in their power to “impair the energy of the system.”

² This was the point, in fact, assailed. Saying nothing here of external foes, the *internal* enemies, whose future devices against the Union were so clearly foreseen by Washington, at first “covertly and insidiously,” then “constantly and actively,” attacked the Union, by undermining the reasons for it ; that is, the foundations of it, in the engagements of the Constitution.

————— “You take my life
When you do take the means whereby I live.”

Merchant of Venice.

even a suspicion that it can, in any event, be abandoned; and *indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.*"

Here, however, had come up at last an express memorial asking for "the immediate dissolution of the American Union," because it was founded upon the Constitution, which Washington had so solemnly and feelingly enjoined it upon his fellow-countrymen and their posterity to venerate with such sacred devotion! And this memorial was presented in the higher branch of the National Legislature, by a Senator of one of the States of this Union, without a blush! Mr. Webster suggested the omission of a preamble to this petition, which he offered as follows:

"Whereas, at the commencement of the session, you and each of you took your solemn oaths, in the presence of God and on the Holy Evangelists, that you would support the Constitution of the United States; now, therefore, we pray you to take immediate steps to break up the Union, and overthrow the Constitution of the United States as soon as you can."

Only Mr. Seward and Mr. Chase voted with Mr. Hale for the reception of this memorial. The action of those Senators was a wide departure from the conduct enjoined by Washington, in the passages just quoted from his Farewell Address. He had urged upon his countrymen, that they should accustom themselves to speak of the Union as of "the palladium of their political safety and prosperity." But here were persons in the most eminent places in the national councils ready to hear it spoken of as an outrage upon humanity and a violation of the Divine Law! Instead of "watching for its preservation with jealous anxiety," they showed themselves willing to countenance ignorant and reckless men in proposing schemes for its immediate dissolution!¹

¹ Nothing tended so much to enfeeble the original attachment to a constitutional Union, and to prepare the way for the final catastrophe, as the supple compliances to the momentary passions or growing prejudices of the weak and ignorant, by men who sought to make use of the multitude for their own personal ends.

It may be fairly presumed that these Senators, at that time, like others, entertained little thought that the Union could be in serious danger. But it can hardly be inferred that they did not, like too many others of their party alliance, make this grave matter a mere question of party politics, instead of regarding it as a profound interest of state. It was this mode of viewing and of treating the subject which prepared the way for future national ills. It accustomed inconsiderate and wilful persons to talk, and to talk lightly, of topics which, in the spirit of the advice of Washington, ought not to have been allowed any place for discussion at all. But, in fact, it was too much the case in the North, that politics was considered an affair of merely personal interest, while in the South it was much more commonly regarded as a matter in which the common welfare was vitally and indissolubly concerned.

In order to a full and impartial understanding of the state of affairs, in the beginning of 1850, it is necessary to recur to certain demonstrations of the South, which had their part, certainly, in leading the course of events towards the impending crisis. On the 19th of February, 1847, Mr. Calhoun, of South Carolina, a Senator, than whom no other was more universally respected for his eminent ability and his unspotted personal reputation, whatever opinion might exist as to his political views, had introduced the following series of resolutions into the Senate, while the war with Mexico was in progress:

Resolved, That the territories of the United States belong to the several States composing this Union, and are held by them as their joint and common property.

Resolved, That Congress, as the joint agent and representative of the States of this Union, has no right to make any law, or do any act whatever, that shall directly, or by its effects, make any discrimination between the States of this Union, by which any of them shall be deprived of its full and equal right in any territory of the United States, acquired or to be acquired.

Resolved, That the enactment of any law which should, directly or by its effects, deprive the citizens of any of the States of this Union from emigrat-

ing, with their property, into any of the territories of the United States, will make such discrimination, and would, therefore, be a violation of the Constitution and the rights of the States from which such citizens emigrated, and in derogation of that perfect equality which belongs to them as members of this Union, and would tend directly to subvert the Union itself.

Resolved, That it is a fundamental principle of our political creed, that a people, in forming a Constitution, have the unconditional right to form and adopt the government which they may think best calculated to secure their liberty, prosperity, and happiness; and that, in conformity thereto, no other condition is imposed by the Federal Constitution on a State, in order to be admitted into this Union, except that its constitution shall be republican; and that the imposition of any other by Congress would be not only in violation of the Constitution, but in direct conflict with the principle on which our political system rests.

Mr. Calhoun prefaced these resolutions with an elaborate speech, in defence of the principles which they set forth. The summary of his argument may, perhaps, be found in the statement that the vast territory already belonging to the United States furnished ample room for many more free States, while no further opportunity existed for the formation of any additional slave States. He said:

“I make a very moderate calculation when I say, that, in addition to Iowa and Wisconsin, twelve more States, upon the territory already ours—without reference to any acquisitions from Mexico—may be and will be shortly added to these United States. How will we then stand? There will be but fourteen on the part of the South—we are to be fixed, limited, and forever—and twenty-eight on the part of the non-slaveholding States! Twenty-eight! Double our number! And with the same disproportion in the other House and in the electoral college! The Government, sir, will be entirely in the hands of the non-slaveholding States—overwhelmingly!”

In regard to the first of Mr. Calhoun's resolutions, it may be remarked that the position taken by it was not tenable. Virginia, for instance, setting the example of high magnanimity, had transferred its title to an immense territory to the United States—not to them, as separate States, but to the body of States; and had no further interest in it than all the other States had, as members of that Union.¹ It belonged

¹ For example, the General Assembly of Virginia in 1783 authorized certain delegates of the Commonwealth, named in the act, to “convey, transfer,

to the corporation, and not to the individual corporators. Legally, its affairs were to be administered at the will of the majority, however moral considerations might intervene, to modify that action, in any particular direction. As far as the other resolutions are concerned, they comprehend only abstract propositions, which would, doubtless, have commanded universal assent, except for the implication they involved in relation to slavery. It was the question, whether citizens "emigrating with their property into any of the territories of the United States" might take with them their slave-property; a point upon which the country was deeply agitated anew by the discussion of the "Wilmot Proviso." This was a proposition introduced into the House in August, 1846, by a member of the name of Wilmot, from Pennsylvania, providing that there should be neither slavery nor involuntary servitude in any territory to be acquired by, or annexed to the United States, except for crime; but that fugitive slaves escaping into such territory should be delivered up. The turmoil into which this proviso threw the public mind, in both sections, could have had reference only to the expected acquisitions of territory from Mexico, namely, California and New Mexico, in neither of which did slavery practically exist, or was likely to be introduced. After disturbing the popular feeling to an extraordinary degree, for nearly two years, it began to be understood that this famous proviso was of no sort of utility, and it was finally rejected by Congress in March, 1847; though various enthusiastic members endeavored, afterwards, to revive it, on several occasions.

assign, and make over unto the United States, in Congress assembled, for the benefit of the said States, all right, title, and claim, as well of soil as jurisdiction, which this Commonwealth hath to the territory or tract of country within the limits of the Virginia charter, situate, lying, and being to the northwest of the Ohio River," etc.

It is true that this surrender was made while only a Confederacy existed; but it seems obvious that, whatever was acquired by the Confederacy under the deed of cession, passed to the United States upon the adoption of the Constitution.

Upon the conclusion of Mr. Calhoun's speech, Mr. Benton, of Missouri, assailed both the resolutions and the South Carolina Senator, personally, with considerable warmth.¹ Of Mr. Benton, it may be justly remarked, that whatever opinion may be formed of his judgment or foresight, as a statesman, he was, undoubtedly, a sincere and hearty lover of the Union, which he showed conclusively, afterwards, by refusing to support his son-in-law, General Fremont, the candidate of the Freesoil party, for the presidency. He had marked personal foibles, and seems to have been more or less actuated by personal animosities. Mr. Calhoun's reply on this occasion, is an able, exhaustive, and successful defence of his course, on those points connected with his official life, which Mr. Benton had attacked with so much severity. A few days afterwards, Mr. Calhoun gave notice of his intention to call up the resolutions which he had proposed. Mr. Webster, thereupon, announced his purpose of calling up certain resolutions which had been previously submitted by himself. Those were as follows :

Resolved, That the war now existing with Mexico ought not to be prosecuted for the acquisition of territory to form new States to be adopted into the Union.

Resolved, That it ought to be signified to the Government of Mexico that the Government of the United States does not desire to dismember the republic of Mexico, and is ready to treat with the Government of that republic for peace, for a liberal adjustment of boundaries, and for just indemnities due by either Government to the citizens of the other.

These resolutions would have opened the whole question of the future acquisition of territory, and, if adopted, would take away the entire ground of those proposed by Mr. Calhoun, so far as the expectation of making new slave States was concerned. But Mr. Calhoun did not carry out his intention of calling for the consideration of the resolves which he had offered, and those submitted by Mr. Webster were also permitted to rest ; so that no further action was taken upon either series by the Senate.²

¹ See "Thirty Years' View," and vol. xvi. "Abridgment of Debates."

² "Abridgment of Debates," vol. xvi.

The mistake committed by Mr. Calhoun, on this occasion, of which he showed his consciousness by yielding his original purpose of pressing the consideration of his resolutions to a decision, consisted in the assumption, that the twenty-eight free States, to exist in the future, would wilfully exert their superior power to the disadvantage of the fourteen slave States. This idea was a constant source of apprehension to many Southern politicians. They either dreaded the injustice of the North, or felt humiliated at the thought of trusting to its magnanimity. Philosophically, they were wrong. Large numbers of those in the North who acted with the Freesoil party were subject to an opposite error. They were in constant alarm at the imagined increase and predominance of the "slave power." Hence, the controversy assumed undue proportions, upon a false theory, on both sides.

But it was only while the issue of the struggle seemed to remain undetermined, that there would remain any real pretence for quarrel. The moment that question should seem to be definitely settled, so that the "rye-fields and wheat-fields" of the North, alluded to by Mr. Seward, and those of the Northern territories, were no longer thought in danger of being remitted to slave labor, every description of agitation on the subject, which implied any ground of apprehension, must of necessity have died quietly away. The South would have stood upon an impregnable foundation. It possessed its recognized and established rights under the Constitution. The Democracy of the North, with the exception of certain of its trading leaders, was firm in support of the principles of the Constitution; and the main body of the Whigs of the North claimed only that the agreement of the Missouri Compromise should be respected. It is true, that the latter resisted, as a body, the acquisition of any more slave territory, in any direction; but they were in reality, powerless against the united strength of the South in combination with the Democratic strength of the Union. The Whigs must have grown still more powerless, if not so well:

insisted upon measures plainly in derogation of the definite constitutional rights of the South, at any time before the dispute became complicated with other considerations which led the way to the eventual open rupture between the sections.

According to a report given by Mr. Benton, in his "Thirty Years' View," of a speech delivered by him in the Senate, at an early period of the debate, in opposition to the compromise measures of 1850, recommended by the committee of which Mr. Clay was chairman, there was no necessity whatever for any such action by Congress. He declared that the theory upon which the proposition for compromise rested was a mere hallucination. He saw no distraction, no strife, no discontent, in the country; but every thing seemed to him remarkably quiet, and public affairs to be flowing prosperously in their wonted channels, without disturbance, or the sign of any thing calculated to give occasion for just alarm. Yet a few pages later, in the same work, he recounts some very striking symptoms of disaffection; he gives prominence, in fact, to a variety of demonstrations, on the part of the South, which exhibited a state of extreme dissatisfaction in that quarter, and a very apparent tendency towards disunion.¹

Among these were the formal protest of ten Senators from the South against the act which had passed for the admission of California, the language of which, at least, strongly intimated a disposition to disunion, unless affairs between the sections could be placed on a more satisfactory basis; the manifesto of forty-two members of Congress from slave States, which Mr. Benton pronounces one among the "regular steps for the separation of the slave and the free States immediately;" the establishment of an outright disunion press at Washington, by the same influence; the inflammatory speeches of many leading gentlemen in the legislative assemblies of various Southern States; the vehement language

¹ See

² "Abri

¹ "Thirty Years' View," vol. ii. p. 281 *et seq.*

of many Southern journals, of a tone quite as extravagant as that adopted by the most ultra newspapers of the North; the secession Convention held at Nashville, which recommended that a Southern Congress should be summoned to meet. Certainly, instances like these go very far to show that an agitation was on foot in the South equivalent to any thing of the sort which notoriously existed at the North. But Mr. Benton was one of those statesmen who see only through the medium by which they are themselves surrounded. He appears to have thought, because "they did eat, they drank, they bought, they sold, they builded, they planted, they married wives, they were given in marriage," that, therefore, any indications upon the horizon, of an approaching tumult of the elements, might be dissipated by treating the signs of it with indifference; and that the public safety would be best promoted by a speech from himself, characterized by a more than ordinary degree of levity. The project for the contemplated Southern Congress, however, failed, as he remarks; and it is pleasant to recall the fact, that it failed through the influence of the better sense and feeling of the South.

It is agreeable, also, to quote the just compliment which Mr. Benton pays to one of the noblest members of the Union. "At the head," he says, "of the States which had the merit of stopping it, was Georgia—the greatest of the Southeastern Atlantic States." Indeed, Mr. Calhoun declared, in the debate upon the compromise measures, that "it can no longer be disguised or denied that the Union is in danger. * * * The immediate cause is the almost universal discontent which pervades all the Southern section of the Union. This widely extended discontent is not of recent origin. It commenced with the agitation of the slavery question, and has been increasing ever since." Mr. Webster, in the famous speech delivered by him, on the same occasion—perhaps the most comprehensive, patriotic, and effective of all the grandly eloquent specimens of oratory which he has left us—remarked, at the outset of what he then said, and said so well:

“It is not to be denied that we live in the midst of strong agitations, and surrounded by very considerable dangers to our institutions of government. The East, the West, the North, and the stormy South, all combine to throw the whole ocean into commotion, to toss its billows to the skies, and to disclose its profoundest depths. I do not expect, Mr. President, to hold, or to be fit to hold, the helm in this combat of the political elements; but I have a duty to perform, and I mean to perform it with fidelity—not without a sense of the surrounding dangers, but not without hope. I have a part to act, not for my own security or safety, for I am looking out for no fragment upon which to float away from the wreck, if wreck there must be, but for the good of the whole, and the preservation of the whole; and there is that which will keep me to my duty during this struggle, whether the sun and the stars shall appear, or shall not appear, for many days. I speak to-day for *the preservation of the Union*. ‘Hear me, for my cause.’ I speak, to-day, out of a solicitous and anxious heart, for the restoration to the country of that quiet and that harmony which make the blessings of the Union so rich and so dear to us all. These are the topics that I propose to myself to discuss; these are the motives, and the sole motives, that influence me in the wish to communicate my opinions to the Senate and the country; and if I can do any thing, however little, for the promotion of these ends, I shall have accomplished all that I desire.”

At a still later stage of the debates upon the various topics before the Senate, at this time, under the head of “Compromise,” Mr. Webster, whose speech of the 7th of March had exposed him to severe animadversion in certain quarters, referred to these attacks, briefly and with much dignity repelling them, and remarked in conclusion:

“Sir, my object is peace. My object is reconciliation. My purpose is, not to make up a case for the North, or to build up a case for the South. My object is not to continue useless and irritating controversies. I am against agitations, North and South. I am against local ideas, North and South, and against all narrow and local contests. I am an American, and I know no locality in America; that is my country. My heart, my sentiment, my judgment, demand of me that I shall pursue such a course as shall promote the good, and the harmony, and the union of the whole country. This I shall do, God willing, to the end of the chapter.”¹

¹ In a note, at the end of this speech, Mr. Benton remarks:

“It is impossible to read the speeches of this session and hear, as it were, the last words of the last great men of that wonderful time, without having the feelings profoundly moved by *the deep dangers to the Union which stood*

It is unnecessary, in order to a correct understanding of the several questions which, in connection with each other, so long engaged the attention of the Senate, at this period, to recapitulate the numerous and complicated propositions offered for its consideration. Eventually, they took the shape of five several bills, which were acted upon separately, and were passed to be enacted in their turn, namely :

1. An act establishing the boundaries of Texas, and to establish the territory of New Mexico. To a large portion of the latter, the former had advanced a claim, which was disallowed by the terms of the statute. Texas had already become a State, with slavery, by the law of March 1, 1845; and it was provided that New Mexico, when in readiness to be admitted into the Union, should be received as a State, either with or without slavery, as its constitution should prescribe, whenever the application should be made.

2. An act to establish a territorial government for Utah, with a similar provision in regard to slavery.

3. An act for the admission of California, containing no provision relating to slavery; which had been prohibited already by the constitution of the State.

4. An act to amend, and supplementary to the act entitled "An act respecting fugitives from justice and persons escaping from the service of their masters," approved February 12, 1793.

5. An act to suppress the slave trade in the District of Columbia; and which prohibited the importation of slaves into the District for the purpose of traffic.

These several acts were passed, in both branches of Congress, by decisive majorities. That for the admission of California, about which the chief contest was made by the South, received a vote of 34 yeas to 18 nays in the Senate, and 150 yeas to 56 nays in the House; that for the amendment of the Fugitive Slave Law, which was most objectionable to the North, passed by a vote of 27 yeas to 12 nays in the former branch, and one of 109 yeas to 76 nays in the latter. On the question of the admission of California, four

before them, and the patriotic attempts they made to avert that danger. This brief speech of Mr. Webster is a noble illustration of the feelings of the patriotic sages of that portentous day. They labored to save their country, and believed that they had done it.—*Abridgment of Debates*, vol. xvi., p. 558.

Senators from slave States, namely, Mr. Bell of Tennessee, Mr. Benton of Missouri, Mr. Houston of Texas, and Mr. Underwood of Kentucky, voted with the majority; on the passage of the Fugitive Slave Act, three Senators from free States, namely, Messrs. Dodge and Jones of Iowa, and Mr. Sturgeon of Pennsylvania, gave their votes in the affirmative.¹ In the House, twenty-four members from the slave States were with the majority, in the vote upon the admission of California; and thirty-two from the free States, in favor of the Fugitive Slave Act.

The debate in the Senate, upon these several topics, had been protracted, with occasional intermissions, through the long period of eight months. Mr. Clay introduced his resolutions on the 29th of January, and the final action of the Senate was had upon the last of these measures—that relating to the slave trade in the District of Columbia—upon the 18th of the following September. On the latter day, Mr. Hale, of New Hampshire, moved to recommit the bill, with instructions so to amend it, as to provide for the abolition of slavery in the District. The yeas and nays were ordered upon this motion, without discussion, and it was rejected by a vote of nays 41 to yeas 9. Congress had thus shown its deep sense of the public exigency, by submitting to the discomforts of a sojourn at Washington, during the entire summer, and by postponing the consideration of much other important business, until the adjustment of questions so profoundly affecting the national peace and welfare could be effected.

The interest of the country in the discussion had been naturally intense. The entire subject of the relations of the

¹ Mr. Dickinson, of New York, assigned as a reason for not recording his vote in favor of this bill, the absence of his colleague, Mr. Seward, on account of ill health, with whom he had agreed to pair off. He spoke in favor of it, however, on the same occasion, and, among other remarks, he said: "The grievance upon the subject of fugitive slaves will be redressed, whenever the masses of the people in the free States are aroused to the abuses which have been practised in their name, under the garb of benevolence and superior sanctity."

States and the Territories to the Union had been subjected to the most careful and deliberate scrutiny, by the most powerful minds in Congress, impressed with unaffected solicitude for the common weal, and by the anxious conviction, that the passing period was one of critical moment, altogether unexampled, to the future fortunes of the country. The general plan of the Compromise, or some of its features, had been warmly and strongly resisted by Mr. Davis of Mississippi, Mr. Benton of Missouri, Mr. Seward of New York, Mr. Smith of Connecticut, Mr. Dayton of New Jersey, Mr. Hale of New Hampshire, and others; while Mr. Clay of Kentucky, Mr. Webster of Massachusetts, Mr. Cass of Michigan, Mr. Dickinson of New York, Mr. Mangum of North Carolina, Mr. Douglas of Illinois, and those acting with them, brought to the several topics a force of eloquence and a cogency of reasoning seldom exhibited in any deliberative assembly. While the Northern Senators who opposed those measures resisted the grant of any further shadow of protection to the "slave power," and some of them, indeed, would have been glad to deprive it of all it possessed, under the Constitution; the Southern opponents of the scheme of compromise were agitated at the prospect of the decline of political influence and strength at the South. There were those, also, like Mr. Benton, who held stoutly to the guarantees of the Constitution; but, whether from political, or other reasons, objected to compromises upon incidental questions arising under it. There seem to have been inherent and insuperable obstacles to the claims asserted, in part, by some of the Southern gentlemen. The question of preserving an equilibrium of political power between the North and the South, was one altogether beyond the control of Congress. Had it been possible to fix upon such a balance, for the moment, it could have lasted but a short time. Great States would be formed, in due season, out of a vast territory within the jurisdiction of the United States, which was incapable of being dedicated to slave labor, by any force of legislation; while the limits of territory suitable to that purpose, recently

acquired, were already fixed by national boundaries, and were of far inferior extent.

It must be admitted, in the light of calm reason, that Congress was precluded, by the action of the people of California, from extending the line of demarcation between the free and the slave States through that Territory to the Pacific Ocean. If the people of that Territory, or of any other, were not the ultimate judges of those qualifications which might entitle it to admission, they presented a case, appealing, at least, as strongly for the concurrence of Congress in their action, by the prohibition of slavery in their Constitution, as if they had allowed its introduction. To have remitted their claim to them, with the requirement that they should change this feature of their Constitution, would have been a high-handed act of legislation, from which no good could have been reasonably expected, in the end. Instead of producing the effect proposed, it might have lost California to the United States, and its Pacific boundary to the republic; and, in any event, could hardly have been regarded by the country, or the world, in any other light than as a strangely unwarrantable and arbitrarily unjust proceeding.

State sovereignty formed one of the grand topics of discussion at this interesting crisis. The manifest distinction does not seem to have been always recognized between that kind of sovereignty and State rights. When the States declared their independence of Great Britain, in 1776, each became, in fact, sovereign. The Articles of Confederation, agreed to in 1778, set forth, that "Each State retains its sovereignty." The Constitution of Massachusetts, adopted in 1780—and the fact applies equally to all the other States—expressly asserts this sovereignty. The Constitution of the United States, submitted to the people in 1783, in no wise impairs this sovereignty, except in regard to powers specially delegated to the United States by it, and not prohibited by it to the States. With respect to the powers granted to the United States in that instrument, and not prohibited by it to the individual States, the United States,

therefore, is sovereign; in all other respects, each of the States is so, by force of its own constitution, and of its legal independence. Within its own sphere, therefore, each State is independent of every other, and of the United States. Within this sphere, neither can, by its regular action, come into collision with either of the others, or with the union of States. This is the appropriate sphere of State rights.

But there is a sovereignty of the Union also, within its own sphere; coextensive with that of the whole body of States, and for the exercise of its own powers superior to it; which, in the exercise of those powers, can no more interfere with those of the States, than the sun in its orbit can clash with the planets in their courses. The right of revolution is of a different character, and a purely popular right, belonging to the people, not as citizens of States, but as men and members of the whole body politic, whenever they have spirit enough, and are in numbers sufficient to warrant revolution, as the remedy for intolerable oppression. In such a case, resistance is both a right and a duty; but the remedy for grievous and long-continued infringement of State rights, by the General Government, would be, not the secession of States, to the derangement of the whole system, but the uprising of the people, to restore the whole to its legitimate functions, for the general benefit.¹

Upon the whole, the adjustment of the conflicting topics which had so long occupied the attention of Congress, and

¹ Mr. Jefferson took a different view of the subject, and it is proper to give his opinion, as stated by Mr. John Quincy Adams, who appears to have agreed with him, in his eulogy on Mr. Madison. Mr. Adams said:

“Concurring in the doctrines that the separate States have a right to *interpose* in cases of palpable infractions of the Constitution by the Government of the United States, and that the alien and sedition acts presented a case of such infraction, Mr. Jefferson considered them as absolutely null and void, and thought the State legislatures competent, not only to declare, but to make them so, to resist their execution within their respective borders by physical force, and to *secede from the Union*, rather than to submit to them, if attempted to be carried into execution by force.”

of the country, must be considered as judicious and salutary.¹ California was admitted to the Union, of necessity, with a constitution prohibiting slavery, which was not adapted to its condition, and in pursuance of the determination of its people. The slave trade was abolished in the District of Columbia, in which it was a stigma upon the seat of government, and where it had been equally offensive to citizens from all parts of the country. Some provision for the recapture of fugitive slaves, by legal process, to be exercised by magistrates and officers of the United States, to use the language of Mr. Justice Story, "was indispensable to the security of this species of property in all the slaveholding States." The act of 1793, in consequence of defects in some of its details, discovered after Northern sentiment had become averse to the delivery of these fugitives, was found insufficient for the purpose. The Supreme Court had decided, that State judges and magistrates were under no legal obligation to perform the duties, in this behalf, enjoined by that act. State legislatures had taken opportunity of this decision to forbid, under severe penalties, any such interposition on the part of the local authorities.

It is difficult, at this day, to discern any difference, in essential principle, between the fugitive slave act of 1850, approved by Millard Fillmore, in accordance with the legal advice of Attorney-General John J. Crittenden, and that of 1793, approved by George Washington, probably without other counsel than the obvious reasons in which all men at

¹ The following passage occurs in a speech of Mr. Choate, delivered at a "constitutional meeting" of a vast assembly of citizens, held at Faneuil Hall, Boston, November 26th, 1850:

"Honor and praise to the eminent men of all parties who rose that day to the measure of a true greatness; who remembered that they had a country to preserve as well as a local constituency to gratify; who laid all the wealth and all the hopes of illustrious lives on the altar of a hazardous patriotism; who reckoned all the sweets of a present popularity for nothing in comparison with that more exceeding weight of glory which follows him who seeks to compose an agitated and to save a sinking land."—*Choate's Life and Writings*, vol. ii., 313.

that period concurred, and the motives of justice and honor, by which all were alike influenced. By the provisions of both acts, the proceedings for the seizure, identification and removal of the fugitive were made summary. Under the act of 1793, appeal could be had from an inferior local magistrate to a judge of the highest State tribunal, who had legal authority, however, only to determine whether the evidence was sufficient to warrant the removal of the fugitive to the jurisdiction from which he had fled.

Under the statute of 1850, the whole authority in relation to the matter was confided to the judges of the highest courts of the United States, and, in concurrence with them, to magistrates known as commissioners, appointed by those courts, for the discharge of regular duties. The determination of a commissioner, as well as that of a circuit or district judge, was made conclusive, in each particular case heard by him; except that the judgment of a commissioner could be brought to the cognizance of a justice of the Supreme Court of the United States, sitting in his circuit, to the judges of the District Courts of the United States, and to the judges of the State tribunals, under the ordinary provisions for the writ of *habeas corpus*, in order that it might be seen, by the return upon this writ, whether the proceedings, on the face of them, were regular and lawful, or otherwise. By the act of 1793, justices of the peace exercised the same authority, in these cases, as the commissioners were empowered to use, by the act of 1850. In the latter instance, however, the superior tribunals were not authorized to reëxamine the proceedings upon their merits.

In regard to the State courts, it may, perhaps, be properly suggested, that, since they were strictly forbidden, and under high penalties, by local legislation, to render official aid in the restoration of a fugitive slave, it could scarcely be considered reasonable that they should be permitted to prevent his restoration, as provided for by a statute of the United States. Similar provision was made by the one act, as by the other, for the punishment of persons who might

obstruct or prevent the due execution of the process, except that by the later act the penalty was doubled. It is proper that the two statutes should be thus compared; because, although the first was quietly carried into effect, in all the free States, without objection from any quarter, for a period of about fifty years, the other was made the subject of the most violent denunciation throughout the North, and was the pretence for a great deal of State legislation, which encouraged and promoted evasion of the legislative action of Congress, and forcible resistance to it.

The series of acts passed at this time, which came under the denomination of Compromise Measures, was completed by those for the establishment of territorial governments for New Mexico and Utah; both of which were to be admitted as States, "either with or without slavery," as the Constitution of each should prescribe, upon its future application to be received into the Union. In the course of the debate in regard to the former Territory, Mr. Webster remarked, in substance, that he would not legislate for the prohibition of slavery in a part of the country from which it was already excluded by the ordinance of Nature; that he should no more think of prohibiting it in New Mexico than in Massachusetts. As a practical question, such legislation would certainly be both trifling and superfluous; and the same objection is applicable to the case of Utah. Indeed, however rich the former Territory may prove in respect to more precious products, it would seem absurd to think of devoting to slave labor a tract of country, through a large extent of which even so common a vegetable as a potato can scarcely be made to grow.¹ In principle, however, another question of importance was involved in this issue; for while by far the greater part of New Mexico lay below the line of 36° 30' north latitude, all of Utah was situated above that line. In point of fact, therefore, the principle of the Missouri Com-

¹ More recently the development of the mineral treasures of New Mexico has modified the relations which it then bore to the question in hand.

promise was entirely disregarded, in the several acts establishing provisional governments for those two Territories, and prescribing the terms for their eventual admission as States, into the Union.¹

The "slave power," in fact, gained nothing whatever by this arrangement. California, containing nearly six times as many square miles of territory as the six New England States, affording unexampled temptations to emigrants, and sure, at no distant date, to become one of the most populous and powerful States of the Union, was admitted with a constitution prohibiting slavery. As a set-off, New Mexico and Utah, each comprising a still larger extent of territory than California, but both unsuited to slave labor, furnishing comparatively slight inducements to emigration, and, hence, the question of the admission of either into the Union lying far in the indefinite future, were to be received, with or without slavery, as their inhabitants, at the period of application for that purpose might prefer. The traffic in slaves at the seat of the Federal Government was abolished; but was a matter of no practical consequence, since the trade was open in the States, beyond the jurisdiction of Congress. The complement to this measure was the act for the rendition of fugitive slaves, to which the South was legally entitled, if any regard were to be paid to the provisions of the Federal Constitution.

On the other hand, by the acts providing territorial governments for Utah, and for New Mexico, so far as the latter was situated above the line of 36° 30' north latitude, the Missouri Compromise was, of course, superseded. This fact became the source of warm party debate at a future day;

¹ The provisions for the territorial government in New Mexico and Utah and for the admission of California as a State, were all in precise conformity with the principles of the act of 1854, establishing a territorial government for Kansas and Nebraska. In each case, the question of "free State" or "slave State" was left to the people to determine for themselves when they should frame their Constitution; except that, as the people of California had already acted upon the subject, the same principle was recognized in the adoption of their action by Congress.

and from it resulted the final struggle for the settlement of Kansas, which had such a powerful influence in promoting the immediate causes of the war. There can be no question that the provision of the act of Congress for the future admission of Utah, either "with or without slavery," threw the door wide open for the admission of Kansas also, either with or without slavery; since the southern line of that Territory, crossing the northern portion of New Mexico, would correspond with the southern line of Utah. The two were, therefore, on equal terms. In short, since the restriction of the Missouri Compromise line was abrogated in respect to Utah, it was abrogated altogether; and, since the question of "slavery or no slavery" was left, by the act of Congress, to the final determination of the people of that Territory; in the exercise of good faith, the people of Kansas were entitled to a similar privilege. This was the view finally taken of this subject by Congress, in the passage of the bill to organize the Territories of Nebraska and Kansas. Whatever policy, or any other consideration, may have prompted on this subject, there can be no doubt that the action of Congress in this respect was the legitimate and necessary deduction from the Compromises of 1850.

CHAPTER VIII.

The Several Compromises in regard to Slavery.—Death of Mr. Calhoun.—Death of President Taylor.—The “Seward Whigs” and Mr. Webster’s 7th of March Speech.—Political Calm after the Passage of the Measures of 1850.—The Conservative Interest strongly in the ascendant.—The Fugitive Slave Act and “Personal Liberty Bills.”—Sectional Sentiment and its Local Causes.—Coalition of 1851, between Democrats and Free-soilers in Massachusetts, to choose a Senator in place of Mr. Webster, and State Officers.—Rescues of Fugitive Slaves, and Rendition of them.—Mr. Choate.—Demoralizing Influence of the Coalition.

IN looking back upon the several compromises, of which the question of slavery was the element, it may be properly remarked, that if the Ordinance of 1787 had been strictly and literally adhered to, future national trouble would have been probably avoided. It was erroneous in principle, as setting up a sectional distinction, and creating a critical precedent. Half-way measures seldom satisfy either party, and, unless of their very nature conclusive, are pretty sure to be reopened for dispute at some future time. No compromise could be absolutely beneficial which did not rest upon absolute and inherent grounds of permanency. Practically, this one was likely to stand; because it comprehended only the territory then belonging to the United States, “northwest of the Ohio River,” all of it unsuited to slave labor, which could but give way, therefore, the moment that of white men should come into active competition with it.¹ A mere

While Indiana was still a Territory, its inhabitants petitioned for the suspension of the Ordinance of 1787 in their behalf. The subject was referred to a committee of Congress, from which Mr. John Randolph, of Virginia, made an adverse report, chiefly on the ground that the Territory was not properly adapted to slave labor, and did not need it, as the resources of the Territory would

territorial line of boundary between nations or States can be indifferently well observed. The natural sense of obligation, in such case, is correspondent with the Scriptural sanction—"Cursed be he that removeth his neighbor's landmark."

But a line of separation, dependent upon moral distinctions, real or supposed, can hardly fail to be, sooner or later, the occasion of renewed quarrel. That compromise was adapted only to the existing condition of the country; and the statesmen of the day never contemplated the idea of an enlargement of the republic, by a vast accession of Western and Southwestern territory, out of which numbers of future States were to be formed. But deviations even from the spirit of that measure soon occurred. The South, in the adoption of the Ordinance, had shown a disposition as unanimous as that of the North, to restrict slavery with the limits already recognized by the Constitution.¹ If the North, on that occasion, was actuated by a just principle, the South made to that principle a frank and generous concession. When, shortly afterwards, there were manifestations, from some quarters of the former, of a desire to exact concessions tending to impair established rights, the temperate yet firm tone of remonstrance, on the part of the latter, was such as to consign the whole subject to quiet, in Congress, for nearly the period of an entire generation.

The Compromise of 1820 was, in a certain important sense, better calculated to maintain the peace; because its application was conformable to the diverse character of climate, soil, production, and the existing state of labor, in the several sections. Just adherence to its provisions, in letter and spirit, would have kept at bay all serious cause of dispute between the North and the South. But, fixed upon with great difficulty, by reason of Northern opposition to slavery, and attended with extreme popular displeasure

soon become developed by the labor of its white inhabitants. This was in 1803.

¹ In fact, the North was not quite unanimous; one vote against it was given from New York.

against those Northern members of Congress who voted for the measure, it was violated also, in spirit, by continuous aggression from the free States; until the acquisition of further territory presented the occasion of dispute in a novel aspect, from which eventually followed the settlement of 1850.

The latter compromise, abandoning the demarcation of any specific line between the free and the slave States, was devised in order to balance certain discordant interests which, in reality, did not admit of any permanent equilibrium. The effect of it was, to open the whole question of slavery, in connection with the possessions of the United States, outside of the Union. Yet, if the South had been content to leave matters as they really stood, upon the adoption of the measures of 1850, she would have been perfectly secure, notwithstanding any dissatisfaction which existed at the North. It is true, that there were several complicated questions of constitutional principle, mixed up with those measures, which had drawn forth eminently able discussion, from both sides, during the very long period that they occupied the attention of the Senate, and which could hardly be held to have been definitively settled, except so far as the will of a majority was expressed in the determination of the points at issue.

But, on the other hand, it was obviously a vain struggle of the South against inexorable facts, already decided by the great and naturally increasing preponderance of political power in the North. It would have been better, therefore, for the Southern States to be satisfied to remain what Mr. Calhoun once said they would ever be, if the principles which he advocated were maintained—"a respectable portion of the Union"¹—relying upon the justice of the friends of the Constitution at the North, who were very largely in the majority, and sure to maintain their strength, so long as the Constitution itself should stand. In fact, there was no cause whatever for apprehension in regard to slavery in the

¹ Speech in February, 1847, upon introducing certain resolutions.

States. Unhappily, it was conceived that the Southern States had the power, in combination with the Northern conservatives, to compel compliance with objects which were, in the very nature of the case, impracticable; and what has been lost by them, was lost in the pursuit of a shadow cast by the very substance which was actually in their grasp.

Early in the course of the great debate, brought to a conclusion by the passage of the several acts already considered, Mr. Calhoun, so long the eminent leader on the Southern side, had passed away from the scene of earthly struggles.¹ After the interval of a few months, President Taylor had followed him to the grave. Mr. Fillmore had succeeded that universally lamented Chief Magistrate, during the progress of the debates in question, and had assembled a new cabinet, in which Mr. Webster occupied the most commanding place. The dissatisfaction with which Mr. Webster's 7th of March speech had been received by a considerable portion of the political party with which he had acted, during his whole public life, and whose views of policy had derived such clearness and strength from his steady and splendid defence of them, was very distinctly manifested, upon the intimation that he was likely to be invited to the post of Secretary of State. The journals of the day styled his opponents "the Seward Whigs." Among the Whig newspapers which assailed him were the *Albany Evening Journal* and the *Boston Atlas*; the former ably conducted by Mr. Thurlow Weed; the latter, which, for years, had been managed with singular spirit and intelligence, having fallen into other hands, after the decease of Mr. Haughton, its original editor.

Here was the seed, and within its folds the deadly tree, from whose poisonous leaves afterwards dropped showers of blood. Already, those sectional Whigs, who would not support General Taylor, because he was a citizen of a slave

¹ Warm tributes to his memory were paid by Mr. Webster, Mr. Winthrop, and many others.

State, in concert with disappointed and factious Democrats, had held their sectional convention at Buffalo.¹ Already, a petition had been presented in the Senate of the United States, asking Congress to devise means for the dissolution of the Union; and the votes of Mr. Seward, Mr. Chase, and Mr. Hale had been given for its reception—a petition as reasonable and proper, and as much entitled to be received, as if its prayer had been, that the eminent members of that dignified body should commit some private, instead of the public crime it actually enjoined upon them. The Buffalo Convention had *inscribed on its banners*—“Free soil, free speech, free labor, and free men.” Under color of preventing the extension of slavery, they had placed themselves in a position to render the political aid which was needed to the openly declared abolitionists. The three Senators, who had voted to receive petitions praying for the dissolution of the Union, had repeatedly made it known, by their public addresses, that their sympathies were with the abolition party; and it was evident that they would act in concert with it, whenever the convenient opportunity should arrive, whatever might be the revolutionary consequences to ensue. The orators, great and small, who were ready to force the elements of strife up to the point of convulsion, were numerous and active; and a demoralized and reckless press, released, to a considerable extent, from the restraints of party discipline, watched the flaws of public sentiment, or trimmed its course by the current of the fresher breeze, and took every advantage of the confusion of the public mind, to embarrass it still more, and to stimulate it with every new means of excitement.

¹ One of the resolutions of the Freesoil Convention at Buffalo, in 1848, declared, that the Democratic and Whig Conventions, then recently held at Baltimore and Philadelphia, “have dissolved the national party organizations heretofore existing, by nominating for the Chief Magistracy of the United States, *under slaveholding dictation*, candidates, neither of whom can be supported by the opponents of slavery extension,” etc. Those candidates were President Taylor and Mr. Cass.

Notwithstanding this apparent tumult of popular agitation, however, it was, in fact, far more casual, and less extensive in its effects, than superficial manifestations might seem to indicate. Laborious efforts were continually made by the radical agitators to irritate public sentiment; but there could be no doubt that the heated feeling of the country, among the people of both sections in general, was very much allayed by the disposition which Congress had made of the several subjects to which it had given such patient and anxious attention. Doubtless, a large majority of the people were sufficiently satisfied with the result; while many, to whom it was less acceptable, were nevertheless rejoiced, that topics so dangerous to the public peace and welfare had been taken out of the arena of party politics, and been set at rest, at least, for some time to come.

In fact, after the adjournment of Congress, in the year 1850, there was every prospect that a season of unusual quiet was about to succeed years of popular excitement, and of anxiety and almost despondency, on the part of leading statesmen throughout the Union.¹ The Democrats and conservative Whigs, together, were in possession of supreme power, could they act in reasonable unison upon questions affecting the common welfare, which were out of the range of those topics of public policy upon which they had differed; if, at length, any such points remained undecided between them. It was hoped, that now the various great economical

¹ In a speech to the National Whig Convention, at Baltimore, in June, 1852, Mr. Choate thus referred to the general effect of the measures of 1850:

“Let him who doubts, if such there be, whether it were wise to pass those measures, look back and recall with what instantaneous and mighty charm they calmed the madness and anxiety of the hour! How every countenance everywhere brightened and elevated itself! How, in a moment, the interrupted and parted currents of fraternal feeling reunited! Sir, the people came together again as when, in the old Roman history, the tribes descended from the mount of secession—the great compromise of that constitution achieved—and flowed together behind the eagle into one mighty host of reconciled races for the conquest of the world.”—*Prof. Brown's Life and Writings of Choate*, vol. i., p. 176.

interests of the country, which had been too often postponed, in consequence of sectional bickerings, might hereafter engage the more undivided attention of the National Legislature. Nor was this hope disappointed by the wise and distinguished administration of Mr. Fillmore.

The fugitive slave law was the chief theme of denunciation by the radicals. Many persons to whom it was offensive, but who probably had never read the act, nor understood its provisions, though pronouncing it "a bitter pill," yet nevertheless manfully resolved to swallow it, as a medicament provided for the ailments of the body politic. But it is to be deplored that multitudes of others, who occupied conspicuous positions, and could exercise no little influence with the public, made it the subject of continual objurgation in private conversation, or in addresses to numerous assemblies. Specific objections were raised to several of the provisions of the act; but the real cause of offence consisted in the fact, that any provision, capable of being carried into effect, was made for the capture and restoration of fugitive slaves to their masters, in conformity with the compact of the Constitution.

Some years before the passage of this act, the legislative assemblies of New York and of Pennsylvania, under the influence of antislavery excitement, had repealed laws, long existing on their statute-books, which protected the owner in the possession of slaves brought with him into those States, for a period of sojourn extending, in the one case, to nine months, and in the other, to half the year. After the opinion of the Supreme Court had been promulgated, to the effect that State magistrates were under no positive obligation to execute the duties enjoined upon them by the Act of 1793, though it held them at liberty to do so, if they saw fit, unless forbidden by local legislation, not a few of the free States at once interposed prohibitory acts, restraining the local authorities from rendering any such aid. The attitude thus assumed by those several legislative bodies was not only "aggressive," but might justly be considered extremely offensive, as well as unjust, by those thus put out of the pale of neighborly comity.

In this condition of things, they were evidently entitled to such protection as could be afforded by Congress to their constitutional rights; and, besides the opinion of the Supreme Court of the United States, declared in favor of this act of Congress, it is believed that the highest legal tribunals of every State in the Union had occasion to examine and determine the question, and uniformly pronounced the law constitutional.

In short, the State legislatures which assumed the right to prevent the execution of this law, so far as it was in their power, placed themselves in direct antagonism to the action of Congress; and the States, therefore, so far as those legislative proceedings could effect that object, were in absolute conflict with the Government of the Union. The act in question appears to have passed through Congress with very slight discussion.¹ It did not touch a single right of any citizen of the free States. It was to be executed in those States, by officers of the General Government, just as the revenue laws were executed by such officers. It affected only the relative rights, or claims, of master and slave, in the slave States. The opposition to it, therefore, was simply the assertion of a pretence, to interfere with the prosecution of the claims of the one to control the other, and to impede or prevent the exercise of such authority. Whatever objection there might exist to any of its minor details, in its essential features it corresponded with the earlier enactment, which, for more than half a century, had been carried into effect, without objection. Undoubtedly, it was lawful to discuss its merits, in a free country; and proper to do so, if it seemed actually to threaten any serious danger to the common freedom. But it was scarcely patriotic, or even honest, to assail it, in the presence of popular assemblies, in the manner of the day, and in the existing state of the country, upon the alle-

¹ In the Senate, Mr. Dickinson, of New York, seems to have been the only member who thought proper to speak in favor of its passage, and there was no formal opposition. In the House, it appears to have passed *sub silentio*.

gation, not analyzed by the ignorant or undiscriminating, that the act was inconsistent with general liberty—when it simply provided, in reality, for the re-imposition of lawful restraint upon those not legally entitled to liberty.

In consequence of the angry feeling assiduously stirred up and brought to bear upon the law, by the radicals and fanatics, and the self-seekers who were willing to palter with them for political ends, most, if not all of the Northern legislatures proceeded to pass those "Personal Liberty Bills," which, in spirit and intent and effect, were in direct opposition to the act of Congress. In Massachusetts, and elsewhere at the North, persons were summarily removed from office held under the State, because they declined to relinquish official position, in nowise inconsistent with the former under the laws of the General Government. These continual acts of "aggression" naturally irritated and embittered the state of feeling at the South, and were the source of heated discussions afterwards, in Congress and elsewhere. Those Personal Liberty bills were evidently intended by the citizens of one portion of the Union, to prevent the restoration of their property, by the process of law, to the citizens of another portion. So contrary in spirit as they were to the former sojourning laws of New York and Pennsylvania, they were, in effect, not only an insult and injury to the South, but were in absolute derogation of the Constitution and statutes of the republic.

But of what avail were the Constitution and the determinate rights of slaveholders, though fellow-citizens, or were reason and justice and conscience against the "Higher Law," and the fanciful image of "a panting slave," encouraged to run away by Senators and lawyers and clergymen, and protected by them, in resistance to the requirements of the laws of the land? In fact, the Liberty Bills, passed at a time when it was no otherwise dangerous to pass them than because they were unwise and unjust, and must, therefore, lead to eventual mischief to others, were as treasonable in spirit as the Nullification Ordinance of South Carolina. They

constituted an extreme exemplification of the broadest claim to State sovereignty; and, putting the States which authorized them in direct hostility to the United States, they were not one whit more defensible than the rebellion itself, for which they had such a principal part in preparing the minds of the people of the seceding States. There was no real difference, except that, instead of open war, in arms, they encouraged resistance to the Government by secret violence and fraud. It was treason, only not of deeds, but of words.

An able writer upon the constitutional history of the United States confesses the difficulty of tracing to their true source the causes of that sectional sentiment more or less observable from the beginning of the Government, and earlier, and which must have been strongly marked at that period, to have prompted the deeply solemn and affecting expostulation of Washington against its indulgence.¹ On the whole, the writer attributes this disturbing element to the effect of personal ambition seeking its ends by the influence of local causes; so that "the patriot" would attain and hold his place, not upon the broad grounds of national interest, but in accordance with the sentiments of a small faction, it might be, controlling his congressional district. Or, perhaps, obtaining still more extensive power, the unscrupulous support

¹ "History of the Constitution," by George Ticknor Curtis.

Mr. Curtis says, in regard to this feeling:

"It was very early developed, after the different provinces were obliged to act together for their great mutual objects of political independence; but, even in its highest paroxysms, it has always found an antidote in the deeper feelings and more sober calculations of a consistent patriotism. Perhaps its prevalence and activity may with more truth be ascribed, in every generation, to the ambition of men who find in it a convenient instrument of local influence, rather than to any other cause. It is certain that, where it has raged most violently, this has been its chief aggravating element. The differences of neither manners, institutions, climate, nor pursuits, would at any time have been sufficient to create the perils to which the Union of the States has occasionally been exposed, without the mischievous agency of men whose personal objects are, for the time, subserved by the existence of such peculiarities."--
Vol. i., p. 372.

of factious opinions would constitute the tenure by which he held his own position with those whom he had led astray.

In the State of Massachusetts, a very extraordinary illustration was shortly afforded of the operation of those local causes; leading eventually to momentous and most disastrous consequences, in their influence upon national affairs. That State has occupied a somewhat prominent position, in the course of this discussion; but, it may be thought, not unduly, upon a fair consideration of the reasons which have prompted this view of its agency in the progress of events. From the earliest period, it had been conspicuous among the States, for the able and eminent men to whom its people had intrusted their interests in the National Legislature. Whoever should take pains to run over the list of the Senators and Representatives from Massachusetts, during the first fifty years of the constitutional history of the Union, and in certain instances to a later date, will be sure to perceive that no State surpassed her, in regard to the general character of her public men for distinguished ability and integrity.

It is not to be supposed that members of Congress were always more virtuous, at the period referred to, than afterwards; but, at least, it was then more necessary for them to pay the tribute to virtue of concealing their vices; and it may be alleged with confidence, that not one of them could then have maintained his position among his associates or with the public, who was even suspected of a great many corrupt practices, supposed to be much more common at a subsequent period. Massachusetts had given two Presidents to the nation; both persons of more than ordinary qualifications for the high office held by them; the first surviving to a very advanced age, and long looked up to with reverence, as a patriarch of the Revolution; while the administration of the other had been conducted with marked dignity and statesmanlike ability, which would have seemed more exemplary and illustrious, if he had permitted his fame to rest upon it, and had kept aloof from scenes, in which it was to be lamented that any inducement could have persuaded him

to mingle, and to mingle as he did. In short, not to recapitulate the various sources of her reputation, that of Massachusetts had been uniformly high for intelligence, energy, and public spirit, and she had always commanded a superior influence in affairs of the Union.

It had become quite evident, however, that the long-protracted antislavery agitation, as a matter of national concern, was now brought to a stand. At present, at least—and the American people are generally too much engaged with the present to look deeply into the future—the action of Congress had completely shut off all reasonable hopes of effecting any practical result by further agitation. The State legislatures had done all which it was in their power to do to obstruct the execution of the fugitive slave act; but the duties enjoined by it now rested with the magistrates and officers of the United States. The use of the ordinary places of confinement, for the purposes of that act, was refused to the United States, by the “Personal Liberty” laws; yet there remained forts, arsenals, navy yards, and court-houses, still within the jurisdiction of the General Government. In regard to court-houses, however, apartments had been commonly hired of the municipal authorities for the use of the tribunals of the United States, in the public buildings provided for the accommodation of State courts; the same comity having been observed, in this respect, which had prompted the old “sojourning laws” of New York and Pennsylvania.

It became now necessary for the United States to procure court-houses for its own exclusive use. Before this latter arrangement was effected, it happened, on one occasion, that a chain, in order to keep off the crowd, had been drawn across an avenue leading to the court-house in the city of Boston, where an alleged fugitive slave was held, awaiting the determination of the commissioner; and a great outcry was raised by the fanatics, because the Chief Justice of the Supreme Court of the State had “been compelled to pass under the chain.” This incident was used with much effect, in certain quarters, though regarded with entire indifference

by the dignified, venerable, and venerated magistrate in question. Upon the whole, there seemed to be nothing left for the leading fanatics and radicals, but to keep up a vigorous denunciation of the fugitive slave law; and to trust to fortune for such results as they hoped to secure for themselves, by working upon public sentiment. Except for what they might be able to make out of this special topic, their chances for public office were small indeed. In fact, the prospects of "agitation," in general, diminished sensibly, under the operation of the compromises of 1850, and the cause began to look positively desperate.

The relative strength of the political parties in Massachusetts, at the general election, in 1848, has been already stated. The Whig vote cast was, in round numbers, 61,000; the Democratic, 35,000; the Freesoil, 38,000. Nor did the comparative popular vote of these three parties differ materially, for several subsequent years; though that of the Freesoilers fell off in the largest proportion. Thus, at the State election of the following year, the Whig candidate received 48,000 votes; the Freesoil, 23,000; and the Democratic (Boutwell), 27,000. When the legislature met in January, 1850, the vote for Speaker of the House stood for the Whig candidate, 161; for the Freesoil (Wilson), 66; for the Democratic, 59. In Massachusetts, at that period, and for some years afterwards, an actual majority of votes was requisite for the election of Governor; and in case of the failure of either candidate to obtain that majority, the election devolved upon the two branches of the legislature. On this occasion, therefore, the Whig candidate was chosen by that body. At the election of the next year (1850), the Whigs cast 56,000 votes, the Freesoilers 27,000, and the Democrats 36,000, for their same candidate, Mr. Boutwell.

In the mean time, Mr. Webster had resigned his seat in the Senate (July 22, 1850), having accepted the appointment of Secretary of State, under the administration of Mr. Fillmore. The Governor had filled the vacant seat in the Senate, by the appointment of Mr. Robert C. Winthrop, then a

member of the lower House of Congress, until the legislature, at its following session, should make choice of a successor to Mr. Webster. Stimulated by the inducement presented by this political prize, in combination with other motives in operation, the "local causes," already alluded to, had been powerfully at work, during the interval preceding the session of the legislature. It is obvious from the complexion of the popular vote, that neither party in the legislature would now have the power to control the choice, either of Governor of the State, or of Senator in Congress. The utmost exertions had been made to secure the election of a legislature, which would be found conformable to the wishes of men, to whom the idea of the public good was not, certainly, the guiding principle of action. They looked upon affairs with the philosophy of Ancient Pistol, and, like him, regarded the world as their "oyster," to be opened, or broken in upon, by them, as they best might contrive to manage the process. They had been, unhappily, only too successful in the enterprise which they undertook. There had been no choice of Governor by the people, and the distribution of party strength in the legislature is accurately enough indicated by the popular vote already recapitulated. The proportion of votes in the House, between the Whigs, Democrats, and Freesoilers, was very nearly as 12, 9, and 7. A combination between the two latter, for the sake of a victory over the former, would have seemed as unlikely as the kindly mixture of fire and water; for, however uncongenial might be the dispositions of Whigs and Freesoilers, the latter and the Democrats were supposed to regard each other with sentiments of the most inveterate party aversion.

Strangely enough, however, it became evident, as soon as the legislature assembled, that some unimaginable arrangement had been already effected between the professed adversaries of slavery in the two Houses and the members who belonged to that party which was reckoned the special ally of the Southern institution. The people, in general, looked on with amazement, and wondered what could be the secret.

terms of this singular truce; though it was not very difficult to guess at the motives which were at work, supposing these to have taken the place of all sober and honest principles. The first startling demonstration was the election of Mr. Wilson, of Natick, who had been the Freesoil candidate for Speaker, the preceding year, President of the Senate, and Mr. Banks, a professed Democrat, Speaker of the House, by the combined vote of the anti-Whig factions in the several branches. The bargain, thus far, was a very plain thing; and it was obvious that a Governor and a Senator of the United States were to be elected by the same conjunction of forces.

The mode of choosing a Governor, prescribed by law, whenever the election devolves upon the legislature is—that, of the four candidates, who have the highest number of popular votes, the House shall by ballot select two to be sent to the Senate, which body shall make choice between them. In the present case, the Whig candidate had received at the polls 20,000 more votes than the Democratic, who, in his turn, had received 9,000 more than the Freesoil candidate. Upon its first ballot, the House gave Mr. Boutwell, the Democratic nominee, 218 votes, which comprised the whole number of Democrats and Freesoilers present; and for the Whig nominee 171 votes, that being the whole number of Whig voters present. On a second ballot, the Freesoil candidate received 216 votes, and the Whig candidate the same number as upon the previous trial. Thus the Democratic and Freesoil candidates were severally taken in preference to the Whig, who had within twenty-four of a majority of the entire vote. Perhaps a more remarkable instance of total disregard to the expression of the popular will was never manifested by a deliberative assembly. For, whatever might have been the views of the Democratic managers, it is beyond a question that the 92,000 citizens who had voted for either the Whig or the Democratic ticket were unanimously opposed, at that time, to the views and pretensions of the Freesoilers, who had separated themselves from the two great parties, in support of extreme opinions in regard to slavery.

Of course, Mr. Boutwell was chosen Governor, by a similar combination of factionists in the Senate (January 11th). Probably, the same result would have been reached, if the name of the Whig candidate had been sent to the Senate with that of Mr. Boutwell. But there would have been more risk in the experiment; it is likely that there would have been a protracted contest; and the final exhibition of trickery would have been even more conspicuously shameful. Besides, the bargain had been made, and the consideration was to be paid to the Freesoilers, for helping to make a (so-called) Democratic Governor, who was in a minority of 47,000, out of a popular vote of 119,000.

At an early period of the session, namely, on the 22d of January, the Senate fulfilled its part in this creditable contract, by giving Mr. Sumner twenty-three votes for Senator of Massachusetts, in the Congress of the United States, against fourteen cast for Mr. Winthrop. The House, however, proved not quite so manageable, in this especial relation. Public indignation was strongly stirred up by an unexampled political proceeding, the whole purpose and extent of which had now become developed; and public and private remonstrance, both at home and from a distance, was earnestly engaged to prevent the disgraceful consummation. Mr. Webster, whose vacant seat was to be made good, had long been the leading statesman of the North; equalled by no person in the country for his grand intellect and extraordinary powers in debate, and by few, certainly, for the distinguished public services which he had long rendered to his country in eminent positions. Mr. Winthrop, conspicuous also in ability and accomplishments, had enjoyed peculiar advantages of training in political business, had passed through all the regular stages of advancement, and had a justly high reputation for political information, useful faculties, and ready eloquence, in Congress, of which he had been a member for not a few successive terms.

Mr. Sumner had never been chosen to any public office; was altogether inexperienced in affairs, and owed whatever

reputation he possessed to his zeal in the specialty of the anti-slavery cause, and to studies of a speculatively sentimental character. He had neither political nor personal relations which could make him useful, certainly, in his place. His most marked intellectual exercise had been a public address, delivered in Boston, of which the topic was—"Peace, considered as the True Grandeur of Nations;" a doctrine which he advocated to its utmost theoretical limit. Doubtless, the sentiments of this pacific essay, so utterly at war with ideas more recently upheld by Mr. Sumner, commended him, at the time of the election for Senator, to the members of the Massachusetts Peace Society; which, also, though disapproving of all war, yet, in a very marked manner, through its official organ, continued to make an exception in favor of that recently on foot. It cannot be doubted, also, that Mr. Sumner would be more or less in favor with ideologists of every description, who, classified under numerous titles, but converging to the common centre of radicalism, ran rampant at that period, and long afterwards, in Massachusetts.

In a representative assembly of some four hundred members, many of them plain men, apart from any overpowering influence of political ambition, it was not altogether easy to procure the unanimous conviction of the Democrats, that an entire sacrifice of the principles which had governed their lives, was warrantable, for the mere purpose of temporary triumph over a rival party. To some of them it seemed no less a dereliction of private honor, than an abandonment of public duty, amounting to wilful and complete shipwreck of personal and party fidelity. Some of these held fast to their integrity, to the end. But the Whigs had possession of the General Government, under an administration so respectable and well conducted, as to promise their party renewal of power at another election; and, in the State, their strength was such, that they were very likely to recover their former decided majority of the popular vote.

The prospect was not pleasing to anxious "Waiters on Providence." Only desperate means, and such a general con-

fusion in the public mind as is brought about in the use of expedients to which only unprincipled men would resort, could countervail the advantages possessed by a party so well constituted and so strong as that of the Whigs. "Agitation" was the life and soul of the Freesoilers; and, on this occasion, it was plain that they were troubled by no twinges of conscientious scruple. The Democrats, on their part, in the hope that by this partnership of power with a faction which they really scorned, they might destroy the prestige of their more formidable opponents, the Whigs, entered, therefore, into this delusive and flagitious paction. The adversaries thus were made friends, like two noted characters in the New Testament narration; but what fruits the Democratic party reaped from the coalition appeared more clearly in the end. For a long time, such a number of the Democrats in the House continued impracticable, as to make the final defeat of the entire arrangement seem, at least, possible. The struggle lasted for more than three months. On the first ballot, which took place January 15th, the vote stood—for Sumner 186, for Winthrop 167; and 28 scattering ballots had been thrown for other candidates, mostly Democrats. Here was not the whole combined strength of the Democratic and Freesoil vote, as appears by a comparison of it with that given for Governor. Twenty-six several ballotings took place, with various intermissions, until the final result was reached on the 25th of April. At the ballot, on that day, the whole sum of votes thrown amounted to 384, of which Mr. Sumner received 193, the exact number necessary for a choice.

While this extraordinary scene was in progress, not a few incidents of a striking nature had indicated only too clearly the spirit of the times. Every occasion of public meeting had been seized upon by the fanatics, in the cities and larger towns of the North, to denounce the fugitive slave law, during the few months which had elapsed since its passage. So far as they controlled the press—and they had certain journals of large circulation, and conducted with more than

ordinary ability on their side—its animadversions on this subject were addressed to the passions, instead of the judgment of men. Certain members of both branches of Congress did not scruple to take part with avowed disunionists in their radical meetings, and to utter sentiments, in regard to the law, which could not but encourage the more excitable part of the community to resistance to a solemn Act of the National Legislature, which, after long and anxious deliberation, had been concluded upon as one of a series of measures of pacification. Nothing could be more offensive to well-disposed and peaceable citizens, than the utterances of these orators of faction, great and small, under the profession of regard for the principles of liberty.

Under such influences, it is no wonder that rescues of fugitive slaves were attempted, and in some instances successfully, in various parts of the North. On the 15th of February, 1851, an alleged fugitive, named Shadrach, was forcibly carried off by a mob of colored persons, from the court-room of the United States Court, in Boston, while in the custody of the officers of the Marshal, and was taken beyond the jurisdiction of the government. The rescue was effected by the overpowering force of numbers, but no violence was used towards the officers, nor was any disposition shown to inflict personal injury.¹ The colored population of Boston was, in general, extremely well conducted, and it was clear that they would never have attempted such a daring enterprise except at the instigation of white radicals. Both white men and black thought to have been principally en-

¹ It was said that on this occasion a knife was drawn by one of the rioters, but that another colored man, who possessed considerable influence with his people, instantly remonstrated against any use of dangerous weapons, and thus probably prevented needless bloodshed. A different spirit was shown in 1854, when a mob of mingled white men and negroes, at night, assailed the Court-House in Boston unsuccessfully, with the purpose of rescuing a fugitive slave, confined in the building, and a peace officer, named Batchelder, was stabbed by a white man, as was alleged, through an opening broken in the door, and died soon afterwards of the injury thus received.

gaged in the riot were brought to trial; but the juries were indisposed to convict them, and the cases commonly ended in disagreement.

On the 12th of April, another negro, named Sims, held by the commissioner to be a fugitive slave, was sent to Savannah in a vessel bound to that port, without disturbance, except from the outcries of a handful of abolitionists upon the wharf. A considerable body of policemen was in attendance. This matter of Sims had been brought, previously, to the cognizance of the Supreme Court of the State, upon application for a writ of *habeas corpus*; and it was in this case that Chief-Justice Shaw (who had "passed under the chain") pronounced that well-known elaborate and weighty opinion sustaining the constitutionality of the Act of 1850.

No manœuvre had ever been practised of a baser character than the Coalition described. It was worthy only of persons conversant with the lowest tricks of the lowest of their species. It had none of the excuse of those sudden temptations before which men sometimes fall, in the confusion of not very well-balanced faculties. The corrupt Coalition had been deliberately planned beforehand, and was as deliberately and perversely carried out. It was equally discreditable to both parties engaged in it. The Freesoilers professed to be actuated in their objects by supreme regard to the dictates of conscience. They urged the obligation of that "Higher Law," which demanded of its advocates the strictest adherence to abstract principles of justice and benevolence, without regard to those compromises and qualifications supposed to be palliated by the necessities of worldly affairs. In this instance, they showed that, in turning aside from the ordinary requirements of human action, they had equally released themselves from the restraints of superior sanctions. For a temporary object, and one, it is to be feared, pursued in some measure with a vindictive spirit, they had come down from the eminence at which they professed to aim—from the lofty heights of which a purer doc-

trine of humanizing philosophy was to be diffused over the earth than had ever yet blessed mankind; and they had descended into the very kennels and gutters of selfish party scuffles for the most selfish party ends. They had sold conscience for a bribe. They had struck hands with avowed enemies to their principles, for the sake of crushing those who, if not their friends, had yet steadily resisted the extension of slavery—their own dogma, and the only one, in regard to slavery, which could be constitutionally maintained.

In a word, it was plain enough that what these philosophers and philanthropists wanted was—place; and that, for the sake of it, they would dive very deeply down from those supernal regions, whence they professed to derive the sum of all their motives and desires. Those regions had no concern, as has been already remarked, with the upper skies. If those professors of the “Higher Law” had any religious conceptions, they were moulded in conformity with a creed, revealed by a lanthorn-light within themselves. One of their chief doctors, not long afterwards, blasphemously claimed that they must have “an antislavery Bible and an antislavery God!”

A Senator was thus chosen to represent the State in Congress, who, in fact, represented less than a quarter part of the State, and the opinions of no considerable portion of the people anywhere. The conduct of the Democrats in the legislature, however, was worse, if possible, than that of the Freesoilers. The radicals had nothing to lose, in a mere party sense, and nothing to hope for, except what they might gain by aid of their ancient foes. The Democrats gave them a Senator whose personal influence was limited, and who could have no political influence whatever, under either a Whig or a Democratic national administration. On the other hand, by securing the principal political influences *in the State* to their own party, the sphere of their local operations would be naturally enlarged. They had no fears of the Freesoilers, who were certainly at that time an insignificant party in the nation, but were anxious to destroy the power of the Whigs.

The enormity of the conduct of these Democrats consisted in the fact, that there was then positively no question of national policy before the country which could be definitely stated, as constituting grounds of party difference between themselves and the Whigs; except that very one, of the extension of slavery, in opposition to which Mr. Sumner, the Senator whom they had just helped to elect, was well known to be altogether engaged. Northern Whigs had uniformly resisted that extension; and, up to a date then recent, Southern Whigs had generally acted with them. Southern Democrats had taken a different view of the subject; though, latterly, their leading statesmen, including Mr. Calhoun and Mr. Davis, had expressed their contentment with a compromise line extending to the Pacific, on the basis of the Compromise of 1820. Northern Democrats had generally voted in concert with their Southern associates on these questions. Otherwise than in this respect, there was nothing left of difference between the two great parties but their mere party names and associations.¹

This condition of affairs was in reality a great misfortune, in its relations to the public welfare; for so long as grave questions of public policy were in discussion, capable of enlisting the minds of men throughout the country, upon the one side or the other, there could be little chance that merely sectional disputes would be fraught with more than temporary peril to the common good. The grand controlling principle of both the Whig and the Democratic party was

¹ At the National Conventions held by these two parties, a great deal of labor was expended in order to keep up a show of difference for political purposes. So late as 1856, the Democrats were so put to it for a line of distinction between themselves and the Whigs, as to protest against "a National Bank"—an institution which had not then been in existence for twenty years; though now revived in a manner, and with an influence upon the interests of the country, which, one would think, might almost bring back President Jackson from his ceremonies. Both the Democratic and Whig parties in their conventions took precisely similar ground in support of the Compromise Acts of 1850, as a measure of pacification on the whole subject of slavery.

the support of the Constitution and the preservation of the Union. In regard to this vital point, their sentiments were identical, and equally patriotic and earnest. Yet the Democrats in the legislature of a State which yielded to no other, on the ground of intelligence and influence, had chosen a Senator of the United States who was in all his views and qualities the very opposite of the great "Defender of the Constitution," whom he succeeded; one who was notoriously an abolitionist; in short, an ideologist and ultraist, who, however restrained by policy, at that time, from the full expression of his extreme opinions, yet constantly avowed doctrines which, subjected to any logical analysis, were inimical to the Constitution, and tended clearly to the destruction of the Union. They were thus guilty, not only of the betrayal of party fidelity, but of all the duties of patriotic citizens. Whoever were the active agents in leading the majority of the Democrats in the legislature into this flimsy and open snare, it is a striking commentary upon the conduct of those thus deluded—that the Democrats then chosen to office, as on their side of the bargain, not a great while afterwards exhibited themselves in the ranks of the Freesoilers, became active partisans for their former opponents, obtained place as their wages, and continued to hold conspicuous official positions in the Republican party.¹

It is certain that the most disastrous consequences event-

¹ Mr. Banks was the Speaker for two successive sessions, by force of the continued coalition; was then elected to Congress in 1852 by the coalition of Democrats and Freesoilers, and again in 1854 by a coalition of Democrats, Freesoilers, and Know-Nothings. He was chosen Speaker of the National House of Representatives in 1856; but it was as a Republican candidate without disguise, he having received no Democratic or Native American votes. He was elected Governor of Massachusetts in November, 1857, 1858, and 1859, as the Republican candidate; and upon the breaking out of the war obtained the commission of Major-General. Mr. Boutwell, after a service of two terms as Governor, having been in a large minority of the popular vote on both occasions, returned to private life. In 1863 he was chosen to Congress by the Republicans, and lately held the office of Commissioner of Internal Revenue, to which he was appointed by the late Administration.

ually flowed from this deplorable act. Immediately, it proved of little public consequence, except in the injury inflicted by the Massachusetts Democrats upon their own party standing and interest, and in the evil example which it set for similar truckling coalitions in other States. But deeds of this kind do not pass away without their correspondent results. The unlucky blow afterwards inflicted by Mr. Brooks, of South Carolina, upon Mr. Sumner, in the Senate Chamber, gave him a prominence which there is no reason to suppose that he could otherwise have acquired. It also enlisted sympathy enough, on his account, to secure an indulgence to his extreme views, from persons to whom they had been hitherto repulsive; and in this way powerfully seconded the general radical movement. Except for that blow, there is every ground for believing that Mr. Sumner's official course would have ended with his first senatorial term. But the effect of the unholy alliance which had turned over to the radicals a State, so soberly conservative as Massachusetts had been hitherto considered, was practically to demoralize the two great political parties. Under the stimulus of the disgrace and injury inflicted on the State by the conduct of the Coalition, the Whigs rallied, and, at the Fall election of the same year, threw for Mr. Winthrop, who had been nominated by them for Governor, a vote considerably larger than the candidate of either party had ever before received in Massachusetts in a mere State election.¹

It would not seem a very violent presumption, to trace not a little of the shameful corruption, which, if not corrected, must be fatal to the very idea of republican and free institutions, to the infamous coalition between Democrats and radicals, in the Legislature of Massachusetts. The general result in that State was the complete perversion of the popu-

¹ The vote for Mr. Winthrop in 1851 amounted to nearly 65,000. In the preceding year the Whigs had cast 56,000; in 1852, which was a general election, owing to dissatisfaction with the national nominations, they threw but 56,000 votes for President, though the Whig candidate for Governor received 62,000 votes.

lar mind. The Democrats won nothing whatever by their pliant concession to the Freesoilers. Instead of making the State democratic, they paved the way for converting it into the very hot-bed of abolition. They taught the Whigs, who had more actual affinities with the Freesoil party than themselves, the mode of turning the course of events to their own advantage, until at length the Democracy of the State was fairly overwhelmed by the returning tide.

In fact, the Coalition of 1851 had a most unhappy effect in unsettling that tone of moral sentiment, which had long been, ostensibly at least, the guiding principle of political parties in Massachusetts, and to which she had doubtless owed much of her high reputation. If not always sincerely felt, yet that outward homage to a higher standard of action was thus paid, which could not but prove salutary in its general influence. Perhaps it was an occasion when political parties in some other States might have appropriately inquired—"Art thou also become like unto us?" The Coalition broke down the power of the Democracy in the State, and was the entering wedge which split the Whig party into fragments; and, finally, left no choice to such of the latter as regarded the Freesoil movement with well-founded alarm, but either to stand aloof altogether from public affairs, a position so ungrateful to men of spirit and patriotic feeling, in the day of public peril, or to unite with their old adversaries, the National Democrats, in the cause of the Constitution and the Union.

The inference is inevitable, from the tenor of Mr. Webster's 7th of March speech, from his public action as Secretary of State, under Mr. Fillmore's Administration, and from the expression of his views to personal friends, at the period immediately preceding his last fatal illness, that, had he survived, he would have still more emphatically declared his adhesion to the national principles of the Democratic party. His pupil and intimate personal friend, Mr. Choate, himself one of the most accomplished and remarkable men of his day, who, by his strict attention to his professional pursuits, though much relieved

by classical and literary studies, fell somewhat short of that more widely extended reputation as a statesman, to which his ability and his earnest patriotism would have entitled him,—himself, like Mr. Webster, originally a Whig of the Whigs—took frankly the course indicated. In his company were multitudes of distinguished men, whom once the old Whig party delighted to honor, and who, by their steadiness to ancient constitutional principle, could not but challenge the respect of their former associates, however changed might be the public relations between them. Indeed, the meaning of party names was fast becoming modified, as it was afterwards completely reversed; until, by Democracy was understood Conservatism, and its opponents, in general, were known as Radicals.

After the rule of the Coalition had extended to two years, such had become the popular disgust, that the Whigs in the election for State officers, of the two following years, obtained a plurality of more than 20,000 votes over the Democrats, and one still larger over the Freesoilers; and the Whig candidates, on both occasions, were chosen by the legislature. But in the election of November, 1854, a novel phase of party manifestations was exhibited, which seriously affected the Whig organization throughout the country, as well as in the State of Massachusetts, and which helped to drive home the blow it had received, by its defeat in the general election of 1852. The national vote had then indicated very clearly the popular sentiment in favor of the measures adopted by Congress in 1850. Of the thirty-one States, all but four gave pluralities for the Democratic candidate for the Presidency. The new issue now introduced made manifest one of the strangest mutations of popular feeling, perhaps, ever witnessed in human experience. An extraordinary mania seemed to possess the public mind, almost neutralizing all other delusions which were not a few, and spread through the country, absorbing a portion of the strength of both political parties in the South, but more particularly affecting the anti-Democratic organizations of the North.

This phenomenon worked for a brief space quite out of the common view, and then burst forth with irresistible but short-lived fury, bewildering with astonishment those who were not in the secret of the organization. This was the American or "Know-Nothing" party, based upon the idea of very much limiting, for the future, those privileges of citizenship which were already awarded by law to naturalized persons of foreign birth. It was a scheme which might have been of highly beneficial operation, if put in practice a generation earlier; but could only prove unequal in its effects, and really impracticable, after many millions of the natives of other lands had flocked to the country, with the full understanding that they were to enjoy, in time, the ordinary rights of native-born Americans. In fact, a generation had then nearly passed, since a very important measure of relaxation had been applied to the naturalization laws. Some of the Western States were almost, if not quite, lawless, in the broad allowance of voting-privileges granted by them to residents of every description. But the very name by which the new party was called, and which it assumed as its password, was a falsehood, and utterly antirepublican in its nature. For a Republic demands open and fair dealing among its citizens.

CHAPTER IX.

National Politics.—Union Sentiment.—Mr. Fillmore's Administration.—The Democratic National Convention of 1852.—It adopts fully the Compromises of 1850.—The Whig National Convention of that Year does the same.—Resolutions of the Free-soil Convention at Pittsburg, denouncing those Measures.—Insignificance of the latter Party, at that Period.—Action of the Whig Convention.—Availability, instead of Sound Policy.—Growing Conservatism of the Democracy.—The Native American Party.—How composed.—Its "National Council," in 1855, adopts the Compromises of 1850.—But its "Lodges" corrupted by admitting Political Free-soilers into Fellowship.—The "National Council," in 1856, changes Front.—Decay of Public Virtue.—The faithful of the old Whig Party.—Policy of the Democrats.

IN tracing the brief story of this strange "American" movement, it is proper to recur for a moment to the condition of national politics. The administration of President Fillmore came to a close on the 3d of March, 1853, and President Pierce, who had been chosen, in the November preceding, over General Scott, the Whig candidate, was inaugurated on the following day. It ought to be stated, that the difference in the popular vote given for those two candidates, though more than usual, was not so great, as to suggest any reasonable grounds of discouragement to the Whig party; supposing its principles to have been sufficiently patriotic and adhesive to hold it together for combined political action. The Democratic candidate received 1,590,490 votes; the Whig, 1,378,589; and it was felt, generally as a subject of sincere congratulation, that the Free-soil vote was but 157,296; which was a falling off of 134,382 votes before given for that faction in 1848.

On the whole, therefore, it appears, that a wholesome state of union sentiment prevailed throughout the country at

that period. Nothing had tended more to foster and to uphold this patriotic feeling than the dignified and honorable course of Mr. Fillmore's administration. There are few spectacles in the history of the country more gratifying, in the retrospect, than that of its condition at the close of his term of office. Mr. Webster had been Secretary of State until his death in October, 1852, and was succeeded by Mr. Everett for the remainder of that administration. Mr. Crittenden was Attorney-General. Both of these have since followed the great Secretary, but leaving memories as enduring as the annals of the country. The members of the Cabinet, still living, are Mr. Kennedy, of Maryland, Mr. Conrad, of Louisiana, and Mr. Hall, of New York.

At no period had the country enjoyed such peaceful prosperity at home, or such unqualified respect abroad. In fact, domestic disquiets had apparently reached their culminating point, and seemed to be rapidly subsiding, as floods from the clouds, which rush down heights in a storm, fall into and are borne away upon the tide of a great stream. Foreign slurs upon democratic institutions which appeared so thoroughly tested and in successful action had ceased altogether, and the republic, at length, manifestly held a place among the nations which in promise, at least, had no parallel in the history of the world. There was no need of exaggeration on this point. The coldest calculation could but reveal the prospect of an unexampled progress for the imperial republic. Rome, indeed, unmatched, of old, in power and grandeur, had extended its sway among multitudes of distant and barbarous nations, besides the vast rule it exercised over the more cultivated population within, or not very remote from the proper limits of its empire. But the American people had already increased to nearly twenty-five millions in number; were a race chiefly of one blood, and presented only such differences as might become readily blended into one compact and sufficiently harmonious whole. The actual "world" of Rome, comprehensive as were its pretensions, was small, indeed, in comparison with the extent of productive territory

within the specific boundaries and under the direct jurisdiction of the United States.

The state of public sentiment existing, at that time, in the several political parties; or, at least, that which their conventions felt it necessary to address to the public, upon those questions which had chiefly disturbed its quiet, will best appear by extracts from the series of resolutions adopted by each. It had already become a practice with the Freesoil orators to sneer at the idea of a "crisis" in the country—just as they afterwards derided the friends of the Constitution by the title of "Union-savers"—a delusion, if it were one, from which later events awoke them to surprise if not to regret. The serious tone of both the Whig and the Democratic resolves make manifest enough the light in which this subject was viewed by sober and sensible men. The Democrats were earliest on the ground, and met in convention at Baltimore, on the first day of June, 1852. They made known their principles, as follows:

Resolved, That Congress has no power, under the Constitution, to interfere with or control the domestic institutions of the several States, and that such States are the sole and proper judges of every thing appertaining to their own affairs, not prohibited by the Constitution; that all efforts of the abolitionists or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences: and that all such efforts have an inevitable tendency to diminish the happiness of the people, and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions.

Resolved, That the foregoing proposition covers, and is intended to embrace, the whole subject of slavery agitation in Congress; and, therefore, the Democratic party, standing on this national platform, will abide by, and adhere to, a faithful execution of the acts known as the Compromise Measures, settled by the last Congress—the act for reclaiming fugitives from service or labor included; which act being designed to carry out an express provision of the Constitution, cannot, with fidelity thereto, be repealed, nor so changed as to destroy or impair its efficiency.

Resolved, That the Democratic party will resist all attempts at renewing in Congress, or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made.

These propositions are sufficiently explicit; and they determine the point with entire accuracy, that, in 1852, in the deliberate judgment of that great party which was soon to be victorious in the approaching election, the dangers which threatened the country consisted in "aggression" on the part of a portion of the North against the constitutional immunities of the South.

The Whig Convention met at the same city, on the 16th of June; and the resolutions agreed upon by that body are not a whit behind those of their political rivals in spirit and point. They resolved—

1. That the Government of the United States is of a limited character, and it is confined to the exercise of powers expressly granted by the Constitution, and such as may be necessary and proper for carrying the granted powers into full execution; and that all powers not thus granted, or necessarily implied, are expressly reserved to the States respectively, or to the people. * *

7. That the Federal and State Governments are parts of one system, alike necessary for the common prosperity, peace, and security, and ought to be regarded alike with a cordial, habitual, and immovable attachment. Respect for the authority of each, and the acquiescence in just constitutional measures of each, are duties required by the plainest considerations of national, of State, and of individual welfare.

8. 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 questions which they embrace; and so far as they are concerned, we will maintain them, and insist upon their enforcement, until time and experience shall demonstrate the necessity of further legislation to guard against the evasion of the laws on the one hand, and the abuse of their powers on the other, not impairing their present efficiency; and we deprecate all further agitation of the questions thus settled, as dangerous to our peace, and will discountenance all efforts to continue or renew such agitation, whenever, wherever, or however the attempt may be made; and we will maintain this system as essential to the nationality of the Whig party and the integrity of the Union.

Certainly, the position thus taken by the representatives of the two chief parties left nothing to be desired, in their expression of sentiments absolutely identical, in regard to the main topic of long-continued discord between the Northern and Southern States. Evidently, they held the vexatious

subject, which had so disturbed and threatened to destroy the republic, entirely within their own control; for at the previous election of President (1848), they had together cast two millions and a half of votes, against less than three hundred thousand for the Freesoil candidate. It proved, at the following election, that their combined strength amounted to very nearly three millions of votes, against the greatly reduced vote of the Freesoilers, which was little more than half as large as it had been on the previous occasion. The latter faction—for it was, in reality, nothing more—also held its convention at Pittsburg, in Pennsylvania, on the 11th of August, nominated Mr. Hale, of New Hampshire, as its candidate for President, and, in an elaborately-drawn exposition of their principles, mostly taken from the platform adopted by them in 1848, made the following new declarations:

“That to the persevering and importunate demands of the slave power for more slave States, new slave Territories, and the nationalization of slavery, our distinct and final answer is—no more slave States, no slave Territory, no nationalized slavery, and no national legislation for the extradition of slaves.

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

“That the Fugitive Slave Act of 1850 is repugnant to the Constitution, to the principles of the common law, to the spirit of Christianity, and to the sentiments of the civilized world. We, therefore, deny its binding force upon the American people, and demand its immediate and total repeal.”

It will be observed, that these somewhat pointed and comprehensive, not to say rebellious propositions, amount to an absolute arraignment of the Government of high crimes and misdemeanors, in its several representative, executive, and judicial departments. “The persevering and importunate demands of the slave power” had been reconciled with other demands upon the country, so far as the circumstances of the whole case permitted, a year before. Every point in dispute had been decisively settled. For, whatever “sin” or “crime” had been committed, in that adjustment, the

Government was responsible. The act especially denounced by the Freesoilers was a deliberate enactment of the National Legislature; it had received the official assent of the President, acting with the advice of the Attorney-General; and it was well known that it had the united sanction of the Justices of the Supreme Court of the United States. Already, in many, if not yet in all the free States, occasion had arisen, or had been taken, for their highest tribunals to pass upon it; and their decisions had been uniformly in support of the law.¹ Among others, the eminent Chief-Justice of Massachusetts (Shaw), perhaps as conversant with the principles of the Constitution and those of the Common Law, as any member of the Freesoil Convention, and reckoned a person of a singularly humane disposition and Christian-like spirit, had given an elaborate and learned opinion, from the bench, in its favor.²

The value of the judgment expressed by this Convention, on the point of law, may be thus estimated. Their fidelity to constitutional obligations is equally determinable. They announced their resolve, that there should be no national legislation for the extradition of slaves. Their objection to this particular measure of legislation, which they declared had "no binding force," applied equally, therefore, to any act whatever, which provided for extradition. They alleged that each and every such statute was repugnant to the Constitution—though the Constitution expressly made provision for the return of slaves; and national legislation, in con-

¹ An adverse opinion was improvidently given in the Supreme Court of one of the Western States (Wisconsin), which was soon afterwards reversed by itself upon finding it stood alone.

² Mr. Brown says: "Looking once at an engraving of Sir Matthew Hale, 'a very great judge,' he said, 'but not greater, I think, than the Chief,' as Judge Shaw was familiarly called. An eminent lawyer, engaged with him in a case, was once rising to contest what seemed an unfavorable, if not an unfair, ruling. Mr. Choate drew him back and whispered in his ear, 'Let it go. Sit down. Life, liberty, and property are always safe in his hands.'"—*Brown's "Life and Writings,"* vol. i., p. 288.

formity with the clause referred to, had taken place and been in operation for more than sixty years before they passed their resolution. In a word, the doctrines avowed by them showed their Convention to be a conspiracy against the Constitution and the Union; and nothing was lacking but the overt act, to make them as responsible for the consequences of treason as those who, in resentment to this spirit of resistance to the laws of the land, were finally stung by the conduct of these same Freesoilers and their sympathizers and associates into bolder, if more indiscreet rebellion.

At the period in question, however, such intemperate utterances, on the part of the Freesoilers, could be regarded as only injurious to themselves. Indeed, they were treated either with extreme indifference, or only as the ravings of men half insane and wholly powerless. Considering the insignificant disproportion of their apparent numbers to the aggregate vote of the nation, it was thought, in general, that their sentiments were too extravagant to gain much headway, or to become dangerous to the permanent welfare of the country. They had been able, however, in 1844, to make sure the election of Mr. Polk, a candidate thoroughly devoted to Southern views, by withholding about five thousand votes, in New York, from Mr. Clay, who was certainly no abolitionist, but who had distinguished himself, on all occasions, for his humane consideration of the negro race, and by every practicable effort for the amelioration of their condition. On the whole, their spirit of resistance to the will of the people at large, and to the laws of the land, in the view of many who did not consider what weak barriers are constitutions and laws, in the hour of passionate excitement and against popular frenzies, seemed little less absurd than the noted conspiracy of the three tailors of Tooley Street against the British Government. But, in the mean time, fourteen of the seventeen free States had passed laws, which either came in direct conflict with the act of Congress denounced by the Freesoilers, or rendered it so difficult and

expensive to execute it, as practically to deprive the statute of all vital force.¹

But, although the gage of battle had thus been thrown down by the enemies of the Constitution, and taken up by its friends of both the Whig and the Democratic side, the ensuing struggle was to take place between the latter two parties. In the plenitude of their united strength, they could

¹ It would have been impossible, for instance, to convey an escaped slave from the extreme Eastern States to his master's home by the ordinary means of transportation, without the hazard of disturbance. A crowd could be readily assembled, at a multitude of stopping-places for the trains, by telegraphic messages, and the managers of the "underground railroad" were on the alert. Hence, it was necessary to devise extraordinary modes of carrying the law into effect, which proved so costly to the Government, as well as troublesome to the claimant, in the few cases which occurred, that the extradition soon fell into practical disuse. From the seaports, of course, the fugitive could be sent home, as the opportunity presented itself, under the charge of a United States messenger. On the last occasion of executing the law in Boston, in the case of a negro known as Anthony Burns, the scene, to a cool observer, might have seemed ludicrous, as well as impressive. The city authorities and others certainly took the surest means to create a feverish excitement about an incident which might otherwise have passed off with no great notice in that city; or, perhaps, the not very judicious view of the subject was taken, that it was desirable to affect the public mind by the imposing ceremonies of a great spectacle. In the condition of popular sentiment in Boston at the period in question, a dozen or two resolute officers might have taken the slave to the vessel which was to convey him to Georgia, at noonday, without the least danger of serious tumult. But word was given out previously of the day chosen for the purpose; the militia, to the number of probably a thousand men, were turned out, together with the marines in considerable force, from the neighboring navy yard, with their cannon, and lined the streets through which the procession was to pass. The people from the country thronged into the city, and, doubtless, more than a hundred thousand persons witnessed the demonstration. Burns himself, who had been treated with great kindness during his detention, and who had been provided with a new and shining black suit for the occasion, by the bounty, it was understood, of the proslavery supporters of the law, looked like any thing but a victim; he marched with an air, and was said to have felt highly flattered by the novel distinction conferred upon him. Inordinate importance was given to a matter which should have been treated as an ordinary affair, and, undoubtedly, the effect on popular sentiment was unfavorable.

afford to disregard the former faction, and contend with one another for the possession of political power. Unhappily for themselves, on this occasion, the Whigs played an apparently double and a losing game. Consistency with their expressed opinions, and fidelity to principles which they so solemnly declared, and which, in reality, were essential "to the nationality of the Whig party and the integrity of the Union," demanded that they should select as candidates for national office such eminent men as had led the party in the great struggle for the reëstablishment of those principles. Any wavering on this point would be a sign of weakness of purpose, and could not but give their adversaries decided advantage. It would show a want of confidence in their own professions, and in the political integrity of their followers. It would tend to encourage the falling off of the latter, as temptation presented itself, and place them altogether in a position of unfavorable contrast with their political opponents.

It is by no means impossible that, if Mr. Webster had been nominated, and had survived, as he might, perhaps, have survived, in such an event—for there can be little doubt that a sense of public ingratitude hastened his end—"then burst his mighty heart"—he would have been elected. The probabilities were the same in favor of Mr. Fillmore, whose administration had brought the country peace, and conferred upon it prosperity and dignity. In his place in the Senate, the former had been conspicuously efficient in the support of those constitutional principles and measures of the Whig party—of which all his life long he was a chief pillar and ornament—set forth so emphatically in the resolutions of its Convention; and those principles and measures had been the groundwork of the policy of Mr. Fillmore's administration, to the success and statesmanlike standard of which Mr. Webster's eminent abilities had so signally contributed. Before the ensuing election, he died a martyr to the most exalted sentiments of American patriotism; while Mr. Fillmore has subsequently manifested, in a manner forever

honorable to his reputation, his unchanged fidelity, in private life, to the political views which distinguished him in his public relations. A defeat, with either of those gentlemen for candidates, need not have been attended by any of those disastrous consequences which resulted in the final disruption of the party, in its reorganization under the auspices of the Freesoil leaders, and in whatever else has ensued, by reason of the abandonment of principle for the sake of expediency. As it was, its defeat was the signal for a general rout.¹

There can be no question that Mr. Webster was deeply solicitous for the nomination—less, perhaps, from any ambitious motive, than as a vindication of his public conduct, due to him, on the part of his political friends. There can be as little question that Mr. Fillmore's friends made every reasonable concession to the claims of Mr. Webster, who, in the course of nature, could expect no future opportunity for the gratification of his wishes. Besides, the cry of "one term" had become more or less popular. But, after all, the Whig Convention was restrained, by motives of supposed policy, from conferring the nomination upon Mr. Webster, between whose pretensions and those of General Scott the contest in the Convention was finally settled in favor of the latter. An exaggerated estimate of the prejudices of the North against the Compromises of 1850, and an overwrought apprehension of their influence upon the election,² doubtless, dictated that

¹ In his speech to the Convention, Mr. Choate had said, in reply to a question of Mr. John M. Botts :

"I meant to present a sound argument to the Convention, to the end that this Convention might stand committed as men of honor everywhere. I say here and everywhere, give us the man, and you will promote peace and suppress agitation ; and if you give us any other, you have no assurance at all that that agitation will be suppressed."—*Brown's "Life and Writings of Choate,"* vol. i., p. 180. (See also p. 178, of the same.)

² It was the faint-heartedness of the Northern delegates which defeated Mr. Webster's nomination. The Southern members of the Convention promised one hundred and six votes for him, on their part, whenever it was made certain that forty votes would be given him from the North, which would have secured the nomination ; but the latter never rose beyond thirty-two.—*See Brown's "Life and Writings of Choate,"* vol. i., p. 181.

policy; but the temporary success of a party was certainly of far less consequence than the vindication of principles held in equal regard by both parties, and which, in the judgment of both, were essential to the integrity of the Union. Besides, the doubts manifested on this point stimulated the very prejudices which the Convention dreaded to encounter. But while the nomination of either Mr. Webster or Mr. Fillmore could not have failed to satisfy the true national sentiment in both sections of the country, whatever might have proved the result of the election, that of General Scott, unreasonably, as has been remarked already, and yet inevitably, had the effect of what seamen might call "a list to leeward."

In point of fact, this great veteran soldier and warm-hearted patriot was known to entertain precisely those opinions which were promulgated by the Whig Convention. But, while he had not been at all mixed up in their public discussion—a circumstance, undoubtedly, of controlling influence with the Convention, in addition to his great and distinguished public services—this very circumstance afforded the opportunity to his opponents to insinuate, most unjustly, that he held views of a character actually assimilating with those of the Freesoilers themselves. In the South, any suspicion of this sort would naturally have its effect. On the other hand, the disappointment felt by many Whigs, at a seeming want of frankness in the Convention, and the abandonment of the champions of the party, by adopting a candidate who, however justly respected, could not be considered such a special representative of their principles as the condition of the times demanded, carried over many thousands of them, both at the North and the South, into the ranks of the Democratic party. The Convention of that party, in its nomination, had shown no flinching whatever from the opinions which its resolutions professed. In selecting their candidate for the Presidency, they fixed upon one about whose fidelity to Democratic opinions no doubt could be raised; who had often served with distinction in high civil station; whose whole public life had shown an unswerving devotion

to national principles and the clearest patriotism; and who enjoyed the largest and most familiar personal acquaintance and esteem of leading statesmen throughout the country.

On both sides, there was unquestionably an equal and earnest desire to promote the true interests of the republic; and the desire, on both sides, looked in precisely the same direction, except in regard to mere party dogmas and political questions of inferior moment; and of none at all, so far as the main object of both, that is, the settlement of the country on the basis of the Constitution and the Union, was concerned. But, in the plan of the battle, the Democrats had shown themselves shrewder than their opponents. The result of the election, in which a party so eminently competent and successful as had been that of the Whigs, in the conduct of the Government for the four preceding years, was completely overthrown, made this fact sufficiently apparent. The gain of the Democrats, in votes, from the former national election amounted to nearly three hundred and seventy thousand, while that of the Whigs scarcely reached fifteen thousand. The Freesoil vote had fallen off nearly one-half, leaving it somewhat above one hundred and fifty-seven thousand, in the whole, against almost three millions of votes cast by the Democrats and the Whigs.

In fact, while the Whigs lost more or less in every slave State—except a slight gain in Virginia, owing to a certain pride in the “Mother of Presidents” for another son—and also in several of the free States, among others Massachusetts, in which the decrease was more than five thousand; the Freesoil vote was diminished in every free State, and in New York alone nearly one hundred thousand. Doubtless most of this latter change was in favor of General Scott. It seems reasonable to infer, therefore, that, had a different policy been pursued by the Whigs, they would have carried the election, instead of the Democrats. Or, if not, they might have successfully maintained their party organization and strength, for the behoof of the general welfare; instead of becoming broken and scattered, as they soon did, and a prey to delusion after delusion—the source, in its final result,

of years of agony, past and to come—to the common country of public trials which time may relieve; of private griefs for which earth has no cure. The misfortune did not consist in the mere victory of the Democrats, which was honest in itself, and who have ever since shown themselves as a body, the firm supporters of constitutional principles; but in the influences thus brought to bear, which led to the eventual dissolution of the Whig party.

Indeed, the Democrats and Whigs, acting together on constitutional grounds, helped mutually to sustain the body politic, in its integrity, and were checks upon each other in points less essential to the public good; while the disruption of the Whigs from their ancient associations paved the way, and provided the materials, for the formation of a merely sectional organization, the beginning "of all our woe." At the South, in the presence of one question of absorbing interest to their civil and personal rights, which they knew were attacked, and believed to be in danger, the tendency would naturally be towards that party in the North which showed the stoutest front, in alliance with themselves, for the maintenance of those rights. The result of the election showed, that, while in the aggregate number of 2,969,079 votes cast by the Democrats and the Whigs, the candidate of the former received a majority of 211,901—his majority in the slave States amounted to but 71,733, and in the free States rose as high as 140,163. In fact, but four States, namely, Vermont, Massachusetts, Kentucky, and Tennessee, of the thirty-one, gave majorities to General Scott, amounting, in the whole, to 23,454 votes. This turn of the affair indicated, in no sense, a want of personal respect for the noble and honest veteran, whose claims were thus postponed in favor of his younger competitor; but was simply the decision of a political question in which the hearts and minds of the citizens were profoundly engaged. They acted, therefore, accordingly as their opinions and prepossessions, in reference to that question, led them to take the one or the other view of it; and the result was inevitable in the existing temper of the public mind.

At the North, the prospect was altogether discouraging to the extremists, and not particularly cheering to the moderate Whigs. It was yet to be ascertained what course would be adopted, in regard to political action, by the shaken and disordered masses of the Whig party; and this point was soon afterwards solved by the concurrence of various events. That course may be readily traced, from step to step, by observing its direction in a single influential State. There having been a failure to choose State officers, in Massachusetts, at the general election in November, 1852, the Whig candidate for Governor was chosen by the Legislature, at the session in January, 1853. By a similar process, a different Whig candidate was elected for the year 1854. At the election in the autumn of the last-named year the Know-Nothing party had gained the public ear, and its candidate was elected by a very large popular majority. A comparison of the votes, in the fall of 1853 and that of 1854, throws a flood of light upon the process of general demoralization which had thus overtaken all parties in the State; and exhibits also a remarkable versatility of principle on the part of those who professed to be more especially subject to the emotions of philanthropy and the dictates of conscience. It is of great importance to mark this turn of affairs; because out of it grew the strength of another party, which furnished some of the most influential promoters of those causes leading to the rebellion and the war.¹

In the State election of 1853, the vote stood in round numbers as follows :

¹ Every Governor of the State, elected in Massachusetts since 1851, except one, either became finally, or was originally, of the Republican party. Mr. Gardner at length acted with the Conservatives. The same combination of forces which elected Mr. Sumner to the Senate of the United States also elected Mr. Wilson afterwards. The Massachusetts delegation to the Congressional House of Representatives fell at first altogether into the hands of the Know-Nothings, who were soon pushed aside by the Freesoil managers; the latter taking the places of those at whose expense they had played this adroit political game. See also, particularly, Appendix V.

WASHBURN.	BISHOP.	WILSON.	SCATTERING.
<i>Whig.</i>	<i>Dem.</i>	<i>Freesoil.</i>	
60,000.	35,000	29,000	6,000

At the election of 1854 the following was the result :

GARDNER.	WASHBURN.	BISHOP.	WILSON.	SCATTERING.
<i>Know-Nothing.</i>	<i>Whig.</i>	<i>Dem.</i>	<i>Freesoil.</i>	
80,000	26,000	13,000	6,000	1,100

It is obvious, therefore, that the Know-Nothing Governor was elected by a combination of the Whig, Democratic, Free-soil, and Scattering votes of the preceding year. Of these, the Whigs contributed more than half the votes they had given for their candidate in 1853, the Democrats and Free-soilers each more than 20,000, and the scattering voters of that year a still larger proportion. In fact, the Whigs had themselves prepared the way for being broken down. It was the determinate purpose of their Democratic and Free-soil opponents to break them down, as they had already evinced in the coalition of 1851; and both took advantage of the new movement to desert their own organizations for the time, in order to effect that object. The demolition was complete; a large proportion of the Whig party, on this occasion, assisting in their own immolation: As Voltaire once remarked of his countrymen, at a particular juncture of affairs: "All parties were losing liberty, and doing their best to destroy her."

The Whig party, once, and for so long a period, invincible in Massachusetts, and which, by the ability and distinguished character of the statesmen whom it brought forward, had secured for the State such a predominant influence in national affairs, was henceforth a scattered remnant. The Know-Nothings elected State officers for the two succeeding years, though by a combination somewhat varying from that of 1854, in both. For example, in 1855, the Know-Nothing vote fell off nearly 30,000 from that of the former year; the Whig vote was reduced one-half, no doubt, for the benefit of the Know-Nothings; the Democrats and Free-Soilers returned to their allegiance; the former casting about their

usual number, the latter more than upon any previous occasion.¹ In 1856, the year of election of President, the entire Freesoil vote of the State (103,811) was cast for Mr. Fremont; the other candidates being Mr. Buchanan (37,600) and Mr. Fillmore (19,189). But the vote for Governor was distributed as follows :

GARDNER.	BEACH.	GORDON.	BELL.	J. QUINCY, SR.
<i>Know-Nothing.</i>	<i>Dem.</i>	<i>Whig.</i>	<i>Whig.</i>	<i>Freesoil.</i>
92,467	40,582	10,082	7,075	6,316

In the election of 1857, Mr. Banks, the candidate of the Freesoilers, who now called themselves "Fremont-men" and "Fremonters,"² received the entire vote of that party, amounting to 60,978, except, perhaps, less than two hundred scattering votes; Mr. Gardner (K. N.), who had lost the confidence of the Freesoilers, having now the votes of such Conservative Americans and Whigs as chose to take any part in the election, making in the aggregate 37,716, and Mr. Beach, the Democratic candidate, receiving 30,929 votes. The extraordinary facility of the Freesoilers, at change of votes for a purpose, as well as the completeness of their organization, is shown by their action for three successive years. For example, in 1853, Henry Wilson (F. S.) received 29,000 votes; in 1854, 6,000, the party in general having voted for Gardner (K. N. or Amer.); in 1855, Rockwell (F. S.) received 36,000 votes; in 1856, Gardner again had their support, except 6,000 votes cast for Josiah Quincy, Senr.,

¹ GARDNER.	WALLEY.	BEACH.	ROCKWELL.
<i>Know-Nothing.</i>	<i>Whig.</i>	<i>Dem.</i>	<i>Freesoil.</i>
51,305	13,332	34,644	36,622

² Surely, nothing could be more indicative of a declining state of public sentiment in a free country, and of a somewhat humble standard of political morality, than for a party to designate itself by the name of its candidate, instead of choosing one suggestive of its principles of action. It is admitted that the latter course would have been difficult, indeed impossible, with the "Fremonters," so miscellaneous and incongruous were the elements of their party organization. It was in a higher spirit, at a period when the Democrats chose to describe themselves as "Jackson-men," that Judge Sprague, of Massachusetts, then a member of the U. S. Senate, pronounced himself "no man's man."

and in 1857 Banks was elected by the entire vote of the Freesoilers (Fremonters or Republicans) in coalition with Know-Nothings, Whigs, and some few Democrats.

Mr. Banks, who had obtained a seat in Congress in 1856, as "a Fremonter," was elected Governor for three successive terms. He was succeeded, at the Presidential election of 1860, by Mr. Andrew, an avowed abolitionist and sympathizer with "John Brown," who was annually chosen Governor until, in September, 1865, he yielded his pretensions to another "Republican." Since the year 1856, when the small body of Whigs yet adhering to former principles divided upon two candidates, they have made no separate nominations, nor pretended to any political organization; except that, in the Presidential campaign of 1860, when an attempt was made to reconstruct the party, they brought forward a ticket for State officers on that side. Since 1857, the Republicans, succeeding to the "Fremonters," have had a decided majority in the State. The opposition has appeared under different names, and with varying strength, until finally the only remaining organizations were the Republican and the Democratic.

In the midst of this mutation of parties, the former has owed not a little of the advantage it has gained and so far kept, to ancient political prejudices. Upon the decay and final fall of the Whig party, there were very many who had all their lives been contending against the Democracy, or had inherited strong sentiments of repugnance to it, who could not reconcile it with their feelings to act in concert with those called by that name; notwithstanding the self-evident fact, that the state of affairs which caused the original division in the progress of time had become completely reversed. The Democrats, in the former contests between themselves and the Federalists, of whom the Whigs were successors, had been regarded by their opponents as little better than disorganizers and radicals. Indeed, the title often applied to them, as a stigma at an early date, had been that of *Jacobin*, derived from the extreme section of the old

French revolutionists. But the Democratic party had long been growing more and more conservative; and, by conviction and the force of events, had become, at last, in a signal degree, the defenders of the principles of the Constitution. Old causes of controversy between themselves and the Whigs had, one by one, disappeared, or were reduced to comparative insignificance, by the vital questions at stake affecting the very integrity of the Union.

On the other hand, nothing could be more clear, than that the Republican party owed its origin to the most unqualified radicalism. Many of its most prominent leaders—those afterwards chosen Governors of States, Senators or Representatives in Congress, members of the several legislative bodies in the North, and persons placed by the action of the party in various positions of influence; lecturers before literary societies, and professed ministers of religion, who, to the degradation of their calling and the deadly injury of their divine mission, took no small part in political exhortation, and often in political management, on that side—were notorious radicals in politics, in literature, in the relations of social life and in religion. They began by preferring a sentiment to a principle—speculations originating with themselves, to the general system of ideas which forms the basis of all civilized society, and to which it again and again reverts, for peace and order and happiness, however it may be casually disturbed, or temporarily set aside. They proceeded in opposition to the settlement, by custom and law, of our own civil institutions. They were, manifestly, neither the wisest, nor, in any sense, the ablest men of their times. Others of a different character, persons eminent in the community, distinguished for sagacity, public experience, and comprehensive views, and beyond the suspicion of dishonest motives, saw and often earnestly warned their fellow-citizens, that popular indulgence to the extravagant theories of sophists, speculators, charlatans, and adventurers, would lead either to the dissolution of the great Union, founded by the prudent foresight and magnanimous consent of their fathers; or to disas-

ters scarcely less to be deprecated and dreaded. And yet, out of distaste for a mere name, multitudes of the more staid and apparently considerate citizens of the North chose to vote and to act in concert with the radicals—though the designs of these men could not but tend to the subversion of the Constitution—rather than acknowledge fellowship with the Democrats, who were bent upon upholding it, and were manifestly devoted to its sound maintenance and preservation.

The party under whose leaders they chose to range themselves had grown up out of weakness, not of strength; and those leaders could scarcely pretend any rational title to their confidence. Many of those who afterwards thus acted with it, and voted constantly for its extreme agents, while engaged in driving sectional disputes to extremities—under the futile pretext that they did not approve of its excesses—had been originally among its most ardent and uncompromising opponents. Though men are often led unconsciously along, in the turmoil of popular delusions, until they lose all sense of the restraint and control of sober reason; yet here they had landmarks, all the way, to point out the right direction, and beacons to warn them of their danger. The arguments and entreaties of Clay and of Webster and their great compeers, for more than a generation, were but appeals to the established doctrines of the Constitution, and echoes of the solemn expostulations of Washington—in that wise and most affecting address, conceived and uttered for their future guidance, which had no archetype, and has no parallel in the history of civil institutions among mankind.

Happily, this defection was not universal. There was still no inconsiderable remnant of the old Whig party—and with it were many of those whose character and abilities had shed the highest lustre upon its past history, who yielded to no such scruples; but were willing heartily to unite with the company, under whatever designation, whose object it was to save the sinking ship. It was out of their power, or that of their compatriots, to avert the tide that was sweeping the republic towards the abyss of ills, in which it was at

length engulfed; but there can be no question that their strength and steadiness, though they were virulently assailed and sometimes harshly persecuted by the dominant party, still exercised a powerful influence in correcting many wild opinions of the day and in checking many excesses. And, best of all it is, that they have mainly helped to keep alive the sacred flame of pure constitutional principle, in the light of which, we may still hope, that our eyes are yet to behold the restoration of the country to order and constitutional liberty. Among the most illustrious of those who earliest took this stand was Mr. Choate; and to the dead, at least, the tribute of completed honor is due.

The Native American, or Know-Nothing party, which had apparently sprung into such sudden life, and which made a demonstration of such an extraordinary character in several of the Southern as well as in many of the Northern States, was, after all, not of very recent origin. On the contrary, though existing obscurely, and possessing no political influence until its secret and extensive organization took place, at the period of its meteoric outburst in 1853, it had nevertheless then been working up whatever materials it could find for a party, during fifteen or twenty years. In reality, those divisions of opinion upon national topics, which had brought the Whig party to partial dissolution, afforded the opportunity, in the view of many leading persons throughout the Union, of building up, out of the diverse and somewhat loosely-lying elements of the various parties, a powerful "American" organization. Many more persons of distinguished character and position at the South united themselves with it, than at the North. Among these was Mr. Crittenden, of Kentucky, who had, shortly before, been Attorney-General of the United States under Mr. Fillmore's administration; Mr. A. H. H. Stuart, of Virginia, Secretary of the Interior, at the same period; and Mr. Zollicoffer, a leading member of Congress from Tennessee, who fell, in command of the Confederate troops, at the battle of Mill Springs, in Kentucky, in the second year of the war. Of course, no

sectional views could have been in contemplation by those who set this *American* movement in active operation. Indeed, it began with the most emphatic recognition of the settlement arranged by the compromise measures of 1850.

Mr. John M. Clayton, of Delaware, who had held the post of Secretary of State under President Taylor, but is believed not to have been in personal relations with the organization, in a speech delivered by him in New Jersey, in November, 1854, declared that the Know-Nothing party "will refuse to test the suitableness of any man for public office, by the question whether he is for or against the mere extension of slavery in some territory of the United States." It is obvious that such an exclusion of the question was, practically, an allowance of the extension of slavery in the territory. But at a "National Council" held by the party, at Philadelphia, in June, 1855, its principles upon this point, and upon others of signal moment in relation to the general subject of slavery, are laid down in a manner so distinct as to leave no room for any question. It may be well to copy from this Platform its very careful and elaborate exposition of the doctrines professed by it on this topic. It will be observed, that this organization, assuming to have arisen itself upon "the ruins" of the Whig and the Democratic parties, throws out a very strong intimation, as to the alleged irreconcilable antagonism between the two. There can be no doubt, therefore, that the "Council" intended to charge upon the *late* Whigs extreme antislavery opinions, in contrast with those which it imputed to the *late* Democrats. The following is numbered "Twelve" in the series of propositions in their manifesto :

"The American party, having arisen upon the ruins and in spite of the Whig and Democratic parties, cannot be held in any manner responsible for the obnoxious acts or violated pledges of either. And the systematic agitation of the slavery question by those parties *having elevated sectional hostility into a positive element of political power, and brought our institutions into peril*, it has, therefore, become the imperative duty of the American party to interpose for the purpose of giving peace to the country and perpetuity to the Union. And as experience has shown it impossible to reconcile opinions so extreme

as those which separate the disputants, and as there can be no dishonor in submitting to the law, the National Council has deemed it the best guarantee of common justice and of future peace, *to abide by and maintain the existing laws upon the subject of slavery, as a final and conclusive settlement of that subject*, in fact and in substance.

“And, regarding it the highest duty to avow their opinions on a subject so important, in distinct and unequivocal terms, it is hereby declared as the sense of this National Council, that Congress has no power, under the Constitution, to legislate upon the subject of slavery in the States where it does or may exist, or to exclude any State from admission into the Union, because its Constitution does or does not recognize the institution of slavery as a part of its social system ; and, expressly premitting any expression of opinion upon *the power* of Congress to establish or prohibit slavery in any Territory, it is the sense of the National Council that Congress *ought not* to legislate upon the subject of slavery within the territory of the United States, and that any interference by Congress with slavery, as it exists in the District of Columbia, would be a violation of the compact by which the State of Maryland ceded the District to the United States, and a breach of the national faith.”

Singularly enough, these very explicit propositions are not only identical in sentiment with those severally adopted by the Whig and by the Democratic Conventions, held at Baltimore, in the year 1852, but they go much farther. Disdaining any seeming reticence in regard to particular measures, which the latter bodies may have thought expedient, the National Council entered into full detail ; and as to the grand subject of controversy, it assumed the extremest Southern ground, with this difference—that, while the Southern Democrats denied *the power* of Congress, as a matter of Constitutional right, to legislate in relation to slavery in the territories, the Council held that the higher motive of *moral obligation* ought to induce it to refrain. For, although the law is entitled to obedience, while it exists, yet it may be changed ; but the requirement of moral duty is inherent and immutable. But strong as their positions were, and truly patriotic, also, in correspondence with the general sense of the people, so far as this could be supposed to be represented by the manifestoes of Conventions composed of the delegates of the several parties, the “Americans,” strange to say, reversed it all in the course of a very few months.

The "National Council" in June, 1855, assumed the national title exhibited above, and the Northern delegates then went home to their several quarters of the country, and in their "State Councils" appeared to be a very different order of men. This fact is the more striking, because, differing from other political parties, which are voluntary organizations, the members of which are held to each other only by their individual political convictions, and act, on each emergency, according to their individual turn of mind, the American party was a close corporation, into which the several members were introduced by formal ceremonies, under the secret sanction of successive oaths, as they advanced from one degree of illumination to another.¹ In November of the same year (1855) a Know-Nothing Convention was held at Cincinnati, composed of delegates from several of the Northern and Northwestern States. The following is an extract from one of the resolutions adopted by them:

"That the repeal of the Missouri Compromise was an infraction of the pledged faith of the nation, and that it should be restored; and, if efforts to that end should fail, Congress should refuse to admit into the Union any State tolerating slavery which shall be formed out of any portion of the territory from which that institution was excluded by that Compromise."

This complete overturn of opinion, between the time of meeting of the National Council in June, and that of the

¹ The following extract from a letter of Mr. Choate to a friend out of the country, dated June 29, 1855, and given in Prof. Brown's Memoir, will serve to show something of the existing state of politics:

"Your estate is gracious that keeps you out of hearing of our politics. Any thing more low, obscene, purulent, the manifold heavings of history have not cast up. We shall come to the worship of onions, cats, and things vermiculate. 'Renown and grace are dead.' 'There's nothing serious in mortality.' If any wiser saw, or instance, ancient or modern, occurred to me to express the enormous, impossible inanity of American things, I should utter it. Bless your lot, then, which gives you to volcanoes, earthquakes, feather-cinctured chiefs, and dusky sights of the tropics. I wish I was there with all my heart—that I do.

"After all, the Democratic chance is best. The whole South is Pierce's, I think—so is the *foreign* vote of the North. So will be Pennsylvania, I guess."

Convention at Cincinnati, in November, at once unfolds the causes of that otherwise inexplicable fluctuation of votes for several successive years, already recapitulated, at the annual elections in Massachusetts, and serves as an illustration also of similar revolutions, at the same period, in various other Northern States. The Free-soilers, in fact, had introduced themselves into the "Councils" of the "Americans." On what pretext they were received, it is difficult to imagine; since it is evident that December's snow and the flowers of June are no more at odds, than had been the sentiments of the two factions on the absorbing topic of the day. And, if Mr. Clayton, a year before the National Council uttered its emphatic propositions, had rightly interpreted the sentiment at that time existing among the "Americans," then the Free-soilers, of whom many of the more conspicuous entered into that fellowship with the Know-Nothing lodges, could have stepped upon that "platform," only in utter betrayal of all their previously professed political opinions and moral convictions.

The truth is, since the movement of the secret organization seemed to have taken deep hold of the popular mind, the Free-soil leaders sought its shades, probably in order to save themselves from political nonentity; and, at first, could have had little reasonable expectation of obtaining much foothold for their own special dogmas among the *national* "American" masses. Still, they were persons of a very adventurous disposition, who lost nothing for want of pushing; and, it is likely, were not without their hopes. Indeed, they had been reduced to that extremity, by the quiescent state of public sentiment, for some years after the passage of the several Acts of 1850, that their frame of mind might be likened to that of a distinguished character in "Paradise Lost," when he took counsel with his compeers to see—

"What reënforcement we may gain from hope;
If not, what resolution from despair."

Hence it happened, that in 1854, the Free-soil party, which, at the preceding annual election, had given Mr.

Henry Wilson 29,000 votes, for Governor of Massachusetts, now cast its main strength for Mr. Gardner—under instructions doubtless—while, in order to keep up the appearance of the thing, the insignificant number of 6,000 votes only was given to Mr. Wilson. At the next annual election in 1855, when the prospect for “fusion” had become less promising, in consequence of the resolutions of the “National Council,” already cited, the Freesoilers returned to their own resorts again, and furnished their entire vote for their candidate, Mr. Rockwell, that for Mr. Gardner falling off in the same proportion. In 1856, the fusion was fairly consummated in purpose, if not in full execution. It was the year of election for President; affairs had become so complicated that it was difficult to control popular sentiment, or to induce the masses to exercise much discrimination; and, accordingly, while the entire Freesoil vote, in Massachusetts, and most of the American, was given for Mr. Fremont, for President; the candidate for Governor, Mr. Gardner, who was thought to stand in, at least, a doubtful relation to “Fusion,” received a smaller vote than Mr. Fremont, and a certain number of impracticable Freesoilers cast their ballots for the venerable Mr. Josiah Quincy, Senr., then not far from ninety years of age.¹

¹ The vote stood as follows:

FREMONT.		BUCHANAN.		FILLMORE.	
103,811		37,660		19,819	
GARDNER.	BEACH.	GORDON.	BELL.	QUINCY.	
<i>Fusion.</i>	<i>Dem.</i>	<i>Whig.</i>	<i>Whig.</i>	<i>Freesoil.</i>	
99,457	40,082	10,082	7,075	6,316	

Mr. Quincy, however, had amply vindicated his title to be the “standard-bearer” of this faction. On the 5th of June of this same year, 1856, he made a public address to the inhabitants of the town of Quincy, in which he declared of what he styled “the slave power,” that—

“*The provisions of the Constitution of the United States which gave to them the right of their slaves in the balance of power has been the great misfortune of this Union, and will be its destruction unless the free States rally to its rescue, and take possession of the Government.*”

And again—

“At the coming election, I cannot doubt that the free States * * will

The work of "Fusion," at length, went swimmingly on. It became complete in the Legislature of Pennsylvania, which passed correspondent resolutions, early in January, 1856. At an "American" State Convention held at Binghamton, in New York, at the same period, the course of action was of a similar character; bringing the party into close relations with those who were then beginning to be styled the "Black-Republicans;" and in Conventions, held in the several New England States, equal progress was made towards the same projected consummation.¹ Thus, by the proceedings of these bodies, representing the "American" party, in the Eastern, Middle, and Western States, its national position, taken in 1855, had become sectional early in 1856. The die was finally cast, however, at a meeting of the "National Council," held at Philadelphia, on the 22d of February, 1856. The legal and the moral obligations, set forth in the 12th proposition of the "National Council," held at the same city, in June, 1855, were utterly repudiated by the vote of a large majority of the members, on the latter occasion. In their 13th article, they took Republican ground; declaring "opposition to the reckless and unwise policy of the present administration," amongst other things, "as shown in reopening sectional agitation, by the repeal of the Missouri Compromise"—and "as shown in its *vacillating* course on the Kansas and Nebraska question"—a singular charge, whether just or not, to be preferred by those, who, in bringing it, exposed this complete revolution of their own opinions on this very point, within little more than six preceding months!

take possession of this Government; restore to the Constitution the proportions of power established by Washington;" (compare this clause with the preceding paragraph in regard to the Constitution established by Washington) "reinstated in full force that barrier against the extension of slavery called the 'Missouri Compromise;' make Kansas a free State; and put an end forever to the addition of any more slave States to this Union—duties to be fulfilled *at any hazard*—EVEN OF THE DISSOLUTION OF THE UNION ITSELF."

¹ See letter of Mr. Carruthers, member of Congress from Missouri, dated at Washington, February 28th, 1856, in Cluskey's "Political Text Book," p. 108 *et seq.*

In fact, they entirely abandoned, on this occasion, the specific grounds upon which their own organization was founded, by providing in the final article which was then adopted, for—"A free and open discussion of all political principles embraced in our platform." The Freesoil neophytes in the "American" seminary had thus proved stronger than their masters, and the victory was finally achieved. Accordingly, from this "National Council," upon the adoption of the new platform, a despatch was forwarded to a "Black-Republican" Convention, sitting at Pittsburg, at the same time, in the following emphatic language:

"The American party is no longer united. Raise the Republican banner. Let there be no further extension of slavery. The Americans are with you."

The Missouri Compromise, the alleged repeal of which was now made the new, and, as it proved, the fatal source of sectional discord, had been repealed, as has been heretofore remarked in this volume, in letter as well as in spirit, by the measures of adjustment adopted by Congress in 1850. The leaders of extreme Southern opinion had then professed their contentment with the doctrine of that Compromise, if it should be carried out literally and in good faith. The line of that Compromise would have left all of Utah north of latitude $36^{\circ} 30'$; nearly the whole of New Mexico south of it; and would have divided California into nearly equal parts, above and below that degree of latitude. It was impossible, in a moral sense, to accede to their proposition; because the people of California had already adopted a Constitution excluding slavery, preparatory to admission into the Union; and, although Congress could not, certainly, undertake to force slavery upon a territory which had deliberately rejected it; yet the admission of California, to the neglect of the line agreed upon in 1820, was, in fact, by its practical operation, the abrogation of the Missouri Compromise. The same measures of 1850 provided for the future admission of Utah and New Mexico, without reference to the exclusion of slavery. In regard to the former, its geographical situa-

tion rendered the omission of no practical importance. It was contended that slavery had been abolished in the latter while a province of Mexico, although a score or two of slaves were actually held there by the territorial residents in 1850.

In these three instances, therefore, of simultaneous legislation—for, although separately acted upon, they were parts of the same plan of adjustment—the principle of the Missouri Compromise had been deliberately and entirely disregarded. The circumstances of the case rendered this action of Congress inevitable; but it, nevertheless, was an absolute repeal of the Compromise—unless it can be maintained, that an agreement violated on one side; when convenient to do so, can be resumed and enforced against other parties to it, when the convenience of the first may make its resumption, in their opinion, desirable. The general adjustment of conflicting interests and sentiments, involving this repeal, had been solemnly assented to by Whigs, Democrats, and Americans, in their several National Conventions. It was only when the principle came to be afterwards applied in another direction, that the new popular outcry was raised against it in the North. This was made available for party purposes, by the coalition with the Freesoilers of the ex-Whigs and now staunch Americans—who indignantly denied the application to the territories of Kansas and Nebraska of the precise principles, which, six months before, the latter had stoutly affirmed were applicable to all territories whatsoever!

A state of things like this betokens, it must be confessed, very little regard for public virtue. In fact, the secret organization of the Know-Nothing party had proved of most pernicious influence. So far as its sphere extended, it had the effect to weaken among the people the old spirit of self-dependence; it tended to modify and to restrain honest individuality of character, to repress freedom of thought, and to chain down freedom of action. The effect of this process appeared in the surprising revolution of ideas which the parties underwent, at the bidding of its new managers.

A certain proportion of the Americans held back, it is true, and have never since acted in concert with the Freesoilers; but the main body went to swell the rushing tide of that now popular movement, which, in 1852, had thrown but 157,000 votes for Mr. John P. Hale, its candidate for President, but in 1856, for Mr. Fremont, 1,354,000. Indeed, the range of political sentiment and the tone of political honor presented a melancholy contrast to the standard of an earlier period. It was a day of feeble and failing principle, of deadened sensibilities, of decaying patriotism, of "defections on the right hand and fallings-away to the left"¹—in a word, of almost complete political demoralization. It was peculiarly unfortunate, that, at a period when wisdom, integrity, true sentiment, unflinching love of country, and prudent statesmanship, were most needed in the national counsels, this new coalition brought forward and placed in prominent positions large numbers of those who were little qualified to turn the public mind in the right direction, and not a few who were fully bent upon leading it astray. As Carlyle remarks, somewhere, in reference to a certain period of English history, "The times were great and the men were small."

At an early point in the brief annals of the American party, not a few persons of merit and distinction had given it their countenance, in the hope, doubtless, that it might become available to the public welfare; but it soon showed itself subject to inferior influences. As a class of more ordinary and less scrupulous candidates for popular favor worked their way to the surface of affairs, the men of better sense and information, of more enlarged views and more unselfish ambition, who, by character and ability and honorable interest in the public cause, were entitled to popular respect—were compelled to stand aside, or voluntarily did so; because, unwilling to engage in a low and somewhat tumultuous scramble for place, though they were never so much needed for the public services as at that very emergency.

¹ See David Deans, in the "Heart of Mid-Lothian."

Whether such scruples, however worthy of sympathy, are justifiable in a republic, or were consistent with the prosperity and safety of the State, is another question. Demosthenes addressed himself to the "fierce Democratic" of Athens in person. There is danger of being swept away by the torrent of popular madness, or of becoming the victim of patriotic zeal—as was his fate, and is his fame; but the struggle is worth the trial.

In Great Britain, those who, "having to advise the public," seek the popular suffrage for election to the House of Commons, are not deterred from the hustings by the rude and sometimes extremely rough usage to which the mob may capriciously subject them; and surely, never had there been more pressing occasion, in any country, for all that generous enthusiasm and manly resolution could do, to shame the panders of disorganization, and to cheer the timid and despondent to the performance of their duty. It is a humiliating reflection, that the country was swept over, and, to a large extent, controlled by a class of men, who made up in activity what they lacked in other important respects; while a higher order of citizens scarcely exerted their due influence to prevent the deplorable turn of affairs, to which all things seemed only too surely tending. Whatever the Republican party may since have been, it is upon such a condition of things that it was originally built.

It is by no means to be forgotten, that, notwithstanding those large desertions from the Whig party, first to the American, and afterwards to become incorporated in the Republican ranks; yet a very considerable body of the old substantial stock retained the ancient political faith, and manifested it by correspondent action, in both sections of the country, up to the very last moment before the revolt of the South. Though no longer possessed of power as a national organization, they stood firm, to the last, to those great principles which they deemed essential to the existence of the Union, as they certainly were, and are to its constitutional being. Hence, in anticipation of the general election

of 1856, at which Mr. Buchanan proved to be the successful candidate, a convention, on their part, was held at Baltimore, attended by numerous delegates from the Southern equally with the Northern States, and which could hardly ever have been surpassed by any similar political assembly in the country, for the ability of its members and its general respectability and dignity of character. Scattered, and diminished and almost despondent of the future of the Union, as the party had then become, they had the honor, at least, of coming forward as sincere and manly remonstrants against the evidently downward progress of national affairs. They nominated Mr. Fillmore as their candidate for President; and, at the ensuing election, out of the aggregate number of something more than 4,000,000, were able to give him nearly 900,000 votes, of which considerably more than one-half were cast in the slave States. They rallied, too, as is well known, in 1860, under much less propitious circumstances, and in numbers very materially reduced.¹

But if the late Whig party, leaving out of the account this noble and steadfast remnant, dwindled and perished, for want of stability and courage; the Democratic, on the other hand, subjected its rising glories to eclipse, through the delusions of over-confidence, at first; and finally, suffered overwhelming defeat, by the self-sought and violent disruption of its own ranks. The Whigs had too often practised the ruinous policy of temporizing concessions to the several factions, which they hoped thus to conciliate to their support. As a party they thus loosened their own standing ground, and cut off the inducements of their own adherents to remain with them. It was the natural result of their conduct, that they weakened, from time to time, their own position; so that the earnest and unyielding factions, which thought only of building up themselves, as occasion offered, drew off the timid and unsafe, the doubters on questions of party prin-

¹ In 1856, the vote for the Fillmore electors was 885,960; in 1860, for the Bell and Everett electors, 590,631.

ciple and supposed points of conscience ; together with those who saw something more attractive in the zealous determination of the comparative few, than in the vacillating purpose of the greater number. But that faithful remnant—true to the last, amid the scoffs and derisions and persecutions which often await fidelity to principle—like the band of prophets whom Obadiah, in evil times, hid in the cave—and who, like them, had denounced woe and disaster to the multitude in vain—the genius of the constitution, if ever again enthroned, will welcome with words never more worthily bestowed—

“Thou who wast constant in our ills, be joyful in our joy.”

The Democrats, amidst the hesitations of the great body of their opponents, were like the abolitionists in this respect—that they had the merit of standing stiffly by their party associates and party doctrines—sometimes, indeed, even after these latter had fairly gone out from the range of political affairs ; but they thus confirmed the wavering, kept up the resolution of the faint-hearted, and, until their fatal division at Charleston, in 1860, maintained the discipline and accustomed strength of their organization. When they carried the election of Mr. Pierce, in 1852, it was effected very largely by the help of dissensions among the Whigs, which tended materially to swell their own ranks, and to infuse a spirit of apathy into those of their lately successful and still formidable rivals ; who, if they had remained united, might again and again have been triumphant, until all signs of danger to our institutions had passed entirely away. For, at that period, the main body of both great parties at the North was substantially united upon constitutional principles in regard to slavery, and upon incidental questions resulting from it ; while the South, taking all points of party difference together, was not very unequally divided between the Democrats and the Whigs. But as soon as the Democratic party became distracted, the preponderance of power passed at once to the Republicans—consisting of Freesoilers, Fusionists, Whigs, who weakly imagined that national affairs would

be conducted by a sectional administration on the old doctrines of their party; unsound and self-seeking Democrats, released from party allegiance, who saw in which direction political victory inclined; and the whole miscellaneous multitude of those middle-men, who hang loosely upon the outskirts of all parties, and, at the last moment, cast their own weight into the heaviest scale. But the most efficient instrument of success to the new Republican coalition, was inherited by it from the effete Know-Nothing party—and that was the systematized machinery and much of the material of party organization.

CHAPTER X.

Administration of President Pierce.—Position of the Democratic Party.—President Pierce's Message to Congress in December, 1853.—“Domestic Controversies passing away.”—The Civil War began in Kansas.—Statement of the Question in regard to Kansas.—Mr. Webster's Views of the Effect of the Compromise of 1850.—Mr. Clay's Opinion of the Impolicy of an Imaginary Line.—The Bill for the Organization of the Territory passes the House, making no Mention of Compromise or Slavery, and is introduced into the Senate by Mr. Douglas, from the Committee on Territories, without amendment.—The Debate in the Senate chiefly in regard to the Rights of the Aborigines.—The Bill laid on the Table, for further Consideration of this Topic, and not taken up during the Session.—At the next Session, Mr. Douglas introduces (January 4th, 1854) an Amendment to the Bill, proposing the Specific Repeal of the Missouri Compromise.—The large Majority in favor of it.—Memorials to Congress, in opposition to its Passage—one from three thousand and fifty Clergymen of New England.—Effect of this Clerical Movement upon the Public Mind.—Final Passage of the Bill by the House.—Action of the North.—The “Emigrant Aid” Companies.—Secret Association of Members of Congress to resist the Objects of the Act.—The several Reports to Congress—Further Proceedings as to Kansas.—Opposite Opinions of Mr. Davis and Mr. Yancey.—Position of Mr. Douglas.—Extension of Slave Territory does not mean Increase of Slavery.—The reasons why the Adoption of the Kansas-Nebraska Bill was unavoidable.

THE administration of President Pierce, beginning on the 4th of March, 1853, was introduced to the duties of office under circumstances singularly auspicious. The pusillanimity of the Whigs, and the dissatisfaction occasioned in both sections of their party—on the one hand, because the candidate was not thought to stand “square on the platform,” and, on the other, because the platform itself was offensive¹ to large numbers of those who acted, or professed to act, with the party—had given the Democrats great advantage in the election. They seemed to not a few of their former opponents

¹ Nothing was more common than to hear men say: “I shall vote for the candidate, but I spit upon the platform.”

the only organized body left, with any reasonable chance of future political power, which was inspired with the spirit of nationality, and impressed with broad ideas of the inestimable value of the Union. Upon them, in fact, had now become imposed the duty, and with it the opportunity, to vindicate thoroughly the soundness of those measures of pacification, which had owed so much to the efforts of the two most eminent Whigs in the land; and through the permanent establishment of those principles, by a wise course of domestic policy, to give the country secure rest from the only alarming cause of disquiet which it had actually ever encountered.

The President was in the vigor of manhood, distinguished for ability and ready eloquence, and a spirit of warm-hearted patriotism, and was of no little experience in public business; and, not long before his inauguration, he had suffered a peculiarly afflicting domestic calamity, which enlisted for him the profoundest public sympathy, and tended to check any disposition to captious party criticism. A cabinet composed of such persons as Mr. Marcy, of New York, Mr. Guthrie, of Kentucky, Mr. Davis, of Mississippi, and Mr. Cushing, of Massachusetts, with others not so generally known, but men of more than ordinary mark, could not but inspire unusual public confidence. It almost immediately acquired the popular appellation of "The brilliant Cabinet," and promised the ablest management of business; though, with the exception of foreign complications, to which Mr. Marcy, the Secretary of State, was fully competent to attend, there seemed little to call for the exercise of extraordinary talent, in directing the national affairs. Nothing could more clearly indicate the sense of public repose than the general tone of President Pierce's message, communicated to Congress, December 5th, 1853. In it there was only a brief allusion, contained in a paragraph of a dozen lines, to "domestic controversies passing away," and an exhortation to respect the rights of States, and to maintain domestic peace. How soon this treacherous calm was to be succeeded by the wildest storm of incontrollable

lable passion, the country eventually knew. Yet, for a considerable season, the tumult was confined to the immediate territory in which the outburst occurred, or to the contiguous States, without exciting any more than casual interest in the public mind at the North; at least, outside of the then narrow circle of abolitionists and specifically recognized Free-soilers.

The civil war in the United States began, in fact, in Kansas. It has been the practice with many others, besides the Republicans, to refer to the firing of the first gun upon Fort Sumter as the commencement of hostilities. This may be a not inconvenient classification of events for those who desire to consign to oblivion the whole train of circumstances which certainly led to, however little they may be thought to have justified, that incident. It might be alleged, with as much propriety, that the civil war between Charles I. and the Parliament began with the battle of Edgehill; though the one had mustered the cavaliers, under his "Commission of Array," and the other their train-bands by the "Ordinance of Militia," for months before that bloody encounter. Or that there was no battle, in fact, in order at Fontenoy, between French and English, until the commander of the Footguards and the officer of the *Gardes Françaises* had politely settled, according to the popular story, which should first deliver their fire. The bombardment of Fort Sumter, doubtless, was the first act of the war which, at length, powerfully affected the Northern imagination; since the incidents of the transaction were peculiarly striking in themselves, and were easily appreciable by the popular mind; and since general attention had for some time been especially directed to that point. Yet the "Star of the West," the steamer previously despatched with provisions for the fort, had already been fired upon and compelled to turn back; South Carolina, Mississippi, Alabama, Florida, Georgia, Louisiana, and Texas had already passed formal ordinances of secession; the other States which eventually joined the Confederacy were evidently on the eve of that event; and forts, arsenals, custom-

houses and other buildings of the United States had already been seized and occupied by officers in the service of the seceding States.¹

The first gun of the war was doubtless fired in the territory of Kansas; the second in the "raid" of John Brown. It is true that no engagement took place in the territory, between the troops of the United States and the insurgents in arms against its peace and authority on the one side and the other, which is really "the pity of it"—since, in that case, the existing disturbances would have been easily and speedily quelled. It was, nevertheless, an armed and most murderous conflict, fought out upon that ground, between the representatives of extreme sentiments at the North and the South; and a warfare the more brutal and demoralizing in all its influences and results, that it was carried on by predatory and irresponsible bands of reckless and violent men, supplied with means of outrage, and prompted to deeds of blood, by those in both parts of the country who watched at a safe distance the progress of their respective schemes.

To go through with the history of the troubles in Kansas in detail would demand a volume of many pages by itself; the subject, so treated, would be scarcely worth the pains required; the narrative, so complicated are the transactions, would not be very intelligible in the end. The only way of meeting this question for any useful purpose, is to simplify its relation, as much as possible, and to confine the statement to those general features which are of the most consequence, and which are sufficient for the elucidation of the topic.

Kansas was part of the "Louisiana purchase." It was, of course, included within the provisions of that Act of Congress, which, in admitting into the Union as a slave State, Missouri, also a part of the Louisiana purchase, excluded sla-

¹ Mr. Choate observes, in one of his lectures: "You sometimes hear the Stamp Act spoken of as the first invasion of the rights of the colonists by the mother country. In truth, it was about the last; the most flagrant, perhaps the most dreadful and startling to an Englishman's ideas of liberty; but not the first—no, by a hundred and fifty years, not the first."

very from all the rest of that vast territory which was situated north of the Compromise line of $36^{\circ} 30'$ North latitude. In settling upon that line, it is obvious that the possible future of the country neither was, nor, perhaps, could have been taken into any very definite consideration; in fact, that nothing was seriously regarded except the determination of a vexatious problem, at the time. The impracticability, under the circumstances, of extending that very line to the Pacific, long afterwards, tests this point; and, in the eye of reason, the inevitable concession to that obstacle seems to have been, of itself, a virtual repeal of the provision. In a geographical point of view, nothing could be more incongruous with a well-defined principle than the Missouri Compromise. For a glance at the map shows, that, in forbidding slavery in an extensive tract of territory north of a certain fixed limit, it permitted the whole body of a Slave State to project itself into that territory, to a distance not far from three hundred miles north of the limit. There was, therefore, no continuous direct boundary between Slave States and Free States, but a line of zig-zag, without reference to natural laws; and thus the settlement of the question at issue was made upon grounds entirely arbitrary.

In fact, nothing having been agreed upon, but the mere abstract political point of extension or non-extension of slavery, over an immense and unknown tract of territory, it would seem not unlikely, from the nature of the case, that future disputes might grow out of the subject. On the east, Kansas was bounded by the Slave State of Missouri; on the south by slave territory, according to the provisions of the Missouri Compromise line; on the west, by New Mexico and Utah, which were organized as territories in 1850, without restriction as to slavery; and on the north, by Nebraska, coming under the general description of that part of the country where slave labor would be unprofitable and be certain to have no place. As a mere question of physics and economy, therefore, Kansas might have become either a slave or a free state—upon its admission; but the real question was, whether,

by the just interpretation of the Acts of 1850, the restriction of the Missouri Compromise was removed; so that it would be at the option of the residents of Kansas to give it either the one or the other character.

It is well known by some who had means of learning the opinions of Mr. Webster and Mr. Choate, than whom there could be none higher legal authorities referred to, that they conceived the necessary effect of the measures of 1850 to be the repeal of the Compromise of 1820. In regard to the first named of those great men, his official position as Secretary of State, until his final illness, which terminated in his death, October 24th, 1852, precluded him from the public expression of any opinion upon the subject. The views of the other, Mr. Webster's intimate friend and associate, with whom, on public questions, he thought and acted in constant concurrence, may be clearly enough deduced from a striking passage of one of his speeches, delivered at the Baltimore Convention, in June, 1852. Referring to the "platform" proposed and subsequently adopted, he remarked:

"I believe, and have many times asserted and enforced the idea, that if the two great sectional parties would now, in *this* most solemn, public, authoritative manner, unite in *extracting and excluding this business of the agitation of slavery from their political issues*—if they would adjudge, decree, and proclaim that this is ALL A CAPITAL ON WHICH A PATRIOTIC MAN, OR BODY OF MEN, MAY NOT TRADE; that the subject is out of the domain of politics, disposed of by the higher law of a common national consent, founded on a regard for the common good—and that if they would go into the coming and all contests upon their proper and strict political issues, each contending with the other only for the glory of a greater participation in the *compromise*,¹ much would be done to perpetuate the national peace within, which we now enjoy. Whatever the result of this canvass, and however severely it might be conducted, it would be one great jubilee of Union,

¹ That is, the Compromise of 1850.

in which the discordant voices of sections and fanaticisms would be silenced or unheard."

In short, it is well known by survivors of that day, that the platform itself was substantially drawn up by, and submitted, in the whole, to the joint revision of Mr. Webster and Mr. Choate; and, especially, that final one of the resolutions adopted, which declares—

"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 questions which they embrace."

In fact, it may be stated, upon unquestionable authority, that the words in italics, in the above sentence, were inserted in the manuscript by Mr. Webster's own hand, at the suggestion of another eminent member of the party. At a subsequent period, it is also well known that the Supreme Court of the United States substantially decided—that the Missouri Compromise of 1820 was inoperative and void, before the passage of the Kansas-Nebraska Act of 1854. If opinions thus sanctioned were sound, held as they also were by multitudes of eminent men throughout the country, and adopted by the Convention of the Democratic party, assembled at Baltimore, in the same month of 1852, as they were by the Whig Convention—then, surely, it was a false issue which was presented to the country by those men, through whose agency the public mind was wrought up to such an unprecedented pitch of excitement on the question of Kansas.

Indeed, the whole matter really resolves itself into this proposition:—that the antislavery faction in the North, led on by members of Congress from that quarter, by political and literary orators of every grade, and by the reverend clergy of most religious denominations, were determined that there should be no more slave territory—law or no law; and that the Southern spirit, in general, was equally bent upon trying the question with their opponents—with reason, certainly, to think that they had the law on their side. The former, without scruple, set themselves to work to defeat the

action of the national legislature, and finally to nullify the decision of the supreme tribunal of the United States.¹ Had it been actually a question of morals, since the immorality, if any, would be that of our neighbors, it may be doubted whether it were justifiable, any more than expedient, on that account "to disturb the foundations of the Government." But as a mere question of politics, and of temporary consequence—since the North really possessed the political power, and that, too, constantly increasing, beyond any ratio which the South could expect ever to rival, it was a most needless quarrel. Yet this quarrel was incited and worked up into the fellest fury, in the end, by the efforts of grave legislators in Congress, of multitudes of haranguers before popular assemblies; by a licentious partisan press, and by appeals from the pulpit itself—as if men's salvation depended upon keeping slavery out of the wilderness of Kansas; and all the good which Providence had bestowed, or had in store for the nation, would be clean gone forever, if a fact were recognized on that distant border, which had called down no judgments for more than two centuries that slavery had existed in the land, and during the existence of which the national life had sprung and matured and been crowned with the choicest of heaven's blessings. And this quarrel, leading to such terrible results, in its progress and consummation, cannot but seem, upon retrospection, as inexpedient, as, on the actual merits of the case, it was unfounded in reason, or could be warranted by any rational test of patriotism. For, surely, few will be unwilling to admit, that no such question was worth enough to risk for it the fearful and tremendous sacrifices it has cost at last.

¹ In a speech of Cromwell to his second parliament he told them:

"And so many of these as are peaceably, and honestly, and quietly disposed to live within the rules of government, and will be subject to those Gospel rules of obeying magistrates and living under authority—I reckon no godliness without that circle! Without that spirit, let it pretend what it will, it is diabolical, it is devilish, it is from diabolical spirits, from the depths of Satan's wickedness!"

There can be no room for misapprehension as to the meaning of the language inserted by Mr. Webster in the resolutions of the Whig Convention, already cited ; or of the intent with which those words were introduced. If the series of acts designated in that resolution were to be accepted as a settlement of the questions embraced by them, "*in principle and in substance*"—then, while, *in substance*, they comprehended all that part of the Louisiana purchase which was admitted to territorial organization under them, without restriction as to slavery, as in the case of Utah—*in principle* those acts were equally applicable to the remainder of the Louisiana purchase, of which Kansas also constituted a part. But, indeed, this whole matter must be considered as set definitely at rest, so far as the intent is concerned, by the remarks of Mr. Clay, in introducing those resolutions upon which the Compromise of 1850 was founded. In answer to some objections of Mr. Davis, of Mississippi, Mr. Clay replied :

"And I say, sir, in my place, that I consider it much better for the South that the whole subject *should be open on both sides of an imaginary line*—for instance, the line of $36^{\circ} 30'$ —than that slavery should be interdicted positively north of $36^{\circ} 30'$, with freedom to introduce or establish slavery south of that line, according to the will of the people."¹

If the matter had been left by the Democrats, as it clearly stood, upon this basis, without attempt to raise further questions about it, there would have been no room for the argument made by their Freesoil opponents, or opportunity for any considerable popular excitement. Kansas would then have been settled gradually, in correspondence with its general or special claims to the consideration of emigrants, who would have determined, eventually, according to their own convictions or interests, whether slavery should or should not be made a feature of its State Constitution. There were those in Congress, however, who chose to denounce the repeal, in terms, of a provision already repealed in fact, but which conveyed to many persons in the country the idea of a

¹ Benton's "Abridgment of Debates," vol. xvi., 395.

sacred obligation, and gave to those disposed to take advantage of the occasion the means of renewed and fierce agitation of the slavery question.

This view of the subject receives the strongest confirmation from the earliest vote in the House of Representatives, upon a bill providing a territorial government for Nebraska, under which name Kansas was also included, until the subsequent division of the territory into two parts. This bill was introduced by Mr. Richardson, of Illinois, and passed the House by a large majority on the 8th of February, 1853. Repeated propositions had been made in Congress for the organization of the territory during preceding years. Mr. Douglas remarked, on one occasion, that he had been eight years trying for the organization of the Territory, but no definite action had been taken. The bill of 1853 was silent on the subject of the Missouri Compromise, to the provision of which, in regard to slavery, that Territory would have been subject, of course, unless that measure were thought to have been repealed. Some slight colloquy took place as to this point, on the day of the passage of the bill, between a Whig member for Pennsylvania (Mr. Howe) and Mr. Giddings, of Ohio, a well-known abolitionist. The latter, it appears, was a member of the Committee on Territories, which reported the bill; and the former inquired of him, "as pretending to be something of an antislavery man," in a style apparently rather jocose, and perhaps tauntingly—why "the Ordinance of 1787 was not incorporated in the proposed act;" and remarked: "I should like to know if he or the committee were intimidated on account of the platforms of 1852." Mr. Giddings, on his part, referred him to the line of 36° 30', and read the section of the Act of 1820, which established a prohibition which, he alleged, was of perpetual force. The conversation ended as follows:

Mr. HOWE.—I should like to know from the gentleman from Ohio if he has not some recollection of a compromise made since that time.

Mr. GIDDINGS.—That does not affect the question.

It seems evident enough that none of that acrimonious spirit, which afterwards prevailed in the House on this subject, was exhibited on this occasion; and, to all appearance, comparatively little actually existed. The result of the ballot showed the adoption of the bill by a vote of 98 to 43. The majority, in this instance, was made up indiscriminately of Democrats, Whigs, and Freesoilers. Of the first class was Mr. Andrew Johnson, of Tennessee; of the second, Mr. Clingman, of North Carolina; of the third, Mr. Giddings, of Ohio. In the minority were Mr. Appleton, of Massachusetts, and Mr. Stanley, of North Carolina, both Whigs, in company with Mr. Cobb, of Georgia, and Mr. Orr, of South Carolina, both Democrats. Among those who voted yea, there were nineteen from slave States, and thirty from the same range of States who voted nay; so that thirteen of the latter class were from the North, of whom, besides Mr. Appleton, there was one Whig (Mr. Meacham) from Vermont. Of the eleven members from Massachusetts but six voted at all, and the others may have been absent. Of those six, five gave an affirmative and one a negative vote. Indeed, the bill passed as the close of the session approached, and on the eve of the inauguration of a new administration; and it excited but little interest, considering what fates hung upon its future disposal. But the analysis of the vote exhibits the very different views which were taken by members of the House from both sections, of the effect which the omission of reference to the Missouri Compromise might have in the application of the act to the Territory in question.

In the Senate, on the 3d of March, that is on the last day of the legislative session, Mr. Douglas, from the Committee on Territories, reported back this House Bill without amendment. It is a pity that it was not at once carried through its stages; but notwithstanding the lateness of the occasion, a somewhat animated debate took place. It is really refreshing to read the remarks of the several Senators who engaged in this debate—among others, Mr. Douglas, Mr. Bell, of Tennessee, Mr. Houston and Mr. Rusk, of Texas—consid-

ering the turn it actually took. There is scarcely an allusion to the negro, throughout, or to any thing in which the negro was principally concerned; indeed, nothing relating to the subject of slavery, in any point of view, except some not very well-timed and despondent observations of Mr. Atchison, of Missouri, in regard to the Compromise of 1820. The burden of the speeches, in opposition to hasty action on the bill proposed, related to the rights of the Indian tribes in the Territory; to the danger and wrong of a forcible extinguishment of those titles by throwing open that Territory to the body of emigrants from the bordering States, who, it was said, were ready to move in and take possession, and who would soon push the Indians down upon the borders of Texas, and expose that thinly settled frontier to their merciless ravages.¹ It was upon these considerations alone that the bill was laid upon the table by a decisive majority; and, of course, all consideration of the subject was at an end for that session.²

In the interval of the session of Congress, this subject presented itself in a different aspect to the view of Mr. Douglas, who henceforth assumed the leading part in the discussions, protracted through several years, to which the question at issue, in its various features, gave rise. The discordant opinions, which the vote in the House had indicated, in regard to the effect of the measures of 1850 upon the Missouri Compromise, prompted him, doubtless, to bring this question forward for determination in a more definite shape. It is said that President Pierce strenuously remonstrated against the proposition which Mr. Douglas designed to urge upon Congress,

¹ In Nebraska and Kansas, and the "Indian Territory," so called, which ran along the southern border of the latter, there were at that time the numerous tribes of the Blackfeet Indians, the Mandans, Crows, Sioux, Omahas, Pawnee Loups, Grand Pawnees, Otoes, Kickapoos, Gros Ventres, Kansas, Delawares, Cheyennes, Quapaws, Senecas, Cherokees, Creeks, Seminoles, and Choctaws, with some others. Texas was bounded, principally, on the north, by the "Indian Territory."

² See "Congressional Globe" of March 3d, 1853.

on the ground of its impolicy; but finally yielded to that Senator's assurance, that, in default of the measure, the fate of the Democratic party was sealed. Accordingly, on the 4th of January, 1854, Mr. Douglas, from the Committee on Territories,¹ to which had been referred a bill introduced by a Senator from Iowa, to organize the Territory of Nebraska, reported it back with certain amendments, explained and enforced by a formal report. The bill introduced by the Senator from Iowa was silent on the subject of slavery, in conformity with that which had passed the House of Representatives at the preceding session. The report of Mr. Douglas proposed that "the principles established by the compromise measures of 1850, so far as they are applicable to territorial organizations, be affirmed and carried into practical operation within the limits of the new Territory." From those principles he deduced the proposition that—

All questions pertaining to slavery in the territories, and in the new States to be formed therefrom, are to be left to the decision of the people residing therein, by their appropriate representatives, to be chosen by them for that purpose.

In the substitute offered by him for the bill before the Senate, he accordingly proposed, that in creating a temporary government for Nebraska, it should be provided, that—

"When admitted as a State or States, the said Territory, or any portion of the same, shall be received into the Union, with or without slavery, as their Constitution may provide at the time of their admission."

The question thus raised virtually was—whether the future condition of the proposed States, in respect to slavery, should be determined by the will of Congress, or according to the wishes of the people of the Territory. The latter alternative popularly obtained the opprobrious epithet of "Squatter Sovereignty;" as if it were a proposal to set up a terri-

² This Committee on Territories in the Senate consisted of Mr. Douglas, of Illinois; Mr. Houston, of Texas; Mr. Johnson, of Arkansas; Mr. Bell, of Tennessee; Mr. Jones, of Iowa; and Mr. Everett, of Massachusetts. Mr. Everett and Mr. Houston were in the minority, opposed to the bill.

torial authority against that of the United States; when, in fact, it only proposed, that the "sovereign people," within their own section and sphere, should regulate their own affairs according to their own pleasure, in nowise contravening any constitutional provision. For the Constitution of the United States simply provides that "new States may be admitted by Congress into the Union;" and that "the United States shall guarantee to every State in this Union a republican form of government." In regard to the Ordinance of 1787, adopted before the Constitution was established, there can be no doubt of its binding force; whether judicious, on principle, or otherwise.

But it seems very doubtful, to say the least, whether Congress, under these provisions of the Constitution, possessed any authority whatever to prescribe other terms of admission to a new State than the establishment of a republican form of government. The admission or the rejection of a State seeking entrance to the Union was at the option of Congress, according to the terms of the constitutional provision. It might properly and legally refuse admission to a State, therefore, on fundamental grounds, if its domestic regulations, for example, were plainly contrary to good morals—which could not be alleged in regard to slavery, in a country composed of slave and free States, indiscriminately, under the constitution; without taking the ground that the instrument adopted by our wise, humane, and religious fathers was "a covenant with death, an agreement with hell"—or, if those regulations were in any respect obviously unfriendly to republican institutions. Otherwise, the authority, so exercised by Congress, would seem merely arbitrary, rather than conformable to reason and the just intent of the Constitution.

In conformity with the principles of the report made by the majority of the Committee on Territories, Mr. Douglas offered his proposed amendment to the bill before the Senate, February 7th, 1854. This amendment, referring in express terms to the Missouri Compromise, proposed to insert in the bill the following declaration in regard to it:—

“Which, being inconsistent with the principles of non-intervention by Congress with slavery in the States and Territories, as recognized by the legislation of 1850, commonly called the Compromise Measures, is hereby declared inoperative and void; it being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom; but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States.”

This proposition was identical in character with the Acts of 1850, for the organization of the Territories of New Mexico and Utah. An animated and continuous debate had already taken place in the Senate, upon propositions submitted by Mr. Dixon, of Kentucky, and by Mr. Douglas, to the same tenor, though not in the same terms as the preceding amendment; and upon various counter-amendments, offered upon the other side of the chamber. The debate proceeded upon the present form of the proposition, in which the mover, and Mr. Weller, of California, and others took part, in behalf of the measure, and Mr. Everett, Mr. Smith, of Connecticut, and Mr. Houston, in opposition. The two Senators from New England contended against the bill, on the general Northern grounds of objection to the extension of slavery; while Mr. Houston based his objection upon those already stated, as having been urged on the last day of the preceding session—that it violated the rights of the Indian tribes in possession of the Territory, and the good faith of the Government pledged to them when they removed to it, under the stipulations of treaty. Upon the conclusion of Mr. Houston’s speech (February 15th), the amendment offered by Mr. Douglas was adopted by the following vote, in the statement of which Democrats are designated by italic letters :

YEAS.—Messrs. *Adams* of Mississippi, *Atchison* of Missouri, *Bayard* of Delaware, *Bell* of Tennessee, *Benjamin* of Louisiana, *Brown* of Mississippi, *Butler* of South Carolina, *Cass* of Michigan, *Clayton* of Delaware, *Dawson* of Georgia, *Dixon* of Kentucky, *Dodge* of Iowa, *Douglas* of Illinois, *Evans* of South Carolina, *Fitzpatrick* of Alabama, *Geyer* of Missouri, *Gwin* of California, *Hunter* of Virginia, *Johnson* of Arkansas, *Jones* of Iowa, *Jones* of Ten-

nessee, *Mason* of Virginia, *Morton* of Florida, *Norris* of New Hampshire, *Pearce* of Maryland, *Pettit* of Indiana, *Pratt* of Maryland, *Sebastian* of Arkansas, *Slidell* of Louisiana, *Stuart* of Michigan, *Thompson* of Kentucky, *Toombs* of Georgia, *Weller* of California, and *Williams* of New Hampshire—35.

NAYS.—Messrs. *Allen* of Rhode Island, *Chase* of Ohio, *Dodge* of Wisconsin, *Everett* of Massachusetts, *Fish* of New York, *Foot* of Vermont, *Houston* of Texas, *Seward* of New York, *Sumner* of Massachusetts, and *Wade* of Ohio—10.

The Senate, at that time, consisted of sixty-two members; and seventeen, therefore, refrained from voting on this occasion; or a certain number, it may be presumed, were absent from Washington. Of the twelve New England Senators, but six voted upon the amendment: though from other votes taken, in the course of the proceedings on the general question, and not long afterwards, all, with perhaps one exception, appear to have been upon the spot.

The objections raised by Mr. Houston, and by others familiar with the special topic of his remarks, may appear, upon reflection, to have been far more worthy the attention of a rational and conscientious people than seems to have been accorded to it. There were existing within the territory of the United States, in 1853, and a very large proportion of them, certainly, in or near the quarter under discussion, more than 400,000 of the aboriginal race, according to the estimate of the Commissioner of Indian Affairs.¹ Not only the native title of this wild, yet not necessarily hostile people,² to the soil of their fathers—but the rights of the

¹ The exact number stated is 400,764, more likely to be underestimated, perhaps, than exaggerated; and this statement was corrected in the office of Indian Affairs, October 30th, 1856, for the "American Almanac," in the number of which for 1857 it appears on page 109. If the estimate given in the "National Almanac" for 1863, page 312, as corrected at the Census Bureau, December 1, 1862, according to the census of 1860, be accurate, the Indian population in the States and Territories, retaining their tribal character, excluding those enumerated in the census—a comparatively insignificant number—amounted to 294,431; showing a terrible diminution within about half a dozen years.

² Witness the peace in which the primitive settlers of New England lived with them for the first fifty years, and until they, too, wanted the land.

feebler party, recognized and confirmed by solemn treaty obligations, were virtually disregarded on this occasion, as has been only too generally the case in the history of the country.

And it may raise a question in the minds of those who are actuated by rational principles of justice and humanity—if it cannot touch the sensibilities of the more selfish, who would emancipate the negro and “let him die out like the Indian”—whether it might not possibly be for this gratification of sordid motives, in the neglect of a duty so imperative; for the commission of this great national iniquity, that a great national calamity has overtaken us. Whether it might not be for depriving the independent beings, who asked of us little else, of the poor yet free privilege to exist as their unconquerable nature prompted and required—rather than for maintaining the involuntary tutelage of a race totally dependent upon us and incapable of self-support or self-control—that we may have suffered the punishment of our sins in civil war, with its unutterable ills and horrors, beginning on that very ground which was the actual scene of our wrong-doing towards the aboriginal inhabitants. In a word, without presuming to interpret the ways of Providence—whether it may not have been for this enormous transgression against the laws of God and man, for which both sections are equally responsible, that we have been thus lashed, in retribution, by the avenging scourge of the Almighty.

From the date of the adoption of the amendment until the final passage of the bill, on March 3d, a continuous debate was maintained upon various modifications proposed to several of its features. Mr. Douglas, Mr. Cass, of Michigan, Mr. Toombs, of Georgia, Mr. Hunter, of Virginia, and Mr. Butler, of South Carolina, were the chief speakers in favor of the measure; Mr. Seward, of New York, Mr. Chase, of Ohio, and Mr. Sumner, of Massachusetts, its principal opponents. In the mean time, a memorial was presented to the Senate from the delegate in attendance upon Congress from

Nebraska (Mr. Johnson), claiming the right for the people of that Territory to legislate for themselves in regard to slavery, and urging Congress to leave this question to their own determination. On the other hand, Mr. Seward offered resolutions of the Legislature of New York, requesting the Senators and Representatives of that State to oppose the bill; resolutions of the Legislature of Massachusetts, protesting against its passage, were also presented by Mr. Everett, and memorials flowed in of bodies of citizens from a great many quarters in the Eastern, Middle, and Western States. Among others was one headed by Mrs. Beecher Stowe, and signed by eleven hundred other female statesmen in the town of Andover, Massachusetts; reminding one of that violent period in French history, when the women of the faubourgs mingled with and aspired to lead the mob to the overthrow of the State.¹

It appears upon examination of the votes in the Senate, at the several stages of the bill, that those in favor of its passage were 41, those opposed to it 17. Of the latter class were Mr. Bell, of Tennessee, and Mr. Clayton, of Delaware, both of whom had voted for the acceptance of the amendment proposed by Mr. Douglas, but changed their position when the final question was taken, for reasons not affecting the general merits of the case. On the 14th of March—that is, ten days after this action of the Senate, the measure being then under debate in the House, Mr. Everett presented to the Senate a memorial from certain clergymen of New England. This document contained the signatures of no less than three thousand and fifty ministers of various religious denominations, protesting against the passage of the bill. About two months later, and shortly before the final disposi-

¹ Croly, in his "Life of George IV.," tells us of a period in the history of his own country, also, when—

"By an outrage to English decorum, which completed the likeness to France, women were beginning to mingle in public life, by their influence in party, and entangle their feebleness in the absurdities and abominations of political intrigue."

tion of the bill by the House, Mr. Douglas also presented a memorial in nearly identical terms, signed by the comparatively insignificant number of twenty-five clergymen in the Northwestern States. Some debate took place in regard to the memorial first mentioned, which was at length ordered to lie on the table.

Here, then, was the first public step taken towards the inauguration of warfare in the professed cause of religion. For those worthy and reverend gentlemen, of whom probably not one had the least accurate comprehension of the real merits of the question, not only prejudged, but denounced as an act of absolute impiety, deliberate legislative proceedings, directed by many of the ablest men in the country, who were familiar with the topic in all its bearings; who might be presumed to be guided by their best lights and by patriotic principles; and whose particular business it was, in the proper conduct of public affairs, to determine the point at issue; and that, too, in a mere matter of civil administration, with which the Church had nothing whatever directly to do, unless the theory be maintained that it is, in its corporate functions, a part of the government of the State. "Wandering Stars,"¹ therefore, they "shot madly from their spheres;" and plunged, in person, into the disturbed vortex of political wrangle, in a spirit which could have no tendency to calm that troubled sea, but was sure to work it up into still wilder commotion, and to stir into the fiercest agitation whatever elements of quiet might otherwise yet have contributed to its composure. Upon the assumption of this stand by probably one-third part of the clergy of New England—excluding the ministers of the Episcopal Church, very few of whom took any part in it, and the priests of the Roman communion, none of whom so far forgot themselves—the topic became a natural source of division in the several congregations, composed of men and women holding opposite opinions upon this particular subject, and upon political

¹ Jude, 13

...took to
...aplicit con-

questions in general; who had hitherto met in their places of worship, upon the one common ground of devotion befitting all men and incumbent upon all men, however divergent might be their views of political interests, or of worldly affairs. Nor was this stream of discord, flowing from an alien spring thus strangely mingling with the fountain of the sanctuary, allowed to take an ordinary course, and to pass out, exhausted, into the channels of the worldly current.

This unusual action of the clergy excited extreme repugnance in the minds of multitudes of sober and thoughtful persons throughout the whole country. On the one hand, it was considered a flagrant dereliction of the demeanor becoming their sacred profession, and a violation of its plainest duties and obligations; and, on the other, a combined and presumptuous attempt of a class of religious teachers to force upon the national legislature the rejection, in obedience to religious scruples, of an important measure, with which, whatever might be the political considerations affecting it, religion itself had no necessary concern. For whatever opinions we may entertain as moralists, philosophers, economists, or politicians, in regard to negro-slavery and its extension or non-extension, certainly no warrant of Scripture exists for making those opinions, either in one aspect or another, a specific article of religious faith. But the clergy, instead of conceiving that they might possibly have committed an error, in principle and in practice, braced themselves up to a conflict with adverse opinions. Undoubtedly, they exhibited great zeal. They preached upon Kansas and prayed about it. In many instances, this topic appeared to absorb their whole souls. Unanimity of feeling in respect to Kansas seemed to reduce to comparative insignificance old differences of doctrine and sentiment which regarded heaven and hell. Time struggled with Eternity. Men, between whom there was no single point of religious agreement, agreed in this, France, the party, and en- organization of the Territories of Nebraska and political intrigue. without a prohibition of slavery, would be, in the

language of the clerical memorial, "a measure exposing us to the righteous judgments of the Almighty."

In this also agreed with them multitudes of the fanatical crowd who had got quite beyond the sphere of religion or of reason, who made no pretence to Christian faith, or to belief in any thing but themselves. The Minister of the Plymouth Church, in Brooklyn, shook hands with the minister of the 28th Congregational Society in Boston. The professed orthodox divine held forth in the pulpit of one who was in communion with no religious denomination; and in a strain not less edifying than that to which the assembly in question was accustomed. Mr. Henry Ward Beecher, who preached in his own pulpit upon "Sharpe's rifles," in their relation to the affairs of Kansas, discoursed to the flock of Mr. Theodore Parker, who preached up "a drum-head constitution" as the only one worth regarding, in the same relation. In a word, there was a general jumble of opinions, feelings, and convictions at the North, which the action of the clergy tended most actively to promote and foster, and which boded no good either to Church or State.

The question naturally arises—By what well-authenticated mission did these reverend gentlemen assume the authority of Heaven? On what supereminent pinnacle of delegated power did they stand to wield the thunderbolts of the Almighty, and deal damnation round the land? Or, if their mission were not clear—if their authority were less than divine—then it was but sheer presumption and Heaven-daring presumption to assume the office of inspiration, and, beyond the rights or pretensions of other men, to arrogate, for their occasions, the solemn denunciations of prophecy. From the beginning of recorded time, under the dispensation of an all-wise and all-beneficent Providence, that subjection of classes of men to their fellows, which passes under the general name of bondage, had been one of the conditions, happy or unhappy, of human existence. If those three thousand and fifty clergymen, who thus undertook to minister wrath, and announce judgment, placed implicit con-

fidence in the prophetic declarations of Holy Writ, they must have believed that up to the day of doom itself, the question of slavery would still remain in abeyance, under the dispensation of an all-wise and all-beneficent Providence.¹

The kingdoms of the world had waxed and waned; the chosen people of God had endured their own bondage of four hundred years, had been led to the promised land, had fulfilled their appointed time, and had been scattered among the nations of the earth. To this land of ours, so long hidden from the light of His countenance—if civilization and the blessings of civilization are marks of His favor—had come our fathers, in the procession of ages; had suffered the discipline of His hand; had built up their republic on its foundations of liberty and peace—liberty to such as could rightly use it, peace with all and every nation and amongst themselves—and it had grown prosperous and great. In each and all of these stages of the progress of mankind—whether at the height of glory, or amid the emblems of desolation—a state of “involuntary servitude,” when under circumstances not obviously unfavorable to its existence and continuance, had been a distinguishing characteristic of human society. This condition of things had actually existed in the United States. Its continuance had not seemed inconsistent either with the civil advancement or the material prosperity of the republic. To allege, therefore, that the liberty to introduce or to exclude it, according to the will of the people, in a territorial wilderness—where the eventual development of the system would be at least problematical, must call down special and direct judgments from on high—was an assertion contradictory alike of the suggestions of reason and the observations of experience.

The immediate effect of this ecclesiastical interposition in a question of merely political import was disastrous in the extreme, throughout the free States. It lessened the respect accorded to the clerical profession personally, as a body of

¹ “And every bondman and every freeman.”—Rev. vi. 15.

men set apart to minister in divine things; it reduced their influence in matters of faith and practice, by promoting heated discussions in their churches and congregations; it lowered the general standard of religious sentiment and feeling. It could not take away their faith from those who held it in sincerity and truth; but it may be safely stated that the introduction of this subject into the pulpits of the North, while in many places it completely desolated and broke up the ordinary seats of Christian communion, it induced hundreds of thousands, throughout the free States, to absent themselves altogether from their accustomed places of worship; or to join religious societies, where political discussions were not likely to be substituted for the tidings of the Gospel—to encourage embitterment of heart, instead of working out the salvation of souls.

Upon the introduction of the bill into the House, an animated debate arose, which was continued, with brief intermission, from January 21st to May 22d, 1854. On the latter day, the first vote was taken. In the mean time, resolutions of the legislative assemblies of various Northern States, against the passage of the bill, had been presented, and from the legislative bodies of Southern States in its favor; and during the progress of the measure in the House a continual fire of memorials, signed by large numbers of citizens in all quarters of the country, had been kept up. It was finally agreed to, in the popular branch of Congress, by a vote of 113 yeas to 100 nays. In the majority were forty-five Northern Democrats; in the minority four Southern Whigs.

The act now passed, it will be remembered, was simply for the organization of a territorial government for Kansas. Another act of the same character was passed in relation to Nebraska, the original Territory having been divided into two, in the progress of the foregoing transactions. In the latter Territory no difficulty whatever occurred; indeed, its geographical situation was such as to offer no temptation for the extraordinary efforts which led to the violent proceedings of which Kansas so soon became the notorious and deplorable

scene. But Kansas itself, bounded on the north by Nebraska, and on the south by the Indian Territory and New Mexico, was hemmed in between the latter and Utah, on the west; both left free by law to choose for themselves in regard to slavery. Its entire eastern border was covered by the slave State of Missouri, and the territory afforded peculiarly advantageous inducements to emigration. Without entering upon details too minute, the general course of events which followed may be made sufficiently intelligible; though seldom has a public question been presented so full of complications and perplexities. The reader ought to be duly grateful to one who has waded and struggled through this difficult abyss of uncertainties and contradictions, and has brought out of it only essential products of the exploration.

The people of the North, or rather of the Northeast, are of an eminently practical turn of mind; and hence, when they have any object of apparent interest to effect, they set themselves to work to discover the mechanical means of bringing it into successful operation. Owing to habit, also, and to the fact that they are commonly much engaged in the pursuit of their own private occupations, they are very much governed, in regard to public matters, by the powerful influence of organizations. These are generally directed by persons of more leisure than common—either professional politicians or others, who are willing to devote special attention to the subject, and perhaps feel for it a peculiar interest. Hence it often happens that very many, through the force of such a system, vote at the day of election on the side of a party, when they have very little sympathy with its policy and no respect for its reputed conductors. Already, however, a different organization, of vast extent and power in its comprehensive ramification—that of the Northern Protestant Churches—had indicated the course which it proposed to take upon this question. If the settlement of Kansas, therefore, was to be made a point of religious principle, it was obvious that here was the mightiest of all influences set in operation, to act under the combined impulse of conviction, sentiment,

and too often passion. The organization of the churches, so salutary and indispensable when rightfully exerted, was one intimately and in all the relations of life, every moment affecting all classes and conditions of the people.

But now came up another of a different description, also showing clearly with what a determined purpose the question at stake was to be pushed to extreme issues. A month before the passage of the bill by the Congressional House of Representatives, the Legislature of Massachusetts had already granted an act of incorporation to a number of individuals, under the title of "The Massachusetts Emigrant Aid Company," in particular reference to the expected event. This company was clothed, by the act, with the usual powers and privileges of incorporated companies under the general laws of the State. The act set forth that the association was formed "for the purpose of assisting emigrants to settle in the West." It was provided that its capital should "not exceed five millions of dollars"—an amount which may be thought to indicate objects in contemplation somewhat more extended than such casual aid as might be needed by, and which it was thus proposed benevolently to afford, to casual voluntary emigrants to a remote wilderness, as yet chiefly the habitation of savages and wild beasts. Among the twenty incorporators named were, in fact, some of the most conspicuous Freesoilers and uncompromising abolitionists in the State. This act was approved April 26, 1854.¹ Considering that the sphere of operations was to be a territory some fifteen hundred or sixteen hundred miles beyond the jurisdiction of Massachusetts, in which its statutes could have no legal force, this extraordinary enactment may be pronounced, at least, a very questionable piece of legislation. Nor could such a proposition have obtained any respectable countenance

¹ In the following year (February 21, 1855), a charter was granted to another association, the "New England Emigrant Aid Company," incorporated "for the purpose of *directing* emigration westward;" with a capital "not to exceed one million of dollars."

in Massachusetts, had the State continued under the better influences of its more sober days. Its real object could not be for a moment misunderstood.

Of the naked right of citizens to form associations and to provide means to encourage emigration to one part of the country or another, there can be no doubt. But of the moral right to force emigration into a territory, in which a very grave political question was already rife; affecting seriously and directly the rights, real or supposed, of the actual residents of that Territory and of its immediate neighborhood; a question sure to be hotly contested, and only too likely to lead to violence and bloodshed in its progress, if occasion should arise—a very different view may be reasonably entertained. The act just referred to is worthy of notice, in this connection, as the first example set of a systematic and organized undertaking to exercise political control over the affairs of the Territory; of which so many instances of every description and evil tendency occurred in the course of the long-protracted and violent struggle which ensued. At the session of the Legislature of Connecticut, beginning in May, 1854, a similar act of incorporation was granted to the same Massachusetts gentlemen, under the title of the "Emigrant Aid Company," "for the purpose of assisting emigrants to settle in any of the Western Territories or States, with all the necessary powers and privileges." The capital of the company, in this case, was also limited to five millions of dollars. On a subsequent day of the same session this act was amended, by adding to the incorporators named a certain number of associates belonging to the State which had granted the act, and others who were citizens of the State of New York.

But, perhaps, the most interesting exemplification of this extraordinary movement developed itself at the seat of the General Government. It appears, by testimony given before the "Kansas Investigating Committee" of Congress, in the year 1856, that, immediately after the passage of the Kansas-Nebraska Act, in May, 1854, an association of Senators and

Representatives in Congress was formed, under the name of the "Kansas Aid Society." The object of the association is stated below. It appears by the evidence given, that headquarters for the Society were established in Washington, that officers were appointed, books kept, and subscriptions raised. The following passages are extracts from the testimony of Mr. Mace, member of the House from Indiana, who was one of the association :

"We issued a circular to the people of the country, of the Northern States particularly, in which we set forth what we believed were the dangers of making Kansas a slave State, and urged that steps be taken to induce persons from the North who were opposed to slavery to go there and prevent its introduction, if possible. We sent a great many circulars to various parts of the United States, with that object, and also communications of various kinds.

"I think no other object was mentioned or specified, except the prevention of slavery in Kansas. I think that was the sole object of the movement.

"My recollection is, that generally those members of the House and Senate who were opposed to the Kansas-Nebraska Act became members of this society and contributed to it.

"I think Mr. Goodrich, of Massachusetts, was President of the society. I am not sure about the vice-Presidents; probably Mr. Fenton, of New York, and myself were vice-Presidents. The names of the President and vice-Presidents were attached to our circulars which we sent throughout the country." ¹

It must be admitted that here was a pretty formidable outside organization, on the part of Church and State, set instantly into active operation to stir up the public mind, in order to prevent the actual settlers of Kansas, already there resident under a territorial government established by law, from having a free choice in regard to the alternative of slavery or no slavery, as provided by the act. It does not appear that there was any counter-demonstration, on the

¹ This association is stated to have been a secret one in the report from the Committee on Territories, presented in the Senate by Mr. Green, of Missouri, and also that it was formed "prior to the final passage of the Kansas-Nebraska bill." Surely, this underhand way of working out their objects could hardly have been expected of men assuming to be statesmen in the Government of a free people.

proslavery side, for many months; except that considerable bodies of settlers entered upon the Territory, from the contiguous state of Missouri, and took up their locations, many of them accompanied by their slaves. This they were perfectly free to do, in common with citizens from every other part of the country. But although no controversy could exist as to the legal right of voluntary action, in this respect, on the part of emigrants from whatsoever remote quarter, or in whatever numbers; the moral right of those at a distance to institute organized and systematic efforts, in order to produce a predetermined result, against the well-known wishes, during the early period of the controversy, of most of those on the spot, or in the immediate neighborhood, is more problematical.¹ At the first election under the territorial laws, held on the 29th of November, 1854, a delegate to Congress was chosen, according to the report of the majority of the Committee on Territories furnished to the Senate, made on the 12th of March, 1856 :

“By the votes of men of all parties who were in favor of the principles of the Kansas-Nebraska Act, and opposed to placing the destinies of the Ter-

¹ It is of importance here, in illustration of the opinions of the residents of Kansas, at so late a period in the controversy as May, 1857, to quote a passage from the inaugural Address of Mr. Robert J. Walker, as one of the successive Governors of the Territory. He says :

“Those who oppose slavery in Kansas do not base their opposition upon any philanthropic principles, or any sympathy for the African race. For, in their so-called Constitution, framed at Topeka, they deem that entire race so inferior and degraded, as to exclude them all forever from Kansas, whether they be bond or free. * * * Yet such a clause in the Topeka Constitution was submitted by that convention for the vote of the people, and ratified here by an overwhelming majority of the antislavery party. The party here, therefore, has affirmed the constitutionality of that portion of the recent decision of the Supreme Court of the United States, declaring that Africans are not citizens of the United States.”

For, if citizens, they could not be lawfully excluded. Governor Walker proceeds to state the fact that this Topeka Constitution, with the clause in question, was also ratified by the entire Republican party in Congress. It seems plain, therefore, that the dispute was political merely, not philanthropical, or moral, or religious, in its essence.

ritory in the keeping of the abolition party of the Northern States, to be managed through the machinery of their emigrant aid companies. No sooner was the result of the election known, than the defeated party proclaimed, throughout the length and breadth of the republic, that it had been produced by the invasion of the Territory by a Missouri mob, which had overawed and outnumbered and outvoted the *bona fide* settlers of the Territory."

The report throws entire discredit upon the latter statement; and by way of showing how little the statement was entitled to belief, declares the fact that the seat of the delegate so chosen was never contested. It then proceeds:

"In the absence of all proof and probable truth, the charge that the Missourians had invaded the Territory and controlled the Congressional election by fraud and violence, was circulated throughout the free States and made the basis of the most inflammatory appeals to all men opposed to the principles of the Kansas-Nebraska Act, to emigrate or send emigrants to Kansas, for the purpose of repelling the invaders, and assisting their friends who were then in the Territory in putting down the slave power, and prohibiting slavery in Kansas, with the view of making it a free State. Exaggerated accounts of the large number of emigrants on their way, under the auspices of the emigrant aid companies, with the view of controlling the election for members of the territorial legislature, which was to take place on the 30th March, 1855, were published and circulated. These accounts being republished and believed in Missouri, where the excitement had already been inflamed to a fearful intensity, induced a corresponding effort to send at least an equal number to counteract the apprehended result of the new importation."

It is a little surprising, that amid the multiplicity of reports which were made on this whole subject to Congress during the four or five years of the controversy, those made to the Senate by the minority of the Committee on Territories seem to slip rather quietly over these preliminary matters, whence obviously were the beginnings of evil. They defer their recapitulation of events, which finally led to armed encounters of considerable bodies of men, in the unhappy Territory, and to many deeds of individual murder and outrage, to a period nearly a year after the passage of the act for the organization of Kansas, namely: the 30th of March, 1855, the day ordered for the election of a legislative assembly.¹ It is alleged, by those reports of the minor-

¹ The territorial bill passed the House May 22d, 1854.

ity of the Committee, and no doubt truly, that bands of armed men from Missouri appeared at the polls, and that the election, in the main, was carried by fraud and threatened violence. It has been already stated, in correspondence with the report of the majority of the Committee, that, soon after the passage of the bill, large numbers of emigrants entered upon the territory from Missouri for permanent residence, many taking their slaves with them. The following passage is an extract from a report by Mr. Collamer, of Vermont, in the minority of the Senate Committee on Territories, made March 12th, 1856 :

“After the passage of this law, establishing the Territory of Kansas, a large body of settlers rapidly entered into said Territory, with a view to permanent habitation therein. Most of these were from the free States of the West and North, who *probably* intended by their votes and influence to establish there a free State, agreeably to the law which invited them. *Some part of those* from the Northern States had been encouraged and aided in this enterprise by the Emigrant Aid Society formed in Massachusetts, which put forth *some* exertions in this laudable object by open and public measures,” etc.

Neither in this minority report, nor in a subsequent one, signed by Mr. Collamer, and by Mr. Wade, Senator from Ohio, made on the 4th of September, 1857, is there mention of unlawful interference with the proceedings of election prior to that ordered for March 30th, 1855. The inference from the facts already exhibited, therefore, would certainly seem inevitable, that—since matters appear to have gone forward, during nearly a year after the establishment of the territorial government, attended with no noticeable disorder—if emigration had been afterwards left, in any reasonable degree, to follow its natural impulse, without the application of an extraordinary forcing process, no serious trouble would ever have occurred in the Territory. It is very likely that Kansas might thus have become temporarily a slave State; but little probability that it would long have continued in that condition, after the development of its resources had fairly begun, and its population had become numerous by accessions from the free States, which had already contrib-

uted so much more largely than was in the power of the slave States to the settlement of the whole West. Slavery was dying out in Missouri, on its border, and beyond Kansas it could have no fixed existence. The fanatics, ideologists, and radical enthusiasts, who insisted upon "the largest liberty" to cut all the cords which bind communities together in civil and social relations, might have gone on dreaming, or bewailing the hard lot of the happy negro, forever; in due process of time, all the territory of the United States might have been converted from a wilderness into a garden, by the application of just such labor as the natural condition of the several portions required; and whenever it was found that slavery was not useful to the master and the slave—for their interest, though in different degrees, was common and inseparable—it would at length have ceased altogether.

But when did reason restrain the fiery propagandist, to wait for the slow operation of natural or moral causes? Here, however, had come finally up a new and efficient power, in which party interests, sectional hostility, ferocious Christianity, radical infidelity, and the most extravagant theories of personal equality and fraternity, had combined for the accomplishment of a political object. The history of Kansas, from the time that this complicated and portentous machinery was set in motion until greater events, deducing their origin from its conflicts and troubles, engrossed the public mind, presents a spectacle only too painful to look back upon. Indeed, it is much more painful in the retrospect, than were the emotions excited by the actual progress of events at the time; since the whole scope and tendency of those events could not then be discerned, though regarded by thoughtful men as in the highest degree dangerous to the peace and welfare of the republic. To the great mass of the people the struggle seemed, however lamentable in its incidents, yet on the whole a local conflict, which would in the end wear itself out; and the condition of parties at the North was not such as to excite immediate apprehensions of a civil convulsion in which the whole country would be involved.

The systematic efforts of bodies of men in the North to control the future fortunes of the Territory, of course begot similar organizations in the South, and the struggle was long and arduous between the two. Avoiding all recapitulation of events so recent, the narration of which would be necessarily voluminous, perhaps perplexing to those not familiar with them, and needless to those who are, it may be said that for a series of years the controversy raged with unexampled vigor and acrimony, in the Territory, in Congress, and in the country. Kansas, in fact, was in a state of civil war,¹ which broke out in various disturbances at first, upon every occasion of an election or public assembly of the inhabitants, and at length terminated in serious conflicts of large bodies of the different parties in arms, until a sufficient body of troops of the United States was moved into the Territory to keep the peace. It became finally manifest that the opponents of slavery in the Territory had acquired a decided superiority in numbers over their adversaries, and the struggle then came to an end upon that particular field of action.

It is no part of the purpose of the present inquiry to institute an examination of the successive administrations of President Pierce and President Buchanan, during which those unhappy troubles had their origin, and led, in their progress, to other more important events; but simply to trace, in some effort at a philosophical spirit, those causes from which finally sprang a civil war which astounded the nations of the earth by the unparalleled character of its

¹ The following passages are extracts from the resolutions of the Whig National Convention, assembled at Baltimore in the summer of 1856, of which Edward Bates, of Missouri, was the President:

Resolved, That we regard with the deepest interest and anxiety the present disordered condition of our national affairs, a portion of the country *ravaged by civil war*, large sections of our population embittered by mutual recriminations, etc.

Resolved, That, in the present exigency of political affairs, we are not called upon to discuss the subordinate questions of the administration in the exercising of the constitutional powers of the Government. It is enough to know *that civil war is raging and that the Union is in peril*, etc.

manifestations, and is so replete with consequences yet to be developed, to the country and to mankind. It should be remarked here, however, that it was in the progress of this Kansas controversy that Mr. Douglas, the original mover and most efficient promoter of the repeal of the Missouri Compromise, became separated from his party, in opposition to the views of Mr. Buchanan, as expressed in his Message to Congress of February 2d, 1858. Mr. Douglas's report to the Senate sharply criticized that Message; and the stand subsequently taken by him against the bill adopted by Congress for the admission of Kansas,¹ led to the defeat of his own prospects for the Presidency, through the dissatisfaction it gave to a large section of his party both in the North and South. Hence resulted the fatal division in the Democratic Convention at Charleston, in 1860, and at the adjournment to Baltimore, which ended in the overthrow of the Democrats and the triumph of the sectionalists of the North.² The debate on Kansas and its affairs continued in Congress, at intervals, until April, 1858—a period of four years from the passage of the act for the organization of the Territory. In the mean time, other questions than those relating to slavery, in respect to lands and other public property, had sprung up and led to controversy with the General Government. A variety of constitutions, proposed by conventions of “free-state men” and “slave-state men,” on the one hand and the other, especially the “Topeka” constitution by the former, and the “Lecompton” by the latter, had been subjected to the popular determination of voters and non-voters, without much deference to law, or regular action, on either hand. These had been submitted to Congress, but found no favor with the majority, and at length the whole subject was referred to a committee of conference of both branches.

¹ That is, the bill described on p. 302.

² At the election which ensued, the Republicans cast 1,867,610 votes for Mr. Lincoln, that being a plurality of votes over any other individual candidate; though the whole opposing vote in the aggregate was 2,804,566—leaving him in an actual minority of 946,950 votes.

This committee reported a bill which passed the two Houses. It submitted to the decision of the inhabitants a certain proposition, in regard to the distribution of the public property, for public uses in the State, reserving the rights of the United States. It provided, that, upon the acceptance of that proposition by the people of Kansas, "in lieu of the ordinance framed at Lecompton"—which was the constitution then actually before Congress, and was pronounced "not acceptable" to it—the territory should be, *ipso facto*, "admitted into the Union, on an equal footing with the original States, in all respects whatever." This branch of the act said nothing about slavery, which was sufficiently provided for by the ordinance in question; so that the effect would be, upon the declared assent of the people to the foregoing proposition, the adoption of the "ordinance framed at Lecompton," for their constitution; with the substitution of the proposition of Congress for that contained in the ordinance, in regard to the public property.

A further section of the act provided, however, that if the proposition in question should be rejected by the popular votes, then—

"It should be deemed and held that the people of Kansas do not desire admission into the Union with the said Constitution,¹ under the conditions set forth in said proposition; and in that event the people of said Territory are hereby authorized and empowered to form for themselves a constitution and State government, by the name of the State of Kansas, whenever the population of said Territory equals or exceeds the ratio of representation required for a member of the House of Representatives of the Congress of the United States, * * * and shall be entitled to admission into the Union as a State, under such Constitution thus fairly and legally made, with or without slavery, as such Constitution may prescribe."

In short, the first clause of the act provided for the admission of Kansas as a slave State; the second for the reference of the question of slavery to the will of the people, according to the original proposal of Mr. Douglas; but the whole question, in either event, was, in fact, referred to the

¹ That is, "the Ordinance passed at Lecompton."

popular determination. This bill passed the Senate by a vote of 31 yeas to 22 nays; and the House by a vote of 112 yeas to 103 nays. In the Senate nine of the majority were from the free States; in the House thirty-six.

The only question really determined by the final result, was, that a new State might be admitted into the Union, either with slavery or without it, as the people of the territory asking admission might prefer. But, upon incidental points, provided for by the act, and in regard to the manner in which the question was presented by it, it may be justly thought liable to the gravest objections, both as a matter of statesmanship and upon principles of ingenuous dealing. The passage of the act gave rise to the most discordant opinions, in the North and the South. Mr. Douglas had opposed it, because he considered its effect to be to force the Lecompton constitution upon the people of Kansas, by inducements held out in the "proposition," and the postponement of admission, should the "proposition" be rejected. Mr. Robert J. Walker, who had been Governor of the Territory, was in favor of it, because he felt confident it would insure the defeat of that constitution. Mr. Jefferson Davis wrote to a friend in Mississippi, in a letter dated at Washington, May 12th, 1858:

"My judgment is in favor of the latter (the act), because it distinctly reserves the rights of the United States, and does not attempt to construe, or seemingly to suggest any modification of the Constitution, or to offer any justification for having admitted the State; but leaves it to stand as a simple recognition of the right of the people—they having formed a Constitution republican in its character—to be admitted into the Union. * * * Its passage was then and is now regarded by me as the triumph of all for which we have contended; and the success of a great constitutional principle, the recognition of which, though it should bear no present fruit to be gathered by the South, was an object worthy of a struggle, and may redound to our future advantage. By the same means, the country was relieved from an issue which, had it been presented as threatened, our honor, our safety, our respect for our ancestors, and our regard for our posterity, would have required the South to meet, at whatever hazard." ¹

¹ Quoted in Cluskey's "Political Text-Book," p. 746.

On the other hand, Mr. W. L. Yancey, of Alabama, in a letter dated May 24th, 1858, says :

“Far better had the issue been met. The South had done its duty in using all its exertions to bring Kansas into the Union, ‘in accordance with the principles of the Constitution.’ She did it, knowing that the new State would be represented by Freesoil Senators and Representatives. She had nobly performed her duty without counting the cost. Why should she have hazarded her own unity, and compromised her position by further effort? * * * General Davis may be right; but the fact is, that the North laughs at us, and we stand not exactly a scorn unto ourselves, but certainly without any cause of congratulation at the result.”¹

At an election, held in the month of August, 1858, the people of Kansas rejected the “proposition” by a decisive majority. In January, 1859, the territorial legislature passed an act, submitting to the people the question of holding another constitutional convention, to which, upon taking the vote, it appears that they agreed. The convention met in July, 1859, and framed a constitution, which subsequently obtained the ratification of the popular vote, by a majority of about four thousand.² Kansas, however, was not admitted as a State, until January 29th, 1861, after the Republican party had carried the election of President, and upon the very eve of war. Very earnest and protracted debates even then took place upon the subject, in Congress; so that this profoundly exciting question actually remained open until the rebellion was fully in progress, when many Southern members of Congress had already left, and others were just about to leave their seats vacant.

The admission, of course, was entirely right, and in entire correspondence with the alternative provision of the act of 1858. But, upon looking over the records of congressional

¹ Quoted in Cluskey’s “Political Text-Book,” p. 761.

² In Mr. Douglas’s report, from the Committee on Territories, in February, 1858, it is stated that there were not 500 white inhabitants in the whole Territory in May, 1854, when the bill for organizing it passed. In 1859 there were not far from 100,000. It appears, from census returns made in 1860, that there were then 109,000.

proceedings at the period, there seems to have been a sort of persistent pressure of the question, by the Republican leaders in the Senate, which was very likely to provoke resistance; and which has the air, at least, of an eager desire to clutch the fruits of triumph before the defeated party had secured its retreat from the scene of action, likely so soon to remain altogether undisputed. In regard to a part of these gentlemen—considering that things which are lawful are not, under all circumstances, expedient—their urgency would seem to indicate a certain unconsciousness of the impending crisis in the affairs of the country; since it would be uncharitable to charge them with indifference to a calamity so direful as civil war. The opportunity for the exercise of a conciliatory spirit was not yet past; but there was little manifestation of it on either side. Probably, most of them had no clear conception of the real state of the case; certainly, none of them could have formed any imagination of the actual course of future events. The hoarse murmurs of menaced danger to the Republic seem to have affected them scarcely more than the petulant outcry of a spoiled child. Even after Mr. Lincoln had left his home in Illinois, and was on his way to Washington, for inauguration as President, and when the States of the Gulf had already passed formal ordinances of secession, he jestingly proclaimed, to an agitated and profoundly anxious people—"Nobody is hurt."¹

Upon the introduction of the final bill for the admission

¹ This very expression affords a key to much which would be otherwise inexplicable in accounting for the actual occurrence of the war. The country was sometimes graphically said, at the time, to be "drifting into war." The Republicans were, naturally enough, reluctant to admit their own responsibility for the existing state of things, and treated it as of trifling consequence. An extraordinary speech, delivered by Mr. Seward, at the New England Society dinner, at the Astor House, in December, 1860, is a case in point. It not only put aside, as a thing not to be thought of, the idea of secession, or of any serious convulsion impending, but was fairly jubilant over the prospects of the future. On the other hand, the South, as was always perceived by others and remarked, was "terribly in earnest."

of Kansas, Mr. Douglas declared, February 29th, 1860, in reply to a speech of Mr. Seward :

“I repeat that their resistance [that of Mr. Seward and his associates] to carrying out in good faith the settlement of 1820, their defeat of the bill for extending it to the Pacific Ocean, was the sole cause of the agitation of 1850, and gave rise to the necessity of establishing the principle of non-intervention by Congress with slavery in the Territories. Hence, I am not willing to sit here and allow the Senator from New York, with all the weight of authority he has with the powerful party of which he is the head, to arraign me and the party to which I belong with the responsibility for that agitation which rests solely upon him and his associates.”¹

In this allegation Mr. Douglas was clearly in the right. No matter by what unforeseen contingency it happened, that the line of $36^{\circ} 30'$ could not be conveniently extended to the Pacific—and the only reason which could be offered, was the adoption of a constitution excluding slavery by the people of California, through the centre of which Territory the line would run—the repeal of the settlement of 1820 was accomplished by the failure to fulfil its conditions, which prohibited slavery north and permitted it south of that line. The question in regard to California was, it would seem, an impracticable one; but that Territory having been admitted to the Union, and provision made for the admission of New Mexico and Utah, both in contravention of the settlement of 1820, the Missouri Compromise was broken up altogether, in equity and in law. The national Whig Convention of 1852, as has been already shown, adopted this condition of things, “in principle and in substance,” and the national Democratic Convention of the same year took the same ground, though not employing the same language. The line of $36^{\circ} 30'$ having been abandoned, therefore, the territories of the United States were subject, in respect to slavery or any other matter affecting them, only to such legislation as Congress could constitutionally provide in such cases. Consequently, the Kansas-Nebraska Act of 1854, was but a reaffirmation of the congressional action of 1850, affirmed as it had already

¹ From the “Congressional Globe.”

been by the Conventions of the two great parties, and by a popular vote of 2,969,079, against that of a minority amounting only to 157,296. And it may not be unreasonable to conjecture, that, if the framers of that act had contented themselves with providing only for the admission of territories, either with slavery or without, according to the will of the residents, leaving out any mention of the repeal of the Missouri Compromise, in terms, it would have been impossible to create any very extensive agitation on the subject.

The popular mind may be stirred up by a direct proposition, which would excite no particular interest or feeling, if incidentally presented, though leading to precisely the same conclusions. It is not likely that ten out of a thousand of the people of the North ever examined this whole question, in its details. It was inevitable, therefore, that their views of it should be somewhat vague. But traditional memories which hung round the words "Missouri Compromise" impressed them, as with a sort of sacred significance. Though practically repealed, four years before, yet when the specific proposition to do what had been actually done already was set before them in plain terms, it gave great advantage to those who were only too well inclined to mislead and to excite the popular masses. Hence, then, came, in conjunction with other causes already referred to, the astonishing increase of the Freesoil vote, from less than 160,000, in 1852, to more than 1,300,000, in 1856; which grew in volume, so long as the fruitful theme of the Kansas troubles was kept in agitation, and which finally brought round the Republican triumph, with its results.

It is somewhat singular, that, in the course of the numerous debates which took place on the general subject, during so many years, it seems never to have occurred to those who discussed it, that the extension of slavery to a new territory, so far from being equivalent to an increase of the system, tended rather to its diminution. Since slaves could not be imported into the country, those who would follow their masters to fresh fields of labor must necessarily be taken

from the main body already in the slave States. The ratio of the increase of this class of population, in its normal condition, is an ascertained fact. Whether they would be as likely to increase according to the ordinary ratio, amid the severer labors of an unbroken region, as in the comparative ease and comfort of their accustomed abodes, especially if removed to a less genial climate, is a point about which a probably accurate judgment may be formed. At all events, it could be but the transfer of so many slaves, already existing in the country, from one place of residence to another. The political question, of the increase of slave States, would still remain. But it has been heretofore shown, that, while the limits of slavery in the South were definitely fixed, the North had already a very large preponderance of population; and that while the free States outnumbered the slave States at the period of the dispute, the character of the great Northwestern territory precluded the idea of forming out of it, at any future time, any other than those of the former class.

It may be remarked, in conclusion, upon this point, that however impolitic, in a popular sense, the Kansas-Nebraska Act, of 1854, may have been in some of its terms, it was, nevertheless, unavoidable, as a legislative measure, in its "principle and substance," whenever the organization of the Territory became necessary. The adoption of an opposite course would have been a violation of the Compromise measures of 1850, of the pledges of the Whig and Democratic Conventions, and a revolt against the vote of the immense popular majority in 1852. Consistency, principle, therefore, and the very existence of a party as a national organization, depended upon the submission of the question at issue to the determination of the people in the several territories, under suitable provisions for the rightful exercise of their popular functions. By flinching from this doctrine, the old Whig party, so long one of the main supporters of a constitutional republic, ran headlong into the wild sea of unconstitutional radicalism; and upon this issue, the Democratic party, no

less distinguished of old for its devotion to the cause of the Union, became hopelessly divided; and, finally, with the assurance of victory if it had stood together, yielded the field to those whom both sections of the party were most anxious to defeat, for the cause of honestly republican principles under the Constitution.¹

¹ By referring to the final resolution, of the series which passed the Senate, January 12th, 1838 (Appendix IV.), by a vote of nearly four to one, it will be seen that the very principle of the Compromise of 1850 and of the Kansas-Nebraska Act was then made a test question. The House took no action upon those resolutions; but at the first session of the twenty-fifth Congress, Mr. Atherton, of New Hampshire (December 11th, 1838), brought forward in the House a body of resolutions, covering the same general grounds as to Territories and other points included in those adopted by the Senate. These passed the House, on the following day, by large majorities; that one, which denied the right of Congress to interfere with slavery in the States, by the "indirect means" of acting upon petitions for its abolition in the District and in Territories receiving the least support, the vote standing 126 yeas, to 73 nays. For sixteen years, therefore, and during the political discussions of four general elections, before the passage of the Kansas-Nebraska Act, the point involved in that act had stood settled by the action of the two Houses, without any general question by the people. It is obvious, therefore, that the agitation to which that act gave rise, and which led to such direful consequences, could have resulted only from such a combination of actively-working agencies as those described in the text.

CHAPTER XI.

Availability as the Motive of Nomination a Mistake of the Democracy in 1856, as it was of the Whig Party in 1852.—Seditious Legislative Proceeding.—The Nomination of Fremont and Dayton the first Instance of Sectionalism, as to Candidates for the Presidency and Vice-Presidency.—Party Success, on merely available Grounds, insecure.—Southern Leaders seeking to inform themselves as to Northern Sentiment.—Visit of Mr. Davis to New England in 1858.—Mr. Toombs gives a Lecture in Boston.—Mr. Lincoln's Opinion of the State of Union Sentiment at the South, during the War.

THE object of this work has been to point out, in a somewhat general way, the movements of popular feeling and the course of action of the several parties, as tending towards certain results, not to examine the conduct of particular administrations of the General Government. It may, however, be properly enough suggested at this point, that the Democratic party, however actuated by considerations thought important to insure success, at a great public exigency, and, doubtless, also, by patriotic views of public duty, may have committed a political error in failing to renominate President Pierce in 1856. Without any reference to the subsequent turn of events, under the administration of his successor, President Buchanan, and allowing for the impossibility of foreseeing their progress and result, it was the evident fact that a great national question of absorbing interest, unexpectedly coming up early in the term of President Pierce, must be met and be brought to an issue, mainly by the intelligent action and popular strength of the Democratic party throughout the country. The embarrassments with which the administration of the latter was encumbered, in relation to the disturbances in Kansas, grew out of causes at work

remote from the Territory itself, as has been already shown; and causes which it was quite out of the power of the national executive to control. In his message to Congress of January 24th, 1856, he remarked:

“The inflammatory agitation, of which the present is but a part, has for twenty years produced nothing save unmitigated evil, North and South. But for it, the character of the domestic institutions of the future new State would have been a matter of too little interest to the inhabitants of the contiguous States, personally or collectively, to produce among them any political emotion.”

It is difficult to see how he could have properly pursued any other course than that adopted, in regard to affairs within the Territory. He had declined to interfere by force with the action, regular or irregular, of the people of the Territory in their elections, on the just ground that it would be “subversive of public freedom.” Nor could he have done so without incurring severe censure from one side or the other, perhaps from both. But when lawless violence ran riot through the Territory, he despatched a sufficient armed force to restore and maintain order, as soon as he could induce the reluctant Congress, which he had reassembled for the purpose, to vote the necessary supplies for the troops; a measure of public duty and necessity resisted by the opponents of the Kansas-Nebraska Act.¹

¹ After a long and exciting session, Congress finally adjourned, August 18th, 1856, without passing the ordinary appropriation bill for the support of the army. This the House had refused to do, unless the Senate would agree to terms which would prevent the President from using the military force, according to his judgment of the exigency, in Kansas. The President, thereupon, issued his proclamation to reassemble Congress, August 21st. The House had proposed the following proviso:

“That no part of the military force of the United States, for the support of which appropriation was made by this act, shall be employed in aid of the enforcement of any enactment heretofore passed by the bodies claiming to be the Territorial Legislature of Kansas.”

The Senate proposed to strike out this proviso, to which the House eventually agreed, by a vote of yeas 101, to nays 98; and the bill having thus passed, the extra session ended, by adjournment, August 30th.

A striking illustration of the difficulties with which the administration was environed appears in the tenor of certain resolutions adopted by the Legislature of Massachusetts, which were approved June 3d, 1856. These resolutions came up in consequence of an order moved for the appropriation of a considerable sum of money by the State, *in aid of Kansas*. The motion was advocated in the legislature, and by a part, at least, of the Freesoil press; though its passage would evidently have placed the State in the open attitude of furnishing funds in aid of an insurrectionary condition of things on the distant border of civilization. Instead of taking this step, the legislature ingeniously passed resolves commending the case to the popular favor and assistance, as follows:

*Resolved, * * * That we have heard the call for sympathy and aid which has come up to the people of the United States from the settlers of Kansas,¹ * * * and while we do not claim that as a State legislature we are clothed with power to initiate measures for their relief, we nevertheless present their case to the people of this Commonwealth, in full confidence that they will use all just and constitutional means to aid these heroic men in maintaining and defending their liberties.*

The legislature thus stirred up the people, and, by its authority, solicited contributions in favor of the side with which it was in political sympathy, and which was in conflict with the General Government. And the party thus always most professed to guard themselves with the Constitution, when most intent upon breaking it down. The resolves proceed to charge the disturbed state of affairs in the Territory to the "neglect of the Government of the United States to protect the settlers" (meaning the Freesoil settlers) "and redress their wrongs;" and, in the same breath, refer to the action of the President in issuing a proclamation of warning to all those who, by any means, were seeking to resist the execution of the territorial laws. They leave in no doubt the state of mind in the Freesoil party, by declaring that

¹ Doubtless from "old John Brown," who came to Massachusetts for that purpose.

“the question of free or slave territory is become a prominent and vital issue before the country, and *threatens to drive the nation into civil war.*”

Kansas was then, and had been for two years, under a territorial government, by virtue of an act of Congress, and although the President was bound to see to it, that peace was kept or restored, as he did, by means of the troops of the United States, yet he had no authority whatever to interfere with the popular vote in Kansas, or between the Governor of the Territory and its legislature, or to adjudicate upon alleged points of fraud in the conduct of its elections. At a later period in the history of the country we have seen less scruple exhibited, in giving executive direction to the popular action at elections, on a much larger scale, and under that plea of “necessity,” which was only the party necessity of obtaining a show of the major vote.

The Democratic Convention which nominated Mr. Buchanan in 1856, could have used no terms more expressive of the views entertained by it. It declared :

“The American Democracy recognize and adopt the principles contained in the organic laws establishing the Territories of Kansas and Nebraska, as embodying the only sound and safe solution of the ‘slavery question,’ upon which the great national idea of the people of the whole country can repose in its determined conservatism of the Union—non-interference by Congress with slavery in State and Territory, or in the District of Columbia. That this was the basis of the Compromises of 1850—confirmed by both the Democratic and Whig parties in national conventions—ratified by the people in the election of 1852—and rightly applied to the organization of Territories in 1854.”

The same Convention, in the warmest language of comprehensive eulogy, as well as by specification of particular policy pursued, proclaimed its unqualified approbation of the measures, and general conduct of the administration of President Pierce. It was, nevertheless, thought best to select Mr. Buchanan as the candidate, who had been out of the immediate sphere of politics by reason of his absence as minister of the United States at the court of Great Britain. It was evident that no slight was intended to his predecessor,

who, it was understood, urged no pretensions to the nomination; but it was equally evident, that the doctrine of supposed "availability" was applied to the case, and that the direct issue before the people was thus in some measure avoided. The Democrats were shrewd enough to be aware, that a great many persons would vote for the candidate of the party, who had never read the resolutions. It was upon these grounds, therefore, that it was thought best to take up a fresh candidate, whose name had not been mingled with the agitating Kansas imbroglio. It may well be questioned, whether that was not the propitious moment for meeting the issue fairly and squarely, upon its very face. Not to do so indicated something of a shiver in the breeze. There is good reason to believe that President Pierce would have been reelected; and such a result would have definitively settled, in due time, and would have afforded the most favorable means of settling the Kansas question, if the administration, under which the original measure was adopted, had been sustained by the popular suffrage. The line was already drawn with considerable clearness, though not so stiffly as afterwards between those who accounted themselves the unswerving supporters of constitutional principles, and those who, upon sectional grounds, had made the sectional nominations of Mr. Fremont, of California, for President, and Mr. Dayton, of New Jersey, for Vice-President; the first instance in which one or the other of the candidates for these offices had not been selected from a slave State.

In the election which ensued, Kentucky, so strongly impregnated with Whig opinions, and Tennessee, which also had voted for General Scott in 1852, notwithstanding allegations likely to prejudice his cause in a slave State, now cast their weight into the scale for Mr. Buchanan. In all the fifteen slave States, including Delaware, Mr. Fremont received but about twelve hundred votes; and in all but four of those States, not a single ballot was thrown for the ticket which bore his name. It was felt to be a moment, indeed, when all other considerations should be postponed, for the one great

cause of sustaining the Constitution and upholding the Union. Hundreds of thousands of young men, probably, acted for the occasion with the party which supported the Fremont ticket, attracted by the air of spirited adventure which surrounded his name, who might, at a favorable future moment, have been drawn back to their old allegiance. It is likely, considering the immediate relation of affairs, that the whole Democratic strength, which was given to Mr. Buchanan, would have been equally at the command of the party, had it chosen to renominate Mr. Pierce. Nor does it look at all unlikely, that such a manifestation of firmness, on the part of the "unterrified" Democracy, might have secured it a still more decisive majority. Without meaning to institute any comparison between the candidates, in other respects, it seems obvious that the constitutional cause would have been powerfully confirmed, by a frank attitude and by resolute action; and that this course would have tended to the easier and earlier settlement of the impending troubles. And even if the turn of the political contest had proved in favor of Mr. Fremont—matters were not then so ripe for civil disruption as four years afterwards, and might have been more readily adjusted. At all events, had the "Fremonters" then succeeded, the people would have had more cheaply a lesson of the most salutary influence, which might have saved them from the abyss into which they were finally induced to plunge.

The Democratic success in the election proved, in fact, but a hollow victory. It led to the entanglement of a question, clearly enough before the people, with novel complications, which tended to expedite the final catastrophe. The cry of the Freesoilers was—"No more slave territory." According to the action of Congress, ratified by a great majority of the nation, the people of the several territories were left to determine this question for themselves, when they came to form their State constitutions. It was a clear issue, upon which the Freesoilers were in a very decided minority; and nothing was needed but strict adherence to the point, and magnanimous efforts to hold the friends of constitutional

principles together, to preserve the constitutional majority, and to add to it great numerical gains. It will be alleged, that the sort of spirit manifested by the leaders of public opinion in the South prevented such a consummation. Doubtless a great diversity of views existed in the South. There were, here and there, zealous disunionists in that quarter, as there were at the North, who had long cherished the idea of separation. But it cannot be doubted, that the vast body of the people in every slave State, during the progress of these events, including the most able, influential, and by far the most in number of their leading men, were heartily attached to the Union, sincerely anxious to preserve it, and desired only to maintain those principles of the Constitution—whether right or wrong, in some of their interpretations of them—upon which the Union was founded, and which were essential to its preservation, unimpaired in its original purity and integrity. For example, after general religious communion between the North and the South had ceased,¹ and general stagnation prevailed, as to their social intercourse, Mr. Jefferson Davis spent the summer months of the year 1858 in New England, with his family; visited its principal cities and addressed public assemblies, on several occasions with great acceptance. A visitor of his character and standing could not fail to enjoy ample opportunity of conversation with all classes of citizens; and it was well known that he left for his Southern home with strong impressions, derived from the prevalent tone of sentiment, that the disputes which had so long tended to alienate the two sections from each other would pass by, without leading to any more serious consequences

¹ There were very few pulpits at the North, at this period, to which a pastor would venture to invite a brother clergyman from a slave State, should such a one happen to be in the neighborhood, to preach a Gospel addressed to all nations, in any one of which, at the time of its promulgation, slavery was the common practice, and in regard to which practice it contains no reproof. The American Tract Society had already been formally divided; the main office remaining at New York, while the New England seceding branch had its headquarters at Boston, and became an active organ of abolition.

than those which had been already experienced. It was supposed that Mr. Davis repaired to New England for the purpose of satisfying himself and his Southern friends on this very subject—in a word, to learn, by personal investigation, whether the idea was seriously entertained by considerable masses of the Northern population, as was more or less indicated by the tone of not a few members of Congress from that quarter, of pressing the question of slavery or antislavery to the point of submission, or resistance by the South. Many others of the chief citizens of that part of the country also visited the North, at or about the same period, probably with the same general view of inquiry and observation; and two years earlier, Mr. Toombs, by invitation of the Boston "Mercantile Library Association," delivered before a numerous assembly of that literary body, a lecture which was devoted to the discussion of domestic slavery, as it existed in the United States, in its constitutional and social relations.¹

Indeed, President Lincoln himself, while the war was still raging, without apparent prospect of speedy termination, did not hesitate to say, in one of his characteristic addresses to the public, that, except in South Carolina, he believed that a majority of the people in every Southern State were still for the Union at heart.² Nor does there seem to be any room for rational doubt, that the fact, more or less correspondent with his opinion, continuing unchanged to the end of the war, rendered the success of the Confederacy impracticable, and hastened the final result.

¹ On the evening of January 24th, 1856.

² In a debate in the Senate on the state of the Union, on the 10th of December, 1860, when affairs had so nearly ripened for open secession, Mr. Dixon, of Connecticut, declared that the true way to restore harmony was, "by cheerfully and honestly assuring to every section its constitutional rights. *No section professes to ask more; no section ought to offer less.*" He added that three-quarters of his constituents would uphold him in this position. Whereupon, Mr. Davis's colleague, Mr. Brown, of Mississippi, said: "If the same spirit could prevail which actuates the Senator who has just now taken his seat, *a different state of things might be produced in twenty days.*"—*Congressional Globe*, December 11th, 1860.

CHAPTER XII.

Hostility to a fundamental Provision of Law led to the War.—Other Causes which concurred.—Mr. Webster's Expression, "A Bargain broken on one Side, is broken on all Sides," in 1851, showing his Opinion of the State of Things at that Period.—The Book, called "The Impending Crisis of the South," recommended by Republican Members of Congress and others.—The "Harper's Ferry Invasion."

THE future impartial historian of the republic will not be likely to fail in the conclusion, that those gradually accumulating causes which at length, according to the ordinary motives which govern the actions of mankind, rendered the war inevitable—though unwise and certainly needless, could the calmer sentiment of the country, on both sides, have found means to exercise its due influence—resulted, by immediate occasion, from hostility to a fact in the domestic life of one section of the country, which was recognized as a matter of fundamental national law, by the spirit and the terms of the original compact between all the States.

Other causes of discord had coöperated with this one, from time to time; but they were either temporary in their nature, or of minor importance, or of a character less capable of attracting and engrossing popular interest. They were able, neither singly nor in combination, to produce such a general sense of incompatibility of temper and interest between the sections, or such deep-seated alienation of feeling, as to impel a civilized and Christian nation to contemplate the dread arbitrament of civil war. But, during the progress of the ten years immediately preceding that event, the sole topic of slavery, in one aspect or another, had mainly engaged the popular mind, in connection with every political

movement and demonstration.¹ In the North, it took, of course, the shape, and bore the character of assault upon that part of the country of which slavery was a domestic feature. In the South, whatever form the question may have taken, either in regard to the protection or the extension of slavery, it was, of course, in the attitude of defence. How far the right and even the necessity of defence may have been appealed to, either beyond or within the bounds of expediency, in particular instances, considering the relative situation of the parties, is a totally different question. In general, though not always—as in the case of the refusal to extend the compromise line of 1820 to its natural limit of the Pacific Ocean—or, as many of its people thought, in the provisions of the Kansas-Nebraska Act—the South had been able, after severe struggles, to secure what it deemed necessary for its permanent safety, under the shelter of the Constitution. But, exposed to incessant assaults, directly or indirectly, and which at length grew vehement and aggravated, upon its social, moral, and religious condition, it had long felt a burning sense of wrong, and in this state of mind men are not

¹ The tariff question afforded the only other serious cause of discussion; but naturally had less influence with the popular masses. In the North, the Whigs in general had favored a tariff for protection to domestic manufactures; the Democrats preferred one for revenue solely, and the incidental protection it would afford; the difference between them being one of terms and degree, therefore, rather than of principle, while the South was, generally, on the free trade side. Yet, during the session of Congress, in the winter of 1860-1861, while the country was on the very verge of war, a new system of high duties, usually known as "the Morrill tariff," from the name of the member from Vermont, by whom it was introduced, was carried through Congress by the Republicans; and that, too, against the earnest remonstrances of some of the more leading Republican journals in New York and elsewhere, on account of the existing condition of public affairs. No doubt this measure had its effect at the South; and there can be as little doubt that an extraordinary resolution of the Convention which nominated Mr. Lincoln, in the preceding summer, hereafter referred to in these pages, which promised protection of this description to the *agricultural and commercial*, as well as to manufacturing interests of the country, and even to the laboring classes, had a powerful influence in swelling the Republican vote at the election.

often controlled by considerations of policy. The North could only complain of the South for resistance to its political objects, with which it had seen fit to mix up certain moral and religious views. But if the position of the former was one of unadulterated and indisputable virtue, that of the other necessarily implied an opposite relation to the requirements of good conscience; and to be forced into such an attitude, with a deep sense of the injustice of the procedure, could not but tend to weaken any ordinary feelings of attachment to the Union. Although unsuccessful efforts had been made to bring about this unhappy state of things, for several years preceding the period now under consideration, as has been already shown in previous pages of this volume—it was upon the Fugitive Slave Act of 1850 that the first issue was directly taken. This movement was also unsuccessful, in its immediate influence, as appeared by the popular vote of the North, at the two succeeding elections of President. The real objection to the law, on the part of its more violent assailants, consisted in their opposition to any law for the delivery of fugitive slaves. But by incessantly working upon the popular mind, through every channel by which it could possibly be reached, a state of feeling was finally produced which led to the enactment of Personal Liberty bills, by one after another of the Northern legislative assemblies. At length, fourteen of the sixteen free States had provided statutes which rendered any attempt to execute the Fugitive Slave Act so difficult as to be practically impossible, and placed each of those States in an attitude of virtual resistance to the laws of the United States.¹ It is certain that a state of feeling thus indicated could not be considered especially friendly to the cause of the Union, or calculated to encourage those sentiments of veneration to it, so earnestly enjoined by the admonitions of Washington. Nor could legislative proceedings, thus framed, in order to

¹ At a somewhat later period, the executive officers of Ohio and Iowa refused to surrender to justice persons charged with participation in the "John Brown raid."

prevent the vindication of a constitutional right, which had been pursued throughout the Northern States for seventy years, in the rare instances which occurred, without any obstruction, and with the ready aid of the local State magistrates, tend materially to the promotion of comfortable feelings in the South. In fact, those laws, in connection with the repeated rescues of slaves by mobs from the custody of officers who had them in charge, together with constant incitements offered to slaves in the Border States to desert their masters, produced the profoundest feeling of indignation in that quarter.

If the South might then have been beginning to think of revolt, it is no less certain that, at that period, the North not only appeared to be in a state of almost continual riot against the laws of the General Government, but that those seditiously disposed were encouraged to evade and resist those laws, by the proceedings of the State legislatures.¹ But the objects which the fanatics and trading politicians failed to effect, immediately, through factious opposition to a law which the most respected judicial tribunals, in every quarter of the land, pronounced to be in strict conformity with the solemn engagements of the Constitution, the Kansas-Nebraska Act furnished them with a more manageable instrument to accomplish. Flighty denunciations of a law, obviously right in principle, whatever objections might be thought to exist to some of its details, and which was sustained by the best judicial opinions throughout the country, could hardly commend themselves to the convictions of considerate men, however strong their repugnance might be to the institution of slavery. But the act for the organization

¹ Mr. Webster's opinion upon this special point was given in no doubtful terms, in a speech delivered by him, at Capon Springs, Virginia, in 1851. He remarked: "I do not hesitate to say and repeat, that if the Northern States refuse wilfully or deliberately to carry into effect that part of the Constitution which respects the restoration of fugitive slaves, the South would no longer be bound to keep the compact. A bargain broken on one side, is broken on all sides."

of the Territories in question, and the various proceedings under it, afforded unending themes of appeal to popular prejudice and passion. Those fanatics and trading politicians, who had already despaired of their cause, now jumped upon their feet again, and declaimed, with a strength of vociferation hardly to have been expected from their late dispirited condition. "It repeals the sacred engagement of the Missouri Compromise!" was the hypocritical cry of political dissemblers, notoriously engaged, at the moment, and who had been long engaged in resisting, and in striving utterly to nullify the sacred engagement of the Constitution! The engagement to restore fugitive slaves had been ratified by the whole people, in settling the foundations of the Union. The Missouri Compromise was but an act of Congress, sacred only in correspondence with its specific virtue; open to repeal, certainly, like any other act, at any subsequent session of the National Legislature, if a contingency, unforeseen at the time of its enactment, seemed to render such repeal expedient and justifiable. It had been adopted, so far as concerned the admission of Missouri, with slavery, which constituted the only compromise involved in it, against the most strenuous opposition of Northern members of Congress in general, and against a large majority of the votes of Northern Representatives. It was repealed, in fact, by the large majority vote from the North, in Congress, which cut in two the line of compromise, fixed upon by it, and who refused to extend that line to the Pacific Ocean.

In the language of Mr. Webster, quoted above, "A bargain broken on one side, is broken on all sides." In reality, the law of 1854, called the Kansas-Nebraska Act, did but put into words the deed done in 1850, called the Compromise of that year; and that deed was done by the power of the North, against the express claim of the South, that it would be content with the engagement of 1820, called the Missouri Compromise, carried out honestly in its spirit and its terms. This source of dispute continued open, as has been already

shown, until the consummation of the causes of rebellion, in the winter of 1860-1861.

It has been also shown, that most of the Northern members of Congress, in both branches, had associated themselves together at Washington, in an organized body, for a sectional, and, in its spirit, an unlawful purpose, in the spring of 1854. With the extraordinary means and influence of such a congressional combination, they had largely, though secretly, circulated appeals to popular feeling, which were practically in resistance, and were calculated to stir the people up in resistance to a formal measure of the deliberative assembly, of which these gentlemen were themselves component parts, and in which they ought to have remembered that they were national representatives, instead of the partisans of a section. It can hardly be contended, by rational men, that this was not a specifically seditious organization. If no act of "aggression" had been heretofore committed, here was one, at least, justly to be considered a covert conspiracy, directly hostile to the future peace and welfare of the country. Supposing the motive to be fair, and the object contemplated honest, they would afford no warrant for an undertaking thus pursued; except by admission of the doctrine that "the end sanctifies the means," so fearfully denounced by the Scriptural text, as *doing evil that good may come*. The voice of Clay, alas! was now hushed amid the groves of Ashland; the heart of Webster, "buried by the upbraiding shore" of Marshfield. It needed but their trumpet-tones, in the halls of Congress, to have pierced to the marrow and the dividing asunder of such an unholy alliance, and to have stamped it, in its inception, with the characteristics of everlasting reprobation.

But now, from the same source, proceeded another act of, originally, secret, and even less excusable, "aggression." A book had been written, filled with the most unsparing denunciation of the Southern people, in regard to their "peculiar institution," their principles, habits, and general condition;

their public and private, their social, political, moral, and religious state. It urged the extinguishment of slavery by the most violent and unsparing means; and the virtual proscription of slaveholders, and of all others, in either section, who maintained any political or social relations with them. In fine, it attempted to fix such a thoroughly debased and vicious character upon the slaveholding population of the South, and those in sympathy with them, in that quarter, as to make it seem to the faithful a sort of virtue to exterminate outright such "ruffians, outlaws, and criminals."¹

This book bore, as the name of its author, that of a person called Helper, said to be a North Carolinian; but who, of course, did not continue to reside in that State after his work saw the light. It was quite apparent that the book was prepared in the North, and intended for Northern circulation alone; for it could have no other, except as a matter of investigation, by such persons in the South as wished to examine its contents for other purposes than edification. For instance, its actual origin was at once betrayed by one of the modes of active operation prescribed in it, that is—"Abrupt discontinuance of subscription to proslavery newspapers." This sentence could only be applicable to journals so reputed, at the North; that is, to those which upheld the

¹ The following passages are extracts from this amiable work :

"Our own banner is inscribed: No coöperation with slaveholders in politics; no fellowship with them in religion; no affiliation with them in society; no recognition of proslavery men, except as ruffians, outlaws, and criminals.

"Immediate death to slavery; or, if not immediate, unqualified proscription of its advocates during the period of its existence.

"It is our honest conviction that all the proslavery slaveholders deserve at once to be reduced to a parallel with the basest criminals that lie fettered within the cells of our public prisons.

"We are determined to abolish slavery at all hazards—in defiance of all the opposition, of whatever nature, it is possible for the slaveocrats to bring against us. Of this they may take due notice, and govern themselves accordingly.

"We believe it is, as it ought to be, the desire, the determination, and the destiny of the Republican party to give the death-blow to slavery."

principles of the Constitution and the Union; since those of the South were uniformly of a “proslavery” description, and could have had no existence there except in that character. Indeed, a work so intemperate and ferocious could only have owed its preparation to some one of the craziest of the Northern fanatics, assisted in such a laudable and patriotic undertaking by other persons, who designed to use it for party purposes.¹ In a word, this reckless tissue of fabrications, thus endorsed, was a “campaign document.” Such as it was, it received the written recommendation of no less than sixty-eight Republican members of Congress. It would be doing injustice to some of those gentlemen, professedly men of Christian principles, to suppose that they had given the book more than the merest cursory inspection, before they so imprudently, and, perhaps, in many instances, by the mere force of example, affixed their signatures to the formal and strongly commendatory certificate which helped to give the book its extensive circulation. Indeed, when this matter came up afterwards, in Congress, in the debates upon the election of Speaker, there was much said by way of palliation of the act, on the ground of incaution exercised, and of that sort of heedless subscription, for the purpose of getting rid of the applicant, or because others had first set down their names, which has been only too often practised, by men who forget how their reputations are thus put at stake, and which often leads to the most injurious consequences. It is a pity that a similar apology, such as it is, could not be urged on behalf of Mr. Seward, the acknowledged leader of the Republican party, at the time, who afforded the

¹ Besides the congressional testimonial in favor of this book, described in the pages following, it had the recommendation of a great number of leading men in the Republican party; and in a certificate signed by several of this description in New York, including members of the Republican committee and editors of Freesoil newspapers, it was particularly commended as put into circulation in several of the Western free States, the vote of which essential in the approaching election of President.

ed and kept
the party of

work his unqualified approval, after a careful perusal of its contents.¹

The book, and the recommendation thus procured for it, were artfully contrived for effect among a large class of the Northern people, who were ignorant of the means of contradiction, and of whatever qualifying facts might have been adduced. The people of the quarter so violently assailed, would naturally disdain attempts at refutation; but the falsehoods, and the acrimony with which they were brought forward, produced among them the natural, perhaps, the intended results, of indignation and fiery remonstrance. Certain it is, that such a libel, so authorized, against a people who have more recently shown the world how well deserved, or otherwise, such a description of them might be, could have little salutary influence towards promoting the cause of the Union. But the immediate effect of this publication was a sensible reaction in the general public sentiment of the North, and in Congress. This appeared especially when that body came together, in December, 1858, and the election for Speaker of the House was under consideration. Mr. Sherman, of Ohio, who was the candidate of the Republican party, proved to be one of the signers of the Helper testimonial; and, although he affirmed that he had never read the book, and had totally forgotten the fact of signing the paper in question, yet ignorance was held to be no excuse, on the part of a gentleman of his standing; so that, after a contest of several months, and many ballotings, his party were compelled to withdraw his name from the canvass, and

¹ The following endorsement by Mr. Seward undoubtedly had the most mischievous effect:

"AUBURN, N. Y., June 28th, 1857.

"GENTLEMEN: I have received from you a copy of the recent publication, the titled the 'Impending Crisis of the South,' and have read it with the deep-against 'tention. It seems to me a work of great merit; rich, yet accurate in cordingly. I information, and logical in its analogies; and I do not doubt it "We belie great influence on the public mind, in favor of truth and justice. destiny of the I am, gentlemen, very respectfully, W. H. SEWARD."

a Speaker was eventually chosen who was not liable to the offensive imputation in question.¹

It was not singular, considering the morbid temper to which it is evident that popular feeling in the North had become extensively wrought up, that such a headstrong and reckless fanatic as "John Brown," should have conceived the idea of promoting a servile insurrection. The events of that equally foolish and criminal undertaking—his hardihood, his ignorance, his want of means and influence, his incapacity to compare these deficiencies with the requirements for an enterprise so formidable, his utter failure to accomplish any part of the object contemplated, except the alarm of a peaceful village and the murder of several of its unoffending inhabitants; his capture and trial and execution; the immense sensation created throughout the whole country, made up partly of indignation at an attempt so ferocious, and partly of ridicule at the inadequacy of the preparation; the total want of effect upon the reluctant slaves,² and the generally

¹ It was during the protracted and sharp debates of this contest for the Speakership, that portions of a pamphlet, alleged to have been widely circulated through the North and the South, were read in the House of Representatives, upon motion of one of the members, which contained a plan of association for the purpose of carrying on hostilities against the latter part of the country. Amongst other things, it proposed "to land military forces in the Southern States, who shall raise the standard of freedom, and call the slaves to it, and such free persons as may be willing to join it." The purpose was thus more particularly developed :

"Our plan is to make war, openly or secretly as circumstances may dictate, upon the property of the slaveholders and their abettors; not for its destruction, if that can be easily avoided, but to convert it to the use of the slaves. If it cannot be thus converted, we advise its destruction. Teach the slaves to burn their masters' buildings, to kill their cattle and hogs, to conceal and destroy farming utensils, to abandon labor in seed-time and harvest, and let the crops perish."

A great deal of this sort of "philanthropy" was heard of from some quarters, during the progress of the rebellion, and not a little of it put in practice.

² In the testimony of Colonel Lewis Washington, who was seized and kept a prisoner, with some of his slaves, by Brown, until rescued by the party of

ignominious issue of the adventure; the tolling of bells and the firing of minute-guns, upon the occasion of Brown's funeral; the meeting-houses draped in mourning, as for a hero; the prayers offered, the sermons and discourses pronounced in his honor as for a saint—all are of a date too recent and are too familiarly known, to require more than this passing allusion.

Of course, a transaction so flagitious, with its attendant circumstances, affording such unmistakable proof of the spirit by which no small portion of the Northern population was actuated, could but produce the profoundest impression upon the people of the South. Here was open and armed "aggression;" whether clearly understood and encouraged beforehand, certainly exulted in afterwards, by persons of a very different standing from that of the chief actor in this bloody incursion into a peaceful State. Yet, notwithstanding the deep resentment manifested at the South, in a certain sense, the "raid" was a clear matter of triumph to that quarter. It plainly revealed the quiet and contented disposition of its slave population, a point so thoroughly confirmed by the uniform experience of the war, but which was supposed by many at the North to be always "pantingly" on the point of rising. It afforded, also, in the prominence of a fact so startling and atrocious, an unanswerable argument against the fanatical tendencies of the North. In the latter section, its influence was, also, in no small degree favorable to the common cause of the country. The publication of the "Impending Crisis of the South" had disgusted and checked some, if it had misled and stimulated others; but the "John Brown Raid," presented in all its living features of actual

U. S. troops, under Colonel Robert E. Lee, appears the following question and answer in regard to the affair :

"*Question.*—Did it excite any spirit of insubordination among your negroes ?

"*Answer.*—Not the slightest. If any thing, they were much more tractable than before."—*Senate Report*, p. 40.

enormity, seemed to bring a practical, visible crisis to the whole country nearer at hand. From such a contingency considerate men shrank with honest dread; and a sensible reaction took place, capable of being made to serve the best purposes, for the promotion and security of the common peace and welfare.

The character of this assault upon the military post of Harper's Ferry is to be judged of, however, not by the insignificance of the instruments, or by its inevitable failure to accomplish the end designed. It assumes importance, or otherwise, just in proportion to the countenance given to it by others than those immediately engaged in it; to the approbation subsequently bestowed by the public upon the actors, and to the numbers of those willing to become accessories after the fact to a deed of midnight murder, intended to be the inauguration of a servile insurrection, in the exercise of sufficient strength to give loose to all the atrocities and brutalities common to such a savage uprising. And nothing was here wanting to insure a more wide-spread scene of horror and desolation than the world, perhaps, had ever before witnessed, except a totally different relation between the masters and their servants in the South, than that falsely imagined by the conspirators, and by those in sympathy with them, either before or after the fact. Of course, the reverend clergy, the good men and good women, who met in the sanctuaries of the Father of Mercies, to celebrate an attempt so full of the omens of miseries unutterable, and to mourn over its ill success, must have seen this transaction through a very different medium from that by which questions not subject to the beguilements of casuistry ordinarily present themselves to a truly Christian mind. They rejoiced, in fact, that a supposed moral object had been sought by the commission of a deliberate crime, and, under an unhappily perverted sense of the right, supposed that the end aimed at justified the means. But, according to the degree in which it was met by the favorable response of the North—though in itself but the skirmish of an outpost, in its immediate incidents—it never-

theless betokened predetermined enmity in one part of the Union against another part; was an overt act of hostility towards the Government, in the peace of which only could the Union stand secure, and was the signal and forerunner of war.

Indeed, at this moment, the conservative masses of the country possessed an immense superiority of physical and moral force over their opponents; and could that have been guided by prudence and patriotism, it must have resulted in the entire and permanent overthrow of the now concentrated elements of radicalism and discord. At the election for President, in the ensuing year, the Republican candidate, Mr. Lincoln, fell short of a majority by nearly a million of votes; while his plurality, in the free States alone, was considerably less than two hundred thousand.¹ It needed now, far more than upon the important occasion to which Mr. Benton referred in a note to the Debates in Congress, already cited in his volume, "the last words of the last great men of that wonderful time." There were many still upon the stage, inspired by as noble sentiments of patriotism as had ever animated the hearts of elder patriots; but the latter had left few or no successors to the powerful influence which they personally exerted, and which had been found hitherto able to compose the stormy passions by which the country had at times been agitated. But, although the multitude, under the whip applied by a very inferior order of men, was fast getting possession of the bit, to run the sort of helter-skelter race which usually occurs under such circumstances, it needed, after all, but a very little of that true spirit of conciliation, among persons of substantial influence, on both

¹ Lincoln's vote was 1,857,611; the combined vote of Douglas, Breckinridge, and Bell amounted to 2,804,560. In the free States, the Republicans cast 1,731,182 votes; the opposition, 1,544,218. In the five of the fifteen slaves States, which cast a certain number of votes for Lincoln, namely: Delaware, Kentucky, Maryland, Missouri, and Virginia, the aggregate reached 26,430—principally cast in Missouri, namely, 17,028. In the same States, the sum of the votes for his opponents was 561,068.

sides, which should have marked the conduct of fellow-citizens, in an enlightened and Christian age, to avert that terrible impending catastrophe, which, it is not to be supposed, that the great majority, upon either side, could have really desired to bring upon the common country.

CHAPTER XIII.

Want of Fidelity to the Constitution placed the Country in Circumstances tending to Open Rupture.—“Historicus.”—The Necessity of Strict Adherence to Constitutional Provisions in a Republic.—The Danger still before the Country.—The South, in a Constitutional Point of View.—Ex-Governor Andrew before a Committee of the Senate.—The “People” did not bring about the War.—The Disunionists, in both Sections, to whom it was owing, few in Number.—Governor Banks willing “to let the Union slide.”—A State Flag.—A Revolutionary Relic.—Mr. Quincy.—Red Republicans.—Mr. John P. Hale’s Opinion of the Likelihood of Dissolution if Lincoln should not be elected.

IN the facts, thus imperfectly set forth in these pages, are to be found the positive causes of the war. These worked themselves out to the fatal hour of that decisive breach in the Democratic party, which opened the way to the “dishonest victory” of the Republicans—dishonest; not because the election was not lawful and regular according to the forms of the Constitution; but that, in consequence of its accidental result by the divisions of the majority, it so thoroughly misrepresented the real state of sentiment in the country. In fine,—want of fidelity to the Constitution—a long and devious aberration from the simplest fundamental principles of the Union—exhibited in such manifestations as have been described in this recapitulation, led directly to that unhappy state of mind, in both sections, which grew more and more embittered, until finally the die was cast.¹ Were it not so,

¹ In a recently published letter of the distinguished English writer, known as “Historicus” (October 18th, 1865), appears the following passage, in reference to a judicial opinion of the Supreme Court of the United States:

“These are the words of a judgment (pronounced, be it remembered, by the Northern majority of the Court): ‘This greatest of civil wars was not gradually developed by popular commotion, tumultuous assemblies, or local

those earnest and solemn remonstrances of Webster (the "Defender of the Constitution"), of Clay, of Crittenden—of hosts of far-seeing and patriotic citizens, dead or yet among the living—remonstrances so long and faithfully sounded in the ears of a too incredulous people—might now seem as idle as the faltering accents of the most visionary alarmists.

But this view of the case is the more important to be taken into the most solicitous consideration, by the people of the United States, because any secure possession of their civil rights is absolutely dependent upon unvarying adhesion to the letter and the spirit of the Constitution. For that great instrument, defining and restraining the powers of those persons in the representative, executive, and judicial departments of the Government, to whom the people from time to time commit the administration of the laws, is the sole charter of their political liberties, and their only barrier against

unorganized insurrection. If it had been, it might have been proper to wait and see whether it was about to ripen into war. But in this case, there was neither necessity nor justification for waiting.' For, continues the same judgment, 'however long may have been its previous conception, it nevertheless sprang *from the parent brain of Minerva* in the full panoply of war.' "

Saying nothing of this judicial reversal of a classical legend, or of the philosophy which could suppose it possible for a great rebellion to spring up at the stamp of a foot, in a country where a very great many must have been previously consulted on the subject—considering the fierce and protracted struggle of 1850 and its result; the tumults for such a series of years, and the battles, in Kansas; the slave-rescues by the violence of mobs; the assaults upon court-houses, not always without incurring the dreadful guilt of murder; the invasion of Virginia, and its effects upon both sections; the multitudes of excited popular assemblies in city and town; and innumerable other incidents occurring in various parts of the country, for the ten years before the outbreak—showing a decidedly morbid condition of the public mind—it may be respectfully remarked, that the "Northern majority of the Court" cannot have observed the course of events so carefully as they, doubtless, study the points of law submitted to them. The truth is, the country was full of warnings, and everybody expected war, from the signs of the times, but the Republican leaders. They were naturally reluctant to admit that any thing for which they were responsible could be the occasion of unpleasant consequences.

usurpation. It is itself the government, of which men, duly chosen for the purpose, are only administrators. If disregarded in any one of its essential provisions—no matter under what plea, or what pretext—though the forms of a republic may for a time, and possibly, from habit or whatever cause, for a considerable time, may remain; yet the life of the republic will have, in fact, departed. The people, consciously or unconsciously, may be attending to their farms and their merchandise; but in all their political relations they will have become subject to the dictation of a master. The President might then be elected, for one term, or for many successive terms, according to his own pleasure. Thus, Augustus Cæsar, and others after him, went through with the formalities and the farce of an election to the consulship, while actually and permanently wielding, under the style and by the authority of emperor,¹ the fortunes of the Roman world. Hence, things may often be at their worst, when they seem the smoothest; the power of the State may easily and imperceptibly pass from the many to the few, or the one; and popular liberty, so difficult to be won and established, may be lost beyond recovery, in the briefest space of time, before the danger to which it is constantly exposed has been thought at all imminent, at any particular emergency. And, if it should be alleged, that the republic has heretofore survived unconstitutional proceedings of the Executive, or of Congress, without permanent injury to its institutions—it should be observed, that a vital distinction exists between those acts which are merely extra-constitutional; that is, those not especially provided for by the instrument, but which do prejudice to no man's rights; as, for example, in case of acquisition of territory by purchase for the common benefit—and acts which are anti-constitutional; that is, which infringe

¹ Simply *imperator*, commander; the chief officer of an army, as we now say, "General;" but bestowed upon persons clothed with high military authority, as incident to the government of a province, for example. It was retained as the popular title of him who really possessed the supreme command of the armies and the State.

the express provisions of the instrument, and deprive any number of citizens of that safeguard, which the government, by the charter of its existence, was bound to afford to their property and political privileges. For, whenever the latter class of unconstitutional measures is allowed, or is extenuated by the popular assent, the shield, which was their protection, broken through in a vital part, crumbles into fragments, in the whole. No art or care can then make the well-wrought fabric, so delicate, yet so strong in its entireness, able to resist another blow; and self-government will no longer exist, except in name. Under a hereditary government, a violation of the Constitution is a very different affair. It is a casualty which need leave no permanent ill effects, if the steps are retraced and the remedy applied; and still the government stands secure. But under republican forms, the Constitution is the anchor by which they are held. To violate it, therefore, is to cut the cable and send the ship of state adrift. It is revolution, and the substitution of some other government for the old. The President of the republic will then have become an irresponsible ruler; and if arbitrarily disposed, with the public patronage and the military force at his command, will be sure to find a Congress subservient enough to submit to his decrees.

Here, therefore, was the grand danger—perhaps more apparent to many minds now, than in the progress of events preceding the rebellion—of disregarding the arguments and entreaties of sober statesmen, to observe a sacred respect for the obligations of the Constitution; and of listening to the blandishments of minor demagogues, equally incapable of valuing or of understanding its inestimable virtues; or to ambitious politicians of a higher stamp, recklessly setting before the multitude the elusive and dangerous idea of a fantastic “higher law,”—which could but vary with the fickle lights of their discordant minds—as superior to that beforetime established by wise and Christian men, the fathers of the republic, for the law of the land; or to shallow-brained enthusiasts and impracticable fanatics, who followed out their disorganizing

and mischievous theories, irrespectively alike of the precepts of religion and the requirements of human legislation.

In this contest for the Constitution, carried on equally by the conservatives of the North, in concurrence with the main body, under whatever party name, of the people of the South, against the insidious or open assaults of the radical organization—it is obvious that the clearest interests of the citizens of the slave States—to speak of no other inducement affecting them—must have impelled them to seek its preservation. Indeed, they could have had no conceivable motive, so long as they believed it could be maintained, for the abandonment of a safeguard indispensable to the protection of that species of property held by them in contradistinction to the ordinary possessions of the free States. It cannot be justly denied, therefore, that in the long struggles which preceded the war, the people of that section strenuously and steadily struggled for the maintenance of the great principles of the Constitution. In a word, in contending for the security of their slave property, they contended for that one original and indispensable compact of the Constitution, without which neither Constitution nor the Union, of which it was the exposition and the bond, could have had any existence. Doubtless, in certain particulars, they may have interpreted its provisions erroneously. Doubtless, in the peculiar relations which they occupied towards the Union—the guardians, as it were, of a special provision, in the faithful fulfilment of which by the whole country their own important interests only were directly involved—they seized upon every favorable opportunity to intrench themselves with political power.¹ Doubtless, while this attitude, on their part, made them, to no inconsiderable extent, the objects of jealousy at the North,

¹ Sir Walter Scott, in allusion to the terms in which the English used to speak of their Northern neighbors, with whom they carried on war for so many centuries, remarks, that they forgot “that their own encroachments upon the independence of Scotland obliged the weaker nation to defend themselves by policy as well as force.” Note to “Talisman,” vol. i., p. 250. “Household Edition.”

they were themselves over-jealous of the general disposition of the free States, and, by pushing this sensitiveness to extremes, helped to bring that which they most dreaded upon themselves. But they conceived, there is as little doubt, that they were always, and always unjustly, upon their defence. They defended themselves accordingly, and, but for their final grand mistake, there is every reason to believe that they would have done so successfully to the last. But however pressing they may have appeared in this respect, in no respect exceeding the earnestness of their assailants for a whole generation; however violent the tone of some portion of their press—in which certain Northern journals were not a whit behind them; however intemperate the resolutions of some of their legislative assemblies and the speeches of members—equalled, certainly, by the resolves and the harangues commended by many legislative and popular assemblies in a colder region of the country; however arrogant the language and supercilious the bearing of some of their members of Congress—paralleled, in another way, by the occasionally strong, not to say absolutely abusive and necessarily offensive language of Senators and Representatives from the North; yet it must be allowed that they openly fought out their cause, with manliness and vigor, in the Congress of the nation, and won whatever they gained, “not without dust and heat.”¹ If they were, in fact, responsible for certain “aggressions,” though none, it is believed, of a covert character, in the protection of “unalienable rights” which they con-

¹ It must be gratifying to the feelings of every true American to observe the manner, becoming a soldier, and honorable in a victorious soldier, in which General Grant refers to his adversary, in his recently published formal report of his campaigns. After complimenting in warm terms the conduct of the troops of the United States from the Eastern and the Western States, he remarks :

“All have a proud record, and all sections can well congratulate themselves and each other for having done their full share in restoring the supremacy of law over every foot of territory belonging to the United States. *Let them hope for perpetual peace and harmony with that enemy, whose manhood, however mistaken the cause, drew forth such herculean deeds of valor.*”

ceived to be in danger, perhaps they are entitled to the sort of apology offered by a witness,¹ since much distinguished, to the committee of the Senate, in February, 1860, at the investigation of the attack upon Harper's Ferry. The question proposed to him, in reference to Brown, and his answer, was as follows:

Question. There was another feat of his, that of kidnapping negroes in Missouri, and running them off to Iowa. Was that a part of his services which commanded your sympathy?

Answer. The transaction to which you refer, is one which I do not, from my point of view, regard as justifiable. I suppose Captain Brown did, and I presume I should not judge him severely at all for that transaction, because I should suppose that he might have regarded that, if not defensive, at least *offensive warfare in the nature of defence—an aggression, to prevent or repel aggressions.*²

But, certainly, there never was a war, assuredly never one upon so grand a scale, with which the people, in its inauguration, had so little to do. This fact is rendered evident enough by the actual state of parties during the year antecedent to the outbreak of hostilities. As if apprehending, however, the necessity of prompt and decisive political action, each party summoned its ordinary convention of delegates at a much earlier day in the season than that at which such assemblies were usually held. It is not to be thought that, at this period, actual war between the free and the slave States was contemplated, on either side of the line by the many, however the possibility of such an event may have entered into the imaginations of a smaller number in both sections of the country. It had not been out of the conceptions of some, certainly, in the North; and there were unquestionably those in the South who were ready enough to meet the contingency, if their object could not be accomplished at a less costly sacrifice. But, while there could be no question in regard to the class in the one quarter, which

¹ Ex-Governor Andrew, of Massachusetts.

² Senate Report, p. 193.

had openly avowed its sentiments, and had been sedulously, but in a somewhat futile manner, endeavoring to dissolve the Union, for many years, by the aid of, perhaps, one out of a thousand of its population, including collaborators of the fairer sex—in the other quarter, there were few, indeed, even of those who afterwards took a conspicuous part in the rebellion, who at the period in question either desired or seriously contemplated such a consummation.

In reality, the number of actual disunionists in either section was comparatively insignificant. In the South, unconditional disunionists can at any time have been very few among persons of intelligence and reflection, since nothing could be more clear than the superiority of their position within the circle of the great republic of States, if properly protected by it, to that which they would occupy as a separate republic of States, each of which would contain a slaveholding community. The union of free and slave States was the bond of strength, as it should have been the pledge of peace. Yet, it might have seemed, on repeated occasions, during the ten or a dozen years immediately antecedent to the rebellion, as if not a few conspicuous persons in the North, in despair of carrying into effect their public or private aims while the Union existed, or else from actual prejudice and repugnance towards the South—whatever might have been the degree of support they would have received from the people—did entertain the idea of Northern secession, or of a separation of the free from the slave States. Expressions to that effect were by no means uncommon in certain quarters. Memorials asking for a peaceable dissolution of the Union frequently obtained a great number of signatures. A well-known politician had been repeatedly chosen Governor of a New England State, notwithstanding his avowal that in a certain contingency, not specified, he would be willing to “let the Union slide.”¹ It was during the occupation of the executive

¹ Ex-Governor Banks.

chair by the same chief magistrate, that the banner of the Commonwealth, at a period of high political excitement, was substituted for the flag of the United States upon the staff of the State House, and continued to be there displayed for days, at least, and until public notice called to a fact, the significance of which could not be mistaken, caused the restoration of the national ensign to its accustomed place. Another chief-magistrate¹ of the same Commonwealth, while peace was yet unbroken, had accepted, on the part of the State, the present of a Revolutionary musket from a conspicuous abolitionist clergyman, who had himself declared "a drum-head Constitution" the only one worthy of regard—and with due ceremonies, in the presence of the members of the legislative assembly, in session, had welcomed the gun with a formal and enthusiastic address, at the capital of the State; and, rather as a symbol of what guns might be expected to do afterwards, it may be thought, than for the past achievements of an ordinary relic of the old Revolutionary War, "with dewy eye and trembling lips,"² had actually imprinted a kiss of affection upon the body of the weapon. A very aged citizen³ of the same Commonwealth, of high social and literary position, already mentioned as the Freesoil candidate for Governor, while the amalgamating process was going forward between the Whigs and the Republicans, had published a pamphlet, during Mr. Buchanan's administration, in which he urged it as the duty of the North to "take possession of the Government," whether "forcibly," if "peacably" the means might have seemed inadequate, can only be conjectured.

These are but straws, it is true, which make manifest more or less pointedly the spirit of the times; but it is quite certain that, throughout the West and centre of the country, as well as in the East, there were many indications

¹ Ex-Governor Andrew.

² See his speech on the occasion.

³ Josiah Quincy, Senior.

which did not look favorable to the future peace of the Union, long before Southern secession had begun to assume any definite aspect. Indeed, there were well-informed and judicious persons, who were quite as apprehensive of an outbreak in the free States, in case of a Democratic triumph at the election to ensue, as of resistance at the South, should the turn of that election prove in favor of the Republican party.¹ It is true, that the general disposition of the Northern population was such, and the numbers of those in favor of law and order so very largely exceeded any conceivable reckoning of others upon whose aid or sympathy the fanatics could possibly count, that the imagination of such an adventure might seem wild in the extreme. It was, nevertheless, believed that schemes of this description, perhaps, were entertained; seldom taking any distinct shape in the minds of more than a comparatively few of the more reckless, among the native, and a certain class of the foreign population, of the Union. For there were many of this latter class in the country—radicals, revolutionists, and Red-Republicans from the Continent of Europe—restless, and ready for any enterprise, which might seem likely to promote the doctrines which they had failed to inculcate successfully at home. Others of this same description of immigrants, who had been the victims of foreign revolution, more rationally became quiet citizens of a land, in which they had found peace and freedom, and which they felt it both unwise and ungrateful to disturb.

¹ In evidence of the state of sentiment referred to—and it may be thought as conclusive as many citations from inferior authorities—the following passage is an extract from the report of a speech, delivered at a mass meeting held at South Framingham, Massachusetts, in October, 1860, by a leading Republican Senator of the North (Mr. John P. Hale), who had been the candidate of the Freesoil party for President a few years previously:

“The South talked about dissolving the Union if Lincoln was elected. The Republican party would elect him, just to see if they would do it. *The Union was more likely to be dissolved if he was not elected.*”—*Report of Boston Courier*, October 12th.

CHAPTER XIV.

The several Party Conventions for the Nomination of President and Vice-President in the Spring of 1860—the Democratic, the Constitutional Union, and the Republican.—The Doings of each stated, and those of the Democratic and Republican Parties particularly analyzed

THE National Democratic Convention was first in the field, in the spring of 1860, and assembled at Charleston, South Carolina, on the 23d day of April. They came together in no very harmonious spirit. The Northern and Southern Democrats in Congress had not, for some time, acted with that cordial coöperation which had distinguished them in former times. Mr. Douglas was the prominent candidate of the party; and, judging of the matter simply upon those grounds of action which are obvious to the public apprehension, there seems to have been no sound reason why he should not have received a nomination which would have been equivalent to his election by a very great majority. For the aggregate sum of votes cast for the two Democratic candidates proved to be more than three hundred and fifty-six thousand larger than that given for Mr. Lincoln. Had Mr. Douglas been nominated, it may be judged improbable that the remnant of the Whig party would have thought it worth while to propose candidates; and, in that event, though it is likely that many would have declined to vote, there can be little question that, at least, five hundred thousand more votes would have swelled the Democratic majority. Whatever designs may have been entertained by any portion of the radicals, it does not seem probable that they would then have ventured upon an open rupture with the Govern-

ment, against the imposing manifestation of nearly a million plurality in favor of the Union under the Constitution. If they had made an attempt so quixotic, it is evident how short the strife would have been, and how complete and permanent the triumph of the supporters of the Constitution. In any event, it is certain that by the secession of most of its delegates from the convention, really upon an abstraction, or by the nomination of a separate candidate, the South fairly threw its best hopes away. In reality, they mistook the sentiment of a majority of the North, including a large body of its citizens of the most substantial character and influence. That majority was undoubtedly misled, for the moment, by the artful presentation of side issues; but it required only the sort of defeat the Republicans would have experienced, by the triumphant election of a Democratic candidate (if the Democrats had acted in unison), and the assuaging influence of a little time, to cure the evils which fanaticism and selfish ambition had wrought, so far as any future dangerous consequences were in question.¹ For, although the Republican party obtained the plurality at the election of 1860, its course had been like the unnatural swelling of a stream in a tempest, and the tide was about to turn. The truth is, that "aggression," at length having come to the point of open and violent outrage, had given a direction to the "crisis" very much in favor of the South. It had furnished them and the friends of the Constitution in the North with an unanswerable argument against fanaticism and its consequences, which only needed a little clearing up of the atmosphere, to present itself in the strongest possible light to the judgment of the sober popular masses of the Northern States; and of this return to reason, the

¹ For example, the combined votes of Messrs. Douglas, Bell, and Breckinridge in the free States, amounted to 1,536,578—namely: for Douglas, 1,200,400; for Bell, 274,437; for Breckinridge, 61,741. At the election in 1864, the free States, besides the votes of those non-seceding slave States, in which the soldiery more or less controlled the popular action, threw nearly 1,800,000 votes for McClellan.

South, if it had wisely avoided a rupture, could not but have had the signal advantage.

The dispute upon which the Democratic Convention eventually divided, at Charleston, was simply about words, so far as it is possible to gain any intelligible idea of the nature of the controversy. A great deal of jarring had previously occurred in the assembly, in regard to the admission and exclusion of delegates, who appear to have been upon the spot with an extraordinary assortment of antagonistic credentials. The decision upon the various points thus raised, tended, of course, to affect the question of nomination; and the heated debates, in regard to the admission of delegates, and kindred matters, embroiled the Convention for days, before the balloting began. Mr. Douglas was not in cordial relations with the administration of Mr. Buchanan, in consequence of his opposition to the admission of Kansas with the "Lecompton Constitution." This matter, however, had been practically settled, by the passage of the bill of 1858, supported by the Southern members in general, submitting to the people of Kansas either the Lecompton constitution, or the formation of a constitution by means of a convention; which latter alternative had been already adopted by them. Nor was there any real question, between the Northern and the Southern Democrats, before the Convention. Mr. Douglas telegraphed to his supporters at Charleston, to "accept the Cincinnati Platform"—(which had been cordially adopted by the whole party in 1856)—"and the Dred Scott decision; but to go no further." The restriction seems to have been needless. It is true, that the South held to the doctrine, that the territories of the United States, either in their wild condition, or after the organization of a territorial government, were open for emigrants from all the States, with their property, of whatever description, of course including slaves; that citizens, thus emigrating, were equally entitled to protection, in the territory, for their property of every description; that to exclude slaveholders, with their property of the kind in question—that is, by refusing them such protec-

tion as might be necessary—was to deprive them of equal rights with those of emigrants from the Free States; that if slaveholders became settled in a territory, it became *pro tanto*, slave territory; but that its final character was to be determined by the inhabitants, whenever they should form a constitution, preparatory to its admission as a State.

Whether this view were reasonable, or unreasonable, upon general grounds, it was in precise conformity with the principles of the Cincinnati Platform. That celebrated manifesto asserted the right of “the people of all the territories,” whenever the number of their inhabitants justifies it, to form a constitution, with or without domestic slavery, and to be admitted into the Union upon terms of perfect equality with the other States; and also asserted, “as embodying the only sound and safe solution of the slavery question”—“Non-interference by Congress with slavery in State *and territory*, and in the District of Columbia.” This declaration of principles presupposes that slaveholders, with their slaves, might become resident in a territory; and, since it denies the right of Congress to interfere with slavery in this relation, would leave the matter of “protection” to the Executive; upon whom it would be simply incumbent to maintain the peace, if necessary, until the inhabitants were in a condition to form a constitution.

This doctrine had been widely denounced in the North, by the Freesoilers, of course, whose cry was—“No more slave territory;” and by many others, to whom the idea of “protection to slavery” was repugnant, except as provided for by the Constitution, in the States. It was, nevertheless, as has been shown, the doctrine of the Cincinnati Platform; but was, after all, an abstraction; since positively no territory of the United States any longer existed, now that Kansas was practically removed from the arena of dispute, to which it could be applicable. New Mexico and Utah were open to the admission of slavery, if their inhabitants chose it, by the Compromises of 1850. Beyond them was California, reaching to the border of the Pacific Ocean, years before be-

come a State of the Union, and above them a region as unsuited to slavery as the domain of our Canadian neighbors. Mr. Douglas, as has been remarked, had placed himself upon "the Cincinnati Platform and Dred Scott decision." But, after the controversy had grown so warm that the main body of the Southern delegates had seceded, and organized a separate convention, on the 3d of May—the session having now continued for the extraordinary period of ten days—Mr. Perry, of South Carolina, one of those who still retained his relations with the original convention, declared, that "nothing more was required for the union of the party, than the endorsement of the decisions of the Supreme Court; and he would say, that if they would now endorse the *Dred Scott decision*, they will be able to bring the Southern States all into harmony and union."¹ At the same time, Mr. Howard, of Tennessee, another of these Southern members reluctant to secede, proposed the following resolution :

Resolved, That all citizens of the United States have an equal right to settle with their property in Territories of the United States; and that, under the decision of the Supreme Court, which we recognize as a correct exposition of constitutional liberty, the rights of neither persons nor property can be destroyed or impaired by Congressional or territorial legislation.

He added, that "the Southern wing" were anxiously waiting the decision at their place of meeting.²

Now, as the admission of these principles would have been but a reaffirmation of those actually adopted by the party at Cincinnati, in 1856, and would, it appears, have brought the Conventions once more into unison, it seems strange indeed that the final and fatal separation of the party should have taken place. The truth appears to be that the main body of the Northern Democrats, taking warning, perhaps, at the effect of the specific language of the Kansas-Nebraska Act, which produced such agitation by its repeal, in terms, of a measure which had been already repealed in

¹ From the reports of the Convention, in the newspapers of the day.

² Reports of the Convention.

fact, without awakening any extraordinary commotion—hesitated, and, as the event proved, needlessly hesitated, about the policy of giving *construction*, in precise words, to the more general expressions of the Cincinnati Platform. In fact, the resolutions adopted, by a vote of 165 to 138, were the following :

Resolved, That we, the Democracy of the Union, in Convention assembled, hereby declare our affirmance of the resolutions unanimously adopted and declared as a platform of principles by the Democratic Convention at Cincinnati, in the year 1856 ; believing that Democratic principles are unchangeable in their nature, when applied to the same subject matter ; and we recommend as the only further resolutions the following :

Inasmuch as differences of opinion exist in the Democratic party as to the nature and extent of the powers of a territorial legislature, and as to the powers and duties of Congress, under the Constitution of the United States, over the institution of slavery within the Territories :

Resolved, That the Democratic party will abide by the decisions of the Supreme Court of the United States on the questions of constitutional law.

It cannot but be remarked, that the preamble to the second of these resolutions is a flat contradiction of the declarations in the first. The Democratic Convention of 1856, expressly announced the true and essential principle to be, *non-interference by Congress with slavery in Territories*. The first resolution here adopted, while it pronounces Democratic principles unchangeable, confesses a dangerous doubt as to that “only sound and safe principle,” asserted in 1856. But it does far worse than this. It admits that differences of opinion existed in the great party upon whose decision evidently hung the destinies of the republic, upon the one point actually in controversy between itself and its adversaries. Differences of opinion upon speculative points were of no consequence at a crisis so momentous. But, while the indulgence of such differences was unworthy the one national party, which held the reins of political power, and by which public rights and popular liberty were to be maintained, the proclamation of those differences made the separation of the party inevitable ; and its ruin followed, of course. It was a fatal concession to their opponents, which conferred upon

them, at once, the prestige of victory. Doubtless, it was intended to conciliate the Northern vote in favor of Mr. Douglas; but, like the old concessions of the Whigs to the Free-soilers, it gave "weak brethren" an excuse for falling off from the negative to the positive side of the question.

The truth is, the Democratic party might, at that conjuncture of affairs, have resolved upon almost any thing which was not especially offensive to the sensibilities and morals of the country, and, standing united upon it, they could not have failed to win the day. Even a defeat upon an explicit declaration of well-ascertained principles, would have furnished the courage and the vigor for a future victory. It is better to be beaten for a time, upon decisive facts, which in their nature are lasting, and come up again and again, than to be successful with illusions, which fade away and forever with the very occasion which gave them birth. It must be admitted, upon this exposition of the facts of the case, that the blame does not rest entirely with the "Southern wing;" and that if Mr. Douglas' basis of political action had been adhered to by his supporters in the convention, the breach would have been healed, and the disasters which followed upon the defeat of the divided Democracy, would never have occurred. Upon the sincere and explicit agreement of the convention to the principles of the Cincinnati Platform, Mr. Douglas would probably have been nominated, as he had expressed his concurrence with that Democratic manifesto. As it was, the South was by no means united upon the subject; for in the election, Mr. Douglas carried, in the slave States, about one-third as many votes as Mr. Breckinridge, who became the candidate of the special Southern Convention. It is obvious, that by the united action of the party upon the basis suggested by Mr. Perry and Mr. Howard, in entire conformity with his opinions, made known to his supporters in the convention, Mr. Douglas would have received the entire Democratic vote, and the ticket would have come out at least four hundred thousand votes ahead of that brought forward by the Republicans.

Here, then, had the Democratic party become sectional,

instead of national, in its manifestations, if not in its principles; and probably in the fallacious hope of thus regaining lost strength in the North, and of effecting a restoration of ascendancy in Congress, the better hope, which might justly have been entertained, of saving the country itself, and which was entirely dependent upon the united action of the party, was imprudently, and, in fact, causelessly abandoned. But the end was not yet. It was deemed injudicious to make any nomination, in the existing posture of affairs; and though many ballotings had taken place, showing a decided preference for Mr. Douglas, though not a majority of the original convention, that body adjourned to meet again at Baltimore on the 18th of the following month of June.

The "Southern wing" thus further making manifest its desire of reconciliation, determined also to repair to the same city at the same time, and to take part, if possible, in the final proceedings. Strong expectations were entertained of a reunion of the broken fragments; but similar disputes to those which occurred at Charleston, and even more embittered, took place in regard to the qualifications of delegates—and, indeed, some appeared upon the ground with certificates who had not been chosen to the convention originally—the "Southern wing" again withdrew, and the division was complete. Mr. Douglas was nominated by the one branch of the convention, and Mr. Breckinridge by the other; which consisted of representatives of all the slave States, with the exception of those from Missouri, and a delegation from New York, which had been refused admission to the original convention. The former body adopted the following resolution, which, though vague and somewhat elusive, still might have availed, with a few modifications, not inconsistent with its sense, to prevent an absolute rupture, if it had been proposed at the deliberations in Charleston:

Resolved, That in its accordance with the interpretation of the Cincinnati platform, that during the existence of the territorial governments, the measure of restriction, *whatever it may be*, imposed by the Federal Constitution on the power of the Federal Legislature over the subject of domestic relations, as

the same has been, or shall hereafter be finally determined by the Supreme Court of the United States, should be respected by all good citizens, and enforced with promptness and fidelity by every branch of the General Government.

Although this resolution enjoined that the difficult enforcement of a singularly indefinite "measure of restriction"—it nevertheless abandoned, by neglect, those extraordinary doubts, before entertained by the convention, as to the exercise, by a territorial legislature, the creature of Congress, of powers denied to Congress itself, by the Cincinnati Platform. It also adopted such interpretation of the Constitution as *had been already given to it* by the Supreme Court, as well as made prudent and some might think, perhaps, superfluous provision for submission to the future determinations of that tribunal. On the whole, the resolution could not but be unsatisfactory to those who sought for a clear and definite exposition of the opinions of the party upon a question of the profoundest interest, had the means still existed for its practical application to any territory. But this definite exposition the South conceived it had a right to insist upon as a matter of principle, from those claiming to be the national Democratic party, in regard to the issue actually before the country. As matters stood, however, the breach was absolute. There was no longer a national Democratic party, and through the gateway of division was a broad path opened for its enemies to enter and take possession.

This result of these proceedings naturally threw the public mind into a state of great confusion. The Republicans saw the advantage it gave them for pressing their party dogmas, in regard to which the Democrats had shown such want of harmony among themselves. The scattered remnant of the Whigs also began to encourage hopes, that, in the midst of this extraordinary conflict of opinions, an opportunity would be afforded, to rally force enough of the more sober and thoughtful among the people, to enable the steady friends of the Constitution to act a leading part in the election, and in what might befall thereon. They had no affinity, of course, with

Mr. Douglas, whose position was regarded as in several respects equivocal; nor could they support Mr. Breckinridge, as identified with the administration to which they were opposed, and who was comparatively unknown to the country at large, though he had won not a little personal popularity in his position of Vice-President. On the whole, the time seemed favorable to their wishes, if returning reason and reflection could exert their due influence upon the popular mind. The Republicans had been signally defeated in 1856, though they had the advantage of Mr. Fremont's supposed attractions for voters—which they had seized upon for their purposes upon the general ground of “success a duty.” With all their past high professions, it was evident, at length, that they were a merely political party, with “availability” for their motive and their motto. The great Democratic party had offered a strong temptation to their late opponents to renew the struggle for political power, by the unhappy and apparently irreconcilable division which had taken place. That portion of the old Whig party which had still kept up a show of organization, and maintained its ancient fidelity to sound constitutional principle and the cause of the Union, was known to comprise hundreds of thousands of citizens, distributed throughout the several States, of the most substantial and intelligent classes of the community; and among them, everywhere, were the most eminent and generally respected persons, in every condition of life. They had stood out for principles—once the honored and triumphant principles of a great national organization, at the head of which had been names, among the most brilliant and enduring in the history of the country. Though now, for a series of years, they had held their ground without the expectation of political success, it was hoped that their evident disinterestedness might commend their sober counsels to the judgment of the people; and might help to free such numbers of the political masses from the complications of faction, as to work out, in the end, a result favorable to the public welfare.

Accordingly, delegates from this body of citizens, com-

prehending many gentlemen of local and national distinction, in the South and the North, assembled at Baltimore, on the 9th of May, 1860, under the style of "The Constitutional Union Convention." The gentleman chosen to preside over their deliberations was ex-Governor Hunt, of New York, than whom no fitter representative of constitutional Union principles could have been fixed upon. The proceedings were spirited, patriotic, and harmonious. Their opinions and position were too well known to require any special promulgation of political opinions. Few or many, they had long kept their faith upon the right, if the losing side; and they had come together, in the earnest and patriotic hope of saving the cause of their country, at a most serious and threatening emergency. They contented themselves with the simple but significant announcement, that the sum and the aim of their political faith and practice was—The Constitution, the Union, and the enforcement of the laws. This Convention proceeded to nominate Mr. Bell, of Tennessee, and Mr. Everett, of Massachusetts, to the several offices of President and Vice-President; and it may well be said, that, with such candidates and such principles, they at least deserved success. Whatever final guilt was incurred, these true "Union men" at least are innocent.

The Republican Convention assembled at Chicago on the 16th of May. It was supposed that Mr. Seward would receive the nomination; but after a severe struggle between his supporters and those in favor of Mr. Bates, of Missouri, and Mr. Lincoln, of Illinois, the latter was agreed upon and nominated, in conjunction with Mr. Hamlin, of Maine, for the Vice-Presidency. The grounds of Mr. Lincoln's nomination were stated by Mr. John A. Andrew (afterwards Governor of Massachusetts), who had been a delegate to Chicago, at a Republican ratification meeting, held in Boston on the 25th of May. After speaking of Mr. Seward as being the first choice of the Convention,¹ and who, it appeared, would have

¹ Upon the first formal ballot, Mr. Seward received 173½ votes; Mr. Lincoln, 102; and all others, 189.

received the nomination, if it had been thought he would have proved as acceptable to the people as to the assembly, the new Republican doctrine of "success a duty," so antagonistic to and subversive of every true republican principle—coming once more into play—Mr. Andrew proceeded to remark :

"Mr. Bates stood second, a man of blameless life, who was the candidate of those who wished to *intensify the nationalism* of the Republican party. Then there was Abraham Lincoln, and in him was recognized by all, the *representative of the Republican party* all over the Union." ¹

How much the spirit of "nationalism" animated the majority of the Convention, is sufficiently evident from such a declaration as this, from the character of the nominations agreed upon, and from the subsequent action of the party. This statement also furnishes authentic testimony to a fact, popularly well enough known, that probably no deliberative body ever came together, even in France, during the old revolutionary period, composed of such miscellaneous and incongruous elements. There were Freesoil Whigs in the largest proportion, and with them Freesoil Democrats, Native Americans, and foreign adventurers; abolitionists, and their lifelong opponents; those for saving the Union, and those for dividing it; professed conservatives, and the most thoroughgoing radicals; sentimentalists and ideologists; "economists and calculators;" a sprinkling of delegates pretending to represent some sort of constituency, in two or three of the border slave States; and, to crown all, Mr. Greeley, of the New York *Tribune*—

"Claimed kindred there, and had his claims allowed,"

as an accredited deputy from the somewhat distant regions of Oregon. To the strenuous opposition of the latter, it was supposed to be owing, that the pretensions of Mr. Seward were set aside; who had by far the best title to the nomination, and whose influence, had he been elected, would have been sufficient, it is most likely, to avert civil convulsion.

² See "Boston Courier" report.

But the outright radicals, who were the least numerous, proved, nevertheless, the most influential. They were utterly averse to any thing tending to "intensify the nationalism" of the heterogeneous multitude, calling itself the Republican party; and they would not be appeased by any half-way measures. The easy good nature, familiar manners, and other correspondent qualifications of Mr. Lincoln, seemed to them, doubtless, to afford the prospect of more malleable material for their purposes, than the old Whiggism of Mr. Bates, or the dignity belonging to Mr. Seward's public position and his long association with statesmen of every party, which might induce him, once in the possession of power, to throw aside the tatters of radicalism, and to clothe himself anew in the purified garments of "nationalism." At every former nomination for the high office of chief magistrate, by any party making pretensions to the popular support, the relations of both sections to the common country had been punctiliously regarded. If the candidate for President were taken from the South, the candidate for Vice-President was selected from the North; and the nomination of a candidate for the highest office, from the free States, was sure to be followed by that of some gentleman from a slave State, for the position next in dignity. The Buffalo Freesoil Convention, in 1848, did, indeed, propose for both candidates, persons who were residents of the free States; and it put forth a platform which precluded the idea of any substantial countenance for it in the others.¹ The Chicago Convention of 1860 acknowledged the paternity of the Buffalo Convention of 1848, by adopting a similar course of proceedings. Both of the candidates offered for the suffrages of the nation were citizens of the free States; which was a virtual exclusion of the slave States from having any portion in the election of the chief magistrate of the whole country, in case the popular

¹ In reality, Van Buren obtained not a vote in eleven of the Southern States, and in the remaining four, 299 votes.

choice should happen to fall upon the citizen thus proposed, on the part of one section alone.¹ Its platform of political doctrines was not in entire consistency with that of Buffalo; nor could it have had the face to ask any Southern man to stand upon such a basis, or find such a person to accept the position, if it had made the proposal. This, therefore, was far more than a mere note of challenge to "the slave power." It was the trumpet-blast of hostility and defiance to the whole people of the fifteen States of the Union, founded, as honor and justice demanded it should be sustained, upon a common Constitution, for their mutual benefit and protection.

Of course, it is essential, in estimating the character of a party like this, to look carefully behind the "platform," which it might deem it necessary to set forth, for the satisfaction of one or the other branch of an organization so diverse in its composition. The structure in question was inevitably disjointed and loosely hung together. It is not proposed, nor is it worth while, to examine it in detail. It contained generalizations enough to embrace all the purposes of the radicals; and whatever specific definition of principles it placed before the public, in order to meet the views of those who were denominated "Conservative Republicans," and so as to keep themselves technically *within the law*, the ultra-republicans would have no hesitation about disregarding. It was a small thing for them to do, for example, to profess regard for the specific obligations of the Constitution, in the formal announcement of their party opinions, however inconsistent such an avowal in reality was with the very proceedings in which they were engaged and with the whole course of their party action. For, without such a profession, those proceedings would have appeared an undisguised conspiracy against the Union; and they would, then, necessarily, have lost the support of many persons of influence, who afterwards found means to stifle the scruples which they must have entertained; and of a large class of citizens, who, from

¹ See note to p. 330.

disposition or principle, or considerations connected with their worldly possessions, shrank from the idea of revolution and insurrectionary measures. But there is no reason to believe that any "plank" set into the platform, for the purpose of meeting the wishes, or of easing the consciences or the apprehensions of this class of citizens, was much referred to in the innumerable harangues of Republican orators and divines, or in the declamations of a partisan press, by which the popular mind was kept in a state of the intensest excitement and agitation during the subsequent political campaign. It was by appeals to passion, and not by the discussion of constitutional principles, that the contest was carried on in the Republican forum and pulpit. It is but just, in this connection, to cite the *pièce de résistance* set forth upon the Chicago Platform, which was intended to make up for all deficiencies or irregular provision in the popular feast prepared by the managers of the occasion, and which evidently must have been contributed by that wing of the company which, according to Governor Andrew, "wished to intensify the nationalism of the Republican party."

Resolved, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment, exclusively, is essential to that balance of power on which the perfection of our political fabric depends.

To a large proportion of the members such an admission as this must have been galling in the extreme; but, stripping this declaration of its high-sounding phraseology, it is simply, in the first place, an inevitable assent to (unless revolution were actually avowed) the plainest and most indisputable constitutional principles, and as essential to the political freedom of one part of the country as of another; and, in the second place, it is the statement of a truism—but a most important truism; and to the fact involved in its enunciation, it is a pity that the Republican party did not adhere. Nor need it be surprising, if the disregard of this salutary and "essential" principle should prove in the end singularly unfriendly to the public welfare. For, if it is to be taken as true upon

the solemn poetical asseveration, that, "all nature's discord makes all nature's peace," it may be found that the diversity between the domestic institutions of the North and those of the South, which the Republican party, eventually, made it its declared object to overthrow, was in a high degree useful to the maintenance of that "balance of power" which, under a different order of things, is left in a very uncertain condition. But, careful as the Chicago Convention was to insert this national "plank" in its platform, any intensity it might have derived from the circumstance was more than neutralized by its adoption of an amendment to the body of the resolutions, moved by an extreme radical delegate from New York, to append to them the "prelude"—such was the musical term of his harmonious proposition—the "prelude" of the Declaration of Independence. The following statement exhibits the history of this extraordinary movement. Mr. Giddings, of Ohio, the well-known abolitionist member of Congress, endeavored to procure the adoption of an amendment to the first resolution. The resolution, of itself, could have no other intent or meaning than as an announcement of perpetual warfare against the constitutionally existing institution of slavery. It read as follows :

"That the history of the nation during the last four years has fully established the propriety and necessity of the organization and *perpetuation* of the Republican party, and that the causes which called it into existence *are permanent in their nature,*" etc.

To this statement, Mr. Giddings proposed to add, in language modifying, but certainly not improving, that of a passage in the Declaration of Independence :

"That we solemnly reassert the self-evident truth, that all are endowed by the Creator with certain inalienable rights, among which are those of life, liberty, and the enjoyment of those rights."

To this, it was objected by another member, that the amendment was unnecessary, since the substance of the words was embodied in the second resolution, which read as follows :

"That the maintenance of the principles promulgated in the Declaration of Independence, and embodied in the Federal Constitution, and that the Fed-

eral Constitution, *the rights of slaves*, and the Union of the States, must and shall be preserved."

This remarkable jumble of propositions which asserted that the manifesto of a people rising in rebellion had been inserted into the body of the Constitution framed for their own government, after they had succeeded and were settling into a State; and which assumed, sectionally, as a party principle, to assert *the rights of slaves*—meaning, obviously, as was admitted by the objector, those "unalienable" rights insisted upon by the Declaration of Independence—and in utter contradiction of the fourth resolution, already quoted, which alleged "especially the right of each State to order and control its own domestic institutions, according to its own judgment, exclusively"—did, indeed, render the amendment of Mr. Giddings altogether needless. It was accordingly lost. But after various other subjects had been debated and disposed of, Mr. Curtis, of New York, brought forward the proposed "prelude," as an amendment to the second resolution. It stands thus as the first paragraph of the Declaration:

"When, in the course of human events, it becomes necessary for one people to *dissolve the political bands which have connected them with one another*, and to assume among the powers of the earth the *separate* and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impelled them to the *separation*." ¹

The journals of the day give an account of the reception of this fraternal and Union-breathing proposition, at a moment so critical in the affairs of the country. They say: "After some debate, the amendment was adopted. The resolutions,

¹ After the resolutions had been read, Judge Jessup, of Pennsylvania, by whom they had been reported, said that he "desired to amend a verbal mistake in the name of the party. It was printed in the resolutions 'the National Republican party;' he wished to strike out the word *national*, as that was not the name by which the party was properly known." The correction was made.—*Report in the N. Y. Tribune, of May 18th.*

It thus openly professed itself "sectional."

as amended, *passed unanimously*. A scene of the wildest excitement followed, the multitude rising and giving cheer after cheer, which were echoed by the multitude outside.”¹ Thereupon the Convention adjourned for the day, and on the following morning, upon this “national” platform, the nominations were completed. The vast throng of the populace assembled in and about the “wigwam” in which the Convention held its sessions, according to the reports of the same journals, tumultuously made known its preferences, during the progress of those proceedings, the object of which was to designate, by a professedly deliberative body, a candidate for the high office of Chief Magistrate of the Republic. It was like the mob of Paris overawing the National Assembly of France. They shouted clamorously, and chiefly for “Lincoln”—and, naturally enough, his supporters constituted a majority of the crowd, in the principal city of the State in which he himself resided. At length, owing not a little to the effect of that same species of “pressure” to which Mr. Lincoln afterwards acknowledged himself so given to yield—amid this tumult of voices and confusion of ideas, and upon this “patriotic” and “national” basis of political sentiments and principles—a sectional candidate, upon such merely sectional grounds, for the first time in the history of the republic, was presented for the suffrages of its citizens.²

Supposing the “Higher Law”—which, being unwritten, and not committed to the interpretation of any tribunal, or subject to the test of any criterion, may be considered somewhat unsafe, as well as uncertain—to have superseded, by some mystical process, that positive code of prescribed principles which constitutes the law of the land—the proceedings of the

¹ See telegraphic despatches to Boston *Daily Advertiser*, New York *Tribune*, and other Republican newspapers.

² Mr. Raymond, of the New York *Times*, wrote to his paper, on—way home from the Convention: “The nomination was *purely accid*—direct decided much more by the shouts and applause of the vast conc^o, by formal *dominated the Convention*, than by any direct labors of any of the d”
Quoted in *Boston Courier*, of May 26th.

Chicago Convention, whether wise, or patriotic, or "loyal," are fairly entitled to be judged according to the theory by which the deliberations of that remarkable assembly were evidently inspired. Nothing of the license of the "Higher Law" seems to have been wanting. But regarded in relation to any known standard of constitutional principles, its conduct cannot but be justly considered as singularly factious and disorganizing.¹ Every species and degree of sectionalism must necessarily partake of this revolutionary character. But, gathered from all its various springs and channels—from high places and low—from the prostituted temples of religion the notorious schools of infidelity—from the haunts of sedition, as well as from seminaries of learning, in which ingenuous youth should have had orderly precept and example—and brought together and consolidated into one powerful party organization—the strength of numbers attained by such a party could have no effect to change sectionalism into nationalism; but could impart to its plans and operations an influence only the more pernicious, in proportion as its physical power was great. In point of fact, the Republican party, in its rise and progress, stood upon no basis whatever supporting constitutional principles, or measures of policy resulting from the exercise of Federal authority over the country at large. And, since the organization had no real relation to measures coming within the appropriate scope of Federal action, it was, in effect, a separation of the North from the South, and consequently an act of hostility against the General Government and institutions of the country. It was practically subversive of the Constitution, by seeking to array

¹ The following passage is an extract of a speech, delivered by a very eminent citizen of New York, the late Judge William Duer, at Oswego, in that State, August 6th, 1860:

^{WL} "The Republican party is a conspiracy, under the forms, but in violation take the spirit of the Constitution of the United States, to exclude the citizens of the Republic, withholding States from all share in the government of the country, not the national, to adapt their institutions to the opinions of the citizens made.—*Republ. States.*"

It thus open

the masses of the people in one section of the land against the States and the people of the other section ; so that, by thus obtaining mere pluralities of the popular vote, in that part of the country which contained two-thirds of the population, the whole power of the Government would be transferred to the one section, to the exclusion of the other, against which the first had instituted this species of moral warfare. And yet the faction which had by these means been able to "take possession of the Government" would only represent a very decided minority of the whole people. For the sectional majority of the free States was very largely in the minority of the aggregate vote cast in all the States ; and, it has been already shown, that it obtained, at the ensuing election, considerably less than two million of votes, in an entire popular vote considerably exceeding four millions and a half. Though there was nothing more actually illegal in this process than in Shylock's demand for the penalty of his bond, it was nevertheless a highly inequitable proceeding ; besides being a practical fraud upon the Constitution, by violating its intent and virtue.

In fine, the basis of political action of the Republican party may be thus succinctly stated :

1. Resistance to Congress, the representative branch of the Government, by factious opposition to the act passed by it for the restoration of fugitive slaves to their owners. This act was resisted by force in many cases, and its practical nullification procured, by statutes, made to prevent or obstruct its execution, by the legislative assemblies of the free States. This was, so far, an accomplished fact of resistance to the Constitution also, since the act of Congress had been pronounced to be in accordance with it by the highest courts of all the free States, which alone had occasion to pass upon it.¹

¹ The Freesoil party, from which the Republican party had its direct descent, at its Convention held at Pittsburg, in August, 1852, declared, by formal resolution, that :—

2. Resistance to the same representative branch of the Government, in relation to the act passed by it, which recognized the right of the inhabitants of a territory of the United States to determine for themselves, upon forming a constitution preparatory to admission into the Union, whether to permit or to prohibit slavery. This act was resisted, morally, by vehement denunciation, and practically in forestalling the regular action of those inhabitants, by the formation of organized associations, in order to promote an irregular and forced emigration, and by furnishing weapons and other means of compelling the decision of the inhabitants to take a particular direction.

3. Resistance to the Supreme Court, the judicial branch of the Government, in regard to its decision as to the right of citizens of one part of the country as well as another, to remove into and reside in a territory of the United States, carrying with them any description of property, recognized as such by the Constitution and the laws. It called in question, therefore, that kind of property, admitted by the Republicans themselves, in their formal declaration, to be the legal possession of the slaveholders, and that their "right to order and control" it "according to their own judgment exclusively" was "essential to the balance of power on which the perfection of our political fabric depends."

4. Resistance, therefore, not only to the provisions of the Constitution and the principles of the Union, but to the conclusions necessarily to be deduced from the Republican

"The Fugitive Slave Act of 1850 had "no binding force upon the American people:"

That there should be—

"No national legislation for the extradition of slaves," and alleging, that slavery was a "sin" and a "crime;" that "Christianity, humanity, and patriotism alike demand its abolition."

Though the party afterwards modified the expression of its sentiments, in the resolutions adopted by its general Conventions, in order to satisfy weak brethren, and to gain voters, it is evident from the proceedings at Chicago that its spirit was the same.

definitions of political right, when necessary for them to set forth their constitutional opinions in express terms.

5. A formal renunciation, at Chicago, rendered necessary, indeed, by the general course of their proceedings, of all political and, consequently, of all social connection, with the slave States—amounting, at least, to such absolute dissociation, in all respects, as was scarcely consistent with any of that fraternal and friendly feeling essential to a willing Union.

It is impossible to regard the proceedings of the Chicago Convention in any other light, than as equivalent to a proclamation of absolutely hostile purposes against the Southern section of the country. They were not, technically, a declaration of war, to be conducted by arms, simply because they proposed only to use the *pacific* force of superior numbers, in order to deprive the minority of its rights under the Constitution. While, in one part of their "platform," the Republicans made a specious profession of regard for the Constitution, in another part they announced a dissolution of the "political bands" by which the sections were held together, and even refused to be called by a *national* name. It was an attitude which ought to have given instant alarm to every sincere friend of the Union!

It may not be easy to understand how it occurred, that the really sober and intelligent people of the North fell so readily into such an open disunion snare as this. They were not carried away, certainly, by the influence of great names, conspicuous in the proceedings at Chicago. There appear to have been few persons present of more than ordinary and local reputation, and scarcely any of national fame; indeed, none of that class to which the people had been in the habit of looking for counsel, and as guides to follow in that leading part which persons of distinguished abilities and character might seem qualified to take, at a period so momentous. But the "conservative Republicans" had been, in a great degree, prepared for the nomination of Mr. Seward, well known as a former distinguished member of the old Whig

party, and whose general reputation served to throw somewhat into the shade his more recent erratic demonstrations; and, having been ready to accept him as the candidate of the convention, they submitted to its proffer of another, as resulting from motives of policy in which the interests of the party were concerned. In their present temper, they probably did not scrutinize the "platform" very closely. "Success a duty," was the spirit of the day in their circle. The Northern masses had been, in fact, very much confused by a succession of constitutional questions, which it is obvious the majority of the people were not likely to comprehend; but they were told that in those questions was involved the "cause of the North," and the "cause of freedom." One statement appealed to sectional sentiments; the other to natural emotions.

Undoubtedly, one resolution adopted by the convention, in which the draughtsmen had exhibited, at least, as much power of language and skill in addressing themselves to the wishes of the North, as acquaintance with the simplest principles of political economy, made a very favorable impression upon the Northern masses. Besides the unobjectionable recommendation of a tariff for protection of imported articles, in conformity with Whig opinions and precedents—with a certain sweeping generosity, they may be said to have originated "that policy of national exchanges, which secures to the workingman liberal wages and to agriculture remunerating prices; to manufacturers and mechanics an adequate reward for their skill, labor, and enterprise; and to the nation commercial prosperity and independence." These were magnificent promises, indeed, could they only have been fulfilled; but how far the Republican party made even an attempt to carry out this practical system of "national exchanges," the history of succeeding years, while they have been in possession of power, will show.¹ But, on the whole, the majority

¹ There is little doubt, however, that this nonsensical piece of mystification secured them a more powerful influence in the election than the negro.

of the North did not at all appreciate the impending danger of civil convulsion. They were sedulously encouraged in this false security by the Republican leaders. They were told by those who had just made a virtual proclamation of disunion and war, which required only a response from the other side to carry it into effect, that there was no sort of danger of disunion or of war. They believed that the crisis would pass away, like others which had preceded it. Forgetting, or unconscious, that the very fabric of the constitutional Union rested upon the shoulders of the people, to be carried along by them, in the use of constant vigilance and exertion, and that without their support it would fall, they were persuaded to make one mighty and simultaneous effort to slip their shoulders out, and let it topple over into the ditch.

CHAPTER XV.

What has been shown in this Volume.—A Declaration of Mr. Lincoln, in 1858.—The Prospects of the Canvass.—“Union-savers.”—The Sentiment of the Army.—The Difference between the Whigs and the Freesoil Party.—The Election.—How Resentment at the West, on account of alleged Ill-Treatment of Mr. Douglas favored the Election of Mr. Lincoln.—The Party of “Progress.”—Young America.

It has been already shown—

That the Missouri Compromise Act was repealed, and was intended to be repealed by the Compromise measures of 1850; since the provisions of the latter were entirely inconsistent with those of the former; and a state of facts had arisen which rendered the earlier Compromise positively inoperative; that is, by the action of the people of California, to which Congress was under the moral necessity of conforming:

That the Whig party, by the resolutions of its Convention, in the year 1852, had adopted the latter measures, in spirit and in substance; and the Democratic party, by its Convention of the same year, placed itself on exactly the same footing:

That the Act of 1854, for the organization of territorial governments in Nebraska and Kansas, was in precise conformity with those measures:

That the Democratic Convention, in the year 1856, by its formal resolutions, adopted these principles, “as embodying the only sound and safe solution of the slavery question”—and defined them to mean—“Non-interference by Congress with slavery in State *and territory*,” etc.

The opinion of the Supreme Court of the United States,

pronounced afterwards, in the Dred Scott case, on the part of the majority of its justices, proved to be identical with these principles; though its determination was reached, of course, not upon popular, but upon legal considerations. That is to say, it held that, although Congress had authority to establish territorial governments wherever necessary, yet, by reason of constitutional limitation of its powers, it could not prohibit the ownership of slaves by citizens of territories. This was the "non-interference" doctrine of the Democratic platform, and principle of the Kansas-Nebraska Act; both of which recognized the right of the inhabitants of the territories to hold slaves, if they saw fit, while the territorial condition remained; and to determine for themselves, by vote of a majority, when they framed their constitutions, whether to come into the Union as slave States or free.

It has also been shown, upon what apparently narrow grounds the division of the Democratic party took place, in the spring of 1860. It appears that a reunion might have been effected, by an explicit endorsement of the Dred Scott decision; which would have been in conformity with the views of Mr. Douglas himself, as communicated to his supporters in the Convention. At Charleston, however, the "Northern wing" of that body—declaring that differences of opinion existed in the party upon this point—had resolved that it would "abide by the decisions" (not decision) "of the Supreme Court, on the questions of constitutional law." This expression implied, and was intended, no doubt, to imply, that there might be other and different decisions, affecting the point at issue, upon some future change of members of the bench. At Baltimore, after the adjournment, the "Northern wing" made its meaning still more evident, by resolving—that the decision of the Supreme Court, in regard to the power of Congress over the territories, "as the same has been, or shall be hereafter finally determined," by the tribunal, should be "respected and enforced." This, as seamen would say, was clearly "laying an anchor to windward." It implied an opinion, on the part of the Northern section of

the Convention, that the question at issue had not been finally determined; perhaps, an expectation and a wish that it should be revised. In reality, it was casting a cloud of uncertainty, at least, over the whole basis of Democratic principles on this point. And, although it seems peculiarly unfortunate, that the future of a great country should have been made dependent upon a merely possible future contingency; yet it is obvious that the phraseology thus insisted upon by the Northern Democrats, left the Southern men to infer a want of fidelity to principles deemed of vital importance by themselves, and which had been so solemnly declared and so often acted upon by the whole party, upon former occasions, both in Congress and in the country. Evidently, therefore, the conclusion was reached by those who finally seceded from the Convention, that the Northern section of the party could not be depended upon in the future, as it had been in the past, for united action with its Southern allies, in opposition to fanaticism and abolition. Hence, therefore, is the reason and the cause of a division so deplorable in its ultimate consequences.

The Whig party stood before the country, at this crisis, in the attitude indicated by the motto it had adopted—"The Constitution, the Union, and the Enforcement of the Laws." Doubtless much diversity of opinion existed among its members, in reference to some of the legislation of Congress upon the vexed questions at issue, and in relation to the decision of the Supreme Court. But they were, in general, of that class of citizens who uphold "law and order;" who are obedient to the laws, as they exist; and who resort only to legitimate means for any change in such measures of legislation as may seem to them objectionable.

The position of the Republican party has been sufficiently exhibited. Its candidate, Mr. Andrew remarked at the ratification meeting in Boston, was "the representative of the Republican party all over the Union"—that is to say, of course, in those States in which a Republican party had any existence. He was best known as the antagonist of Mr.

Douglas, during a protracted canvass of the State of Illinois, in the year 1858, in which the latter had proved the successful competitor for the Senatorship of the United States, which was the prize actually at stake. He was, like his party, opposed to the fugitive slave law, and had expressed his opinions with much freedom, and without much respectful consideration, in reference to the Supreme Court. He had been in advance of Mr. Seward, also, in regard to the "irrepressible conflict" doctrine. In this particular, he had assumed a position in direct antagonism to the exhortations of Washington, in the Farewell Address. The Father of his Country saw that there was danger of the formation of "geographical" parties, and had warned his countrymen of their deadly influence against the Union. Mr. Lincoln, on the other hand, finding a "geographical" party in the process of formation, allowed himself to be placed at its head, and encouraged its action, by the inevitable sectional and disorganizing declaration—"I believe this Government cannot permanently endure half slave and half free."¹ It need hardly be said, that this allegation was contradicted by the experience of eighty years; or, that it was the assumption of a fact, beforehand, which could only become one, in reality, by the exertions of the very persons who assumed it and were laboring to bring it about.

The order of the great battle to ensue was thus marked out. But it was obvious, at once, that the vote of the Southern States would be completely neutralized, by the existing posture of affairs, and that the actual contest would take place in the North. For while Mr. Breckinridge would receive the vote of the party in those States represented by the seceding convention, Mr. Bell, an eminent citizen of a slaveholding State, on the same ticket with Mr. Everett, who enjoyed the highest reputation at the South as well as the North, would carry what remained of the old Whig

¹ In a speech to the Convention which nominated him for Senator, delivered at Springfield, Illinois, June 17th, 1858.

vote, and Mr. Douglas could not fail of obtaining a certain support, from that wing of his own party in the slave States, which was either sufficiently satisfied with his position, or averse to the contemplation of extreme measures.¹ This situation of affairs was clearly the result of the separation between the two branches of the Democratic party; and the Republicans, in the control of a powerful organization in the free States, addressed themselves chiefly to combat the pretensions of Mr. Douglas, who was their most formidable antagonist in that quarter. It was plain enough, considering Mr. Breckinridge's position, as the representative of the especial "Southern wing" of the Democracy, and the actual condition of the party, that the support to be reckoned upon for him, in the North, would be comparatively small. The Pennsylvanian Democrats, in fact, cast nearly two-thirds of all the votes given for him in that quarter.

The support which the Bell and Everett ticket was likely to receive would come from the more staid and thoughtful class of citizens; men of fixed principles and settled character; deeply impressed with a sense of the impending dangers to republican institutions; heartily, and from the sincerest sentiments and emotions of patriotism, devoted to the cause of the Union. They were neither partisans nor fanatics; but upright, intelligent, and independent voters, acting under no impulse of temporary excitement, but, upon consideration and conviction, for the permanent welfare of the whole united country, as the foundations of its civil fabric had been established by the fathers of the republic, after the grand struggle by which they won the right of self-government, with that

¹ This proved to be the fact: Mr. Breckinridge receiving in those States, 570,871 votes; Mr. Bell, 514,193; and Mr. Douglas, 165,595. Mr. Breckinridge obtained the electoral vote of all the slave States, except of Virginia, Tennessee, and Kentucky, which were given to Mr. Bell; and of Missouri, which, with that of New Jersey, was cast for Mr. Douglas. But as neither of these candidates obtained the electoral vote of any Northern State, except New Jersey, it is obvious that the part taken in the election by the South had actually no effect upon it whatever.

wisdom and magnanimity calculated to render it secure. Unquestionably, their hope was, at a moment judged by them one fraught with imminent peril to the common cause, to present such a steady front, in the gap between contending factions, as should form a safe rallying-point, round which the friends of the Constitution and Union could assemble, in any unforeseen contingency which might finally arise. No nobler or more disinterested body of citizens ever exerted their best energies—as such men too often have done, unsuccessfully, in all ages—to save a sinking land. Their immediate apprehensions pointed to the political triumph of a “geographical” party, in the reasonable foresight of the unhappy consequences only too certain to ensue. There was much reason to believe, at least for a considerable period preceding the dread November day which was to decide the fortunes of the country, that there would be a failure to choose a majority of electors for any one candidate, by the popular vote. In this event, the choice would fall to the House of Representatives, and there the prospects of their own candidates would be decidedly the best. For there was there, undoubtedly, a “conservative” majority in that branch of Congress, as in the other. That such an unexceptionable result as this would tend to the pacification of the country, there could be no reasonable doubt. For the candidates proposed by the Constitutional Union Convention were familiarly known by reputation throughout the Union; and that reputation was such as to inspire public confidence, however party considerations might deprive them of the general popular support at the polls. They were committed to the extremists of neither section, and their election could furnish no plausible ground of offence either to the one side or the other. The more conspicuous members of this organization, in every State of the Union, were men of that style of character which, under ordinary circumstances, would have insured for their earnest appeals to the people an influence which was too often exercised, at the time, by persons of certainly a different turn of mind, a different order of ability,

and, in too many instances, of a very different repute. Indeed, the Constitutional Union men appear to have been the only party who really understood the situation; who truly foreboded the gathering shadows of coming ills, and who placed themselves in the best possible position to meet the emergency with wisdom and fortitude, and to act the great part of averting such calamities from the country they loved, if to avert them should prove to be in their power. Their radical contemporaries designated them as "Union-savers"—a title which indelibly stamps the character of their position and vindicates itself. Though imposed by way of mockery and derision, it honorably marked the distinction between themselves and those careless or incredulous as to perils of the Union, which events, shortly to occur, showed whether vainly imagined, or worthy of the profoundest care.

After secession began, however, and the war was actually in progress, those who had been most forward in scoffing at their fellow-citizens as "Union-savers," now often assailed them as "secessionists," and even as "traitors." They finally insisted upon calling themselves "Union men"—or, as it might have been retorted upon them, had they been supposed sincere, "Union-savers"—as soon as it became evident that only *in the name of the Union* could the rebellion be put down. Naturally enough, the old staunch supporters of the Union under the ægis of the Constitution stood somewhat aloof from an administration, through the election of which the very evils which they predicted had come to pass; at least, until they could see clearly whether the essential principles of civil freedom were to be saved or lost in the conflict.¹ For certain it is, that whatever else the sectional

¹ Yet, it is believed, that the main body of the army, including officers and men, especially at the earlier period of the war, and those, too, constituting its most efficient force, in both respects, were actuated by the same principles. Their hope and purpose was to bring the war to a speedy conclusion, so that the rights of the Union, and of every part of the Union, should be maintained. In this they were thwarted by the managers of the sectional party, who had no disposition to end the war until their own ulterior objects might be accom

organization may have been, it was not for the Union according to the Constitution; or in conformity with the injunctions of the Farewell Address; or in correspondence with the uniform teachings of every leading statesman of whatever party, in the past, from the beginning of the Government until the "geographical" party took its rise. However the attempt may be made to disguise the fact, they were revolutionists in design and in act. Hence, the question may yet remain to be settled, whether, merely to have kept the Republic together in form, should it prove to have been by a practical subversion of the Constitution, is to have preserved it as it was delivered to us by our fathers, or to make it answer any of its original ends.

But notwithstanding those party sneers, it was impossible that such a body of Whigs, evidently actuated by such generous motives, should not enjoy the real respect of all classes of their more candid opponents. From these they often extorted apparently ingenuous, if reluctant admiration; while to others their steadiness to a position, in which there was probably nothing personal to gain, was altogether unintelligible. The adherents of Mr. Douglas were solicitous of their support; and it seems likely now, that by uniting with that section of the Democratic party, they would have made his election sure, and have helped to reconstruct an invincible conservative organization. But the actual turn of affairs was hid behind the darkness of the future, and many of the "old Whigs" felt that they could not take such a course at that period, without, if not a forfeiture of recognized principle, yet an

plished, namely: the abolition of slavery and the reduction of the South to an inferior condition. It was on this ground that General McClellan, who represented the conservative body of the people, and who would have brought the war to a very early period, had he not been deprived of the necessary troops, and been otherwise embarrassed by the administration, was eventually removed from command. This fact, also, accounts for the great popular vote thrown for him at the election of 1864, by which he would undoubtedly have been chosen, but for the use of means which the administration alone had at its disposition.

abandonment of a position natural to them, and in which they might hope to render signal service in the progress of affairs.¹ Their former Whig associates, now incorporated with the Republican party, admitting its radical tendencies, urged them to follow the fashion, and submit to the process of decaudation, in order to infuse a more conservative element into the body of that singularly compounded mass of political materials. But it was evident that the principles of the Conservatives, who were already in coöperation with it, exercised very little influence, if any, over its general action, and that they, too, would be like

——— “The drop
That in the ocean seeks another drop,”

borne headlong downward upon the swellings of the unreturning tide. They maintained their stand, therefore, to the last; and after the election and during the war, when merely political questions of ordinary interest were absorbed in the grand issue of the restoration of the Union, they acted generally in concert with the main body of the Democrats constituting that organization, to which Mr. Everett afterwards desired to affix the title of “the President’s opposition;” though they and their associates probably preferred the style of the people’s opposition, as more conformable to the nature and objects of republican institutions. The principles of these men must now prevail, if we would have the constitutional Union restored.

Owing to the various causes which have been thus explained in sufficient detail, the election finally turned in favor of the Republican party. That party owed its rise and progress to hostility to that one vital guaranty of the Constitution, without which neither Constitution nor Union could have had any being. It did not begin, however, with abolition, which actually made no perceptible progress for a period

¹ In New York and New Jersey, however, the Whigs deemed it more judicious to unite with the Douglas men, and, accordingly, the Bell and Everett ticket received no support in those States.

of not far from a quarter of a century. From the faction which had devoted itself so fruitlessly to that object, the "Liberty party" was an offshoot; differing from it only in professing to oppose slavery just so far as it was not guarded by the limitations of the Constitution; while the professed abolitionists sought the overthrow of the Constitution, or the separation of the free from the slave States, in despair of accomplishing the direct purpose which they had in view. It was, in effect, however, but the difference between those who seek an unlawful object by undisguised means, and those who, claiming the protection of the law and professing obedience to its requirements, make use of every indirect means to render the law nugatory, and means necessarily tending to precisely the same result sought by the others. A wide distinction is also to be observed between the "Liberty party" and its several successors, the "Freesoil" and "Republican" parties, on the one hand, and the old Whig party on the other, so long as that maintained its powerful national organization; although the latter also opposed the extension of slavery; and so far would seem to have stood on the same basis with the "Freesoil" faction. But the Whigs considered the question of the Union paramount to all others; and though opposition to the extension of slavery was with them a principle, it was neither their sole principle, nor one regarded by them of such vital moment as the preservation of the civil institutions of the country, with their inestimable and unexampled blessings and privileges, enjoyed by all classes of citizens. If the Whigs happened to be outvoted, therefore, their consciences were sufficiently satisfied by the faithful discharge of their own duty; and even if one or more slave States should be added to the Union, they thought it could be of no positive detriment to the general welfare, at the time; while it was sure to be more than counterbalanced by the addition of free States in the end. The "cause of freedom" would thus be substantially maintained, and the republic be preserved in its original integrity. The general sentiment of the party was, that the negro himself, however otherwise it might

be in individual instances, was, in general, benefited instead of injured by the condition in which he was placed.

The Liberty party, and the Freesoil party after them, on the contrary, pursued but the "one idea." They were not behind the abolitionists themselves in manifesting their repugnance to slavery; regardless of the fact, that whether evil or good in itself considered, it was, nevertheless, an institution of the country, under the guarantees of its Constitution, but localized in a separate section of the country; and that it was one for which, as it existed, they had no legal or moral responsibility. Throwing aside all other considerations, therefore, under the impulse of the "one idea," they sought every opportunity to exhibit their hostility to slavery, under all circumstances, no matter what consequences might ensue.

A sense of this distinction between the principles of their ancient and honored political organization, and those of the Freesoilers which had so long been a subject of reproach among them, ought to have preserved such Whigs as were not ready to join hands with the outright abolitionists, from uniting, on any pretence whatever, with a "geographical" party. The Republicans assumed this attitude in the election of 1856. They nominated merely sectional candidates on that occasion. They denounced slavery, in company with "polygamy," as "twin relics of barbarism"—though one of the twins has been permitted to grow up and flourish ever since.¹ In the concluding resolution adopted by them, they gave due prominence to the "one idea," by inviting "the men of all parties, *however different from us in other respects*, in support of the *principles* herein declared;" so many of which, it may be remarked, involving personal rights of a variety of descriptions, have been so utterly and notoriously violated, since the party came into power, that probably they

¹ The Republican Congress did provide an act (July 1, 1862), "To punish and prevent the practice of polygamy in the Territories of the United States, and other places within the exclusive jurisdiction of the United States," imposing fine and imprisonment as the penalty; but no instance of its enforcement has been made known.

were not afterwards the subject of due study by the administration and its agents. On that occasion, for the first time, did the party exhibit any formidable popular strength. Unquestionably, many persons were then betrayed into its support by the subterfuge of nominating Mr. Fremont, who had no known alliance with that faction, and whose sympathies with it, never thought to have been very strong, were doubtless awakened for the occasion. But he was pitched upon, under certain well-known influences, simply as a candidate, whose adventures and their notoriety might serve to attract a certain kind of popular support. The managers having thus laid the foundation of a party, the rest was comparatively easy. Mr. Fremont, to be sure, was laid aside; but they had assembled the elements of "agitation," and agitation became their cry and their occupation. Already their antislavery projects had widely-extended support from the powerful coöperation of the pulpit, from ambitious orators, from literary zealots, from enthusiastic women, from a venal press.

One other cause had contributed with much effect to promote the result of the election. This was a very strong sentiment of indignation among the Democrats of the great Western States, at the neglect with which they conceived the favorite candidate of that part of the country had been treated by the "Southern wing" of the party, both on the recent occasion, and at the preceding period of making the nomination for President. Doubtless, this feeling of discontent served very much to scatter the party in that region in several directions; and disposed many of its former adherents to vote in that way which might seem likely to prove the most effectual retort upon the South, without taking into much consideration any thing but the immediate object in view. In fact, the "great West" had become, to a very great extent, "demoralized." In 1852, the entire tier of free States, in the West, from Ohio to California, had given pluralities for the Democratic nominees, and a comparatively light vote for the Freesoil candidates. But carried away by the Fre-

mont whirlwind of 1856, the Western Whigs especially, and a certain proportion of the Democrats, had broken loose from their accustomed moorings, so that each of the seven States referred to, except Indiana, Illinois, and California, gave pluralities in that year for the "so-called" Freesoil candidate. In 1860, Mr. Lincoln received the plurality in them all; and the result was similar in the newly admitted Western States of Minnesota and Oregon. This was a very remarkable change of front in that region; betokening that "demoralization" had extended much further than was to be accounted for by any revolution in merely political opinions. Indeed, fanaticism had at length struck root very deeply into that soil, and the fruit of the tree which sprang from it was such, as could not fail to suit the most intensely puckered-up lips of the bitterest fanaticism, in its most congenial habitations. Slave rescues, mobs, and similar demonstrations had much more markedly distinguished the progress of affairs in the West for several years, than in any part of New England.

The Republicans called themselves the party of "progress," and addressed all the allurements they could muster to the seduction of "Young America." They flouted at those, as "fogies," who stood "upon the old ways"—though if one-half were true which had been reiterated upon thousands of tongues, at every recurring anniversary of American Independence, the country had long ago reached the point of absolute perfection, in institutions, in intelligence, in morals, and in prosperity; and there seemed little occasion or room for "progress," except by going backward for a new start, and thus running the needless risk of losing what had been already attained. It was well understood that no persuasive means were wanting, to stimulate the press to zeal upon a side which had certain elements of popularity—however dangerous to the public welfare and safety its somewhat headlong career might seem in the eye of sober reason. Indeed, the one idea excluded reason, judgment, and patriotism; and the whole course of affairs proceeded, under the

wild impulse of an unnatural and unwholesome excitement. Most of the Whig newspapers finally took open ground upon the Republican side; and in most of the Northern States, the party carried with it two-thirds of the Whigs, one-third of the Democrats, and, of course, the abolitionists, and the whole body of those, who, for so many years, had been seeking to bring the North into collision with the South. No wonder the faithful of the Whigs, and the steady masses of the Democrats, saw that the hour of deadly peril to the Constitution and Union had come. In reality, the moment that the Republican organization placed itself distinctly upon a sectional basis—Constitution and Union, and all public and personal rights and privileges dependent upon them, in the North, as well as in the South, stood in immediate and imminent danger of utter overthrow.

CHAPTER XVI.

After the Election, the Country first awoke to the Situation.—The Conservatives had the decided Majority in the Senate, and the Control of the House.—The majority of the Republicans in the North opposed to all Violent Measures, besides the strong Democratic and Conservative Strength in that Quarter.—The Majority at the South opposed to Secession.—Movements at the North to procure the Repeal of the “Personal Liberty Bills,” by Ex-Chief-Justice Shaw, Mr. Curtis, lately Associate Justice of the United States Supreme Court, and others.—Public Meetings of Citizens.—Ridiculed by the Radical Journals.—Governor Andrew on the “Clean Hands” of Massachusetts.—The Concession required to save War really slight.—But the Radicals determined to force Matters to an Issue.—Mr. Wade, Senator from Ohio.—Mr. F. P. Blair in regard to Mr. Chase.—Opinion of Mr. Weed, late Editor of the *Albany Journal*.—Description of Disunionists, North and South, by Mr. Andrew Johnson, now President of the United States.—The *New York Tribune*.—General Scott.

AFTER the result of the election was ascertained, this startling situation of affairs became much more apparent to the popular masses than before. To those who had resisted the advance of the tumultuous tide, it was an hour of the deepest solicitude and tribulation. With the Republicans, it soon became a pressing question, whether to advance or to recede. There can be no doubt, that preparations for secession had been on foot in most, or all, of the slave States, in anticipation of the election; and as little doubt that the extreme party at the South had looked forward with hope to the event of Republican success, on that occasion, as a fact which must afford them an argument of great weight in that quarter. They represented it, of course, as the climax of whatever existing causes of complaint they conceived themselves to have; and as furnishing indisputable evidence of the purpose of the North to force the sectional question to an absolute issue, and to compel the South to submit to the

emancipation of its slaves. The fact remained, however, that the South, at the moment, had the command of the Senate, in combination with the Democratic members; and, if not in actual control of the House, might count upon a majority in that branch, with entire assurance, against any violent measures. The other fact, also, stood out with transparent clearness, that, although a minority party had been able to carry the election, owing to the divisions in the Democratic party itself—yet the plurality of the Republicans in the North was considerably less than two hundred thousand, in a Northern vote of more than three millions two hundred and seventy-five thousand.¹ It is evident, upon this state of the case, that here was little encouragement or opportunity for the administration to propose radical measures, whatever disposition tending in that direction might have existed; and, notwithstanding the indications of the election, those familiar with the temper of the masses at the North might justly have felt entire confidence, that any attempt to oppress the South, by unconstitutional proceedings, would have produced such a powerful reaction in many of the free States, as would soon have supplied the lower branch of Congress with an unexampled Democratic majority. It was to the radicals alone that secession gave just the opportunity they sought; for it enabled them at once to shift their ground of virtual, if partially disguised hostility to the constitutional Union, to one in which they could use the whole power of the Union against its open assailants, and make those who professed to rebel for the cause of the Constitution the instruments of effecting their own unconstitutional and ulterior purposes.

It was also evident, from the result of the election, that the majority of the people of the South were by no means inclined to revolutionary proceedings. On the supposition that most of those who voted for Mr. Breckinridge, in the

¹ Lincoln, in the free States, had 1,731,182; Douglas, Breckinridge, and Bell, combined, had 1,544,218.

South, may have been so disposed, though such a supposition would involve a very unjust imputation upon the two hundred and fifty thousand persons who gave him their suffrages in the North also—yet, on the other hand, of the twelve hundred and fifty-one thousand votes cast in the Southern States, Mr. Bell and Mr. Douglas took six hundred and ninety thousand nearly, constituting of course a clear majority of the whole. Besides, it has been already stated, that three of the most powerful of the slave States—Virginia, Kentucky, and Tennessee—gave a popular plurality for Mr. Bell, a Southern Whig, and one—Missouri—for Mr. Douglas, a Northern Democrat.

In the natural state of alarm at the North, for which many public indications furnished only too much cause, thoughtful men, including not a few who had acted with the Republican party, now sought what means might be at their command to stay, if possible, the unhappy course of events. One of the chief grounds of complaint, on the part of the South, had long been the "Personal Liberty Bills," so called, adopted by nearly every Northern State legislature, for the purpose of obstructing the execution of the Fugitive Slave Act, passed by Congress in 1850. Accordingly, in Massachusetts, an address to the citizens of the State on this subject was published, December 18th, 1860, shortly before the meeting of the legislature, under circumstances calculated to give it no little weight with men of principle and reflection. The paper set forth, in forcible but temperate language, the immediate danger of disunion, and urged the repeal of the laws in question, as being inconsistent with constitutional obligations, and unfriendly in spirit to the people of sister States. It was signed by Judge Shaw, who had recently retired from his place of Chief Justice of the Supreme Court of the State, by Mr. B. R. Curtis, lately one of the Justices of the Supreme Court of the United States, and by about thirty others, of the best known and most respected citizens of the Commonwealth; several of whom had served as its Governors, and others in judicial or other prominent and responsible positions. A similar

manifestation had proved of much service not a great while before. That was a strong expression of public sentiment in the North, towards the close of the year 1859, which had exerted the most salutary influence in composing popular agitation at the South, resulting from Brown's midnight assault upon Harper's Ferry. The resentment occasioned by that atrocious transaction, and by various isolated instances of exultation over it in the Northern States, had given rise to many indications of disunion feeling in Virginia, and everywhere below Mason and Dixon's line. Members of Congress from that quarter, as they reached Washington, in anticipation of the approaching session, came in "breathing disunion," to use an expression employed by a person of influence upon the spot, to signify the prevalent state of feeling. But very large and imposing assemblages of citizens were called together in the principal cities and towns of the North, and were addressed by leading persons, which clearly made known with what strong disapprobation the "raid" and whatever was in sympathy with it were regarded by the more respectable portion of the community; and the excitement in the Southern quarter died away.

It remained to be seen what would be the effect of the address, just mentioned, upon the Legislature of Massachusetts, and by its example upon other legislative bodies of the free States, and, in the end, upon the public mind in the other section of the Union. It was too late for immediate influence, for it appeared that within two days after its publication an ordinance of secession was passed by the unanimous vote of the Convention of South Carolina, the first of the States which took this step; thus, to a certain extent, committing the rest of the slave States to similar precipitate action, or to adopt the alternative of abandoning her to her fate. To exhibit in a striking light the singular composition of the party which had succeeded in the election, many of the leading journals of the State in its interest, especially those which had been formerly Whig organs, seconded the appeal of the gentlemen referred to; while the radical newspapers,

on the side of the same party, opposed the proposition, and sought to throw ridicule over it and its movers. When the legislature assembled, in the first week of January, 1861, the outgoing Governor, who had taken the unusual step of sending a formal farewell message to the two Houses, recommended the repeal of those laws.¹ On the contrary, the incoming Governor (Mr. Andrew), in his address to the legislature, on January 5th, clearly made known his disposition to resist any such change. After referring to the recent action of South Carolina, and intimating that if emancipation did not come by the voluntary action of the masters, it would be finally brought about "by the bloody process of St. Domingo," he proceeded in the next following paragraph to say :

"I have searched the position of Massachusetts with all the disinterested patriotism which I could command for the performance of that duty, and I find nothing by which I can reproach her for responsibility for such results, if they shall come to pass ; but I invite you to a similar examination."

With such an unconsciousness of faultiness as this, and under such a lead, the repeal was unlikely to take place ; nor did it, though the legislature was overwhelmed with memorials in favor of the measure ; while the radicals did not hesitate to send in numerous remonstrances against it. Some of these latter formally argued the question, upon express abolition grounds ; but the more common excuse urged by the Republican managers, to which the party, in general, acceded, was, that they would not repeal these laws "under a threat." The case presented, however, something much more serious and formidable than *a threat*. It was, in reality, a question of impending civil war ; and whether a justly demanded concession, on a point in regard to which one part of the people were legally and morally in the wrong, should be made to the other part of the same people, in order to avert a calamity

¹ The newly elected Governors of several of the Northern States, among others, New York, recommended the repeal in question ; and some partial remedies were provided. Rhode Island repealed the acts altogether.

so dreadful. It was, as if two independent nations stood in this attitude towards each other—one, having adopted legislative measures to prevent the fulfilment of treaty stipulations; the other claiming that it should recede from such inimical action. For, in this one respect, the North and the South were in the precise relation of foreign States to one another. The subject at issue was a point of treaty—and, moreover, the turning-point of a treaty by which the original alliance was accomplished—in regard to a matter of property belonging exclusively to one party, which the other had solemnly agreed should be restored if found within its special jurisdiction. And the restoration imposed no hard obligation—if that were important to the question—upon the party thus binding itself, and which by the same treaty received its due equivalent—because the act of restoration was to be effected through the agency of a third party paramount to both—that is, the General Government to which both owed allegiance, and by the services of its civil officers alone. It was only necessary, that the party which was thus deliberately engaged should throw no impediments in the way of the recovery of its lawful possessions by the other; both being, on common grounds, in strict and necessary alliance, for the mutual advantage and welfare.

The Governor of Massachusetts, in his same message, stated the point at issue between the two sections in a somewhat different way. He remarked:

“ And the single question now presented to the nation is this: Shall a reactionary spirit, *unfriendly to liberty*, be permitted to subvert democratic republican government, organized under constitutional forms? ”

Considering, that the united sentiment of the entire opposition to the new administration, consisting of nearly a million majority of the whole people, was explicitly based, in the election, upon the express principle of upholding “ democratic republican government ”—which they alleged the party, having Governor Andrew for one of its representatives, was calculated to “ subvert,” by disregard both of

“constitutional forms” and of the spirit and terms of the Constitution—his statement has the effect, certainly, of a reversal of the facts of the case. On the contrary, there were, then, several questions presented to the nation, though tending each of them to the same point, all of which can be clearly stated, without any sophistication or misrepresentation whatever :

1. Shall the spirit of abolition be permitted to subvert the Union organized under the Constitution ?
2. Shall democratic republican government be put in peril by compelling the liberty of white citizens, under the law, to yield to a factious crusade for the emancipation of slaves, contrary to law ?

Of course, these two questions would have more particular reference to that wing of the party, always the most prominent, though at first the least numerous, which finally moulded its action ; a party of all others the most singularly composed ; a party of shifting hues and discordant voices, with neither recognizable head nor acknowledged policy—which at length submitted to the men of definite views and purposes within its circle, who afterwards procured the removal of McClellan, to prevent the war from coming to a close, and wrung from Mr. Lincoln the edict of emancipation, so as to secure, as far as they could, the object for which they had been so efficient in bringing the war on.¹ But there was one other question which addressed itself, in tones of patriotic expostulation and Christian entreaty, to the entire organization. It was—

3. Shall a peaceable spirit prevail, and due means, becoming fellow-citizens of a republic which professes its mission to be peace, be employed to

¹ This wing of the Republican party is described by Mr. Seward, in a despatch to Mr. Adams, at London, dated July 5th, 1861, as follows :

“It seems as if the extreme advocates of African slavery, and its most vehement opponents, were acting in concert together, to precipitate a servile war—the former, by making the most desperate attempt to overthrow the Federal Union ; the latter, by demanding an edict of universal emancipation, *as a lawful, if not, as they say, the only legitimate way of saving the Union !*”

Compare this with Mr. Seward’s speech at Boston ; see p. 162.

check the spread of rebellion, so as to render it utterly ineffectual ; whereby the position of that one member of the Union, already in revolt, will become hopeless and helpless, and she herself be compelled to return to her allegiance, without public detriment ?

This would have been the effect of a manifestation of the "reactionary spirit," deprecated by Governor Andrew ; and such a manifestation would have been simply a return of those for whom he particularly spoke to their own allegiance to the Constitution. It would, at least, have confined rebellion to the seven States which originally seceded ; for an interval of four months actually occurred between the step taken by South Carolina and the adherence of Virginia, Arkansas, Tennessee, and North Carolina to the Southern Confederacy. Upon such a division of the slave States as could have been easily made sure, secession could have been only formal, and must have been of only brief continuance. For the parties would then have stood on such unequal terms, that negotiation, so dreaded by the extremists, on both sides, must have taken place, for the sake of the common peace and welfare. It would have saved civil war, with all its dread accompaniments and consequences ; an alternative always to be avoided, if reasonable concessions may avail ; and one which, if unreasonably or needlessly adopted, is always a public and a private crime, of a magnitude and enormity to which no other affords any parallel.

But there were those in the North, as well as in the South, who both wished and hoped for the dissolution of the Union. The latter deemed their position unsafe, in view of the increasing power and uncertain disposition of the free States ; the former doubted whether the "slave power" would not renew its alliance with the Northern Democracy, and prevent the accomplishment of their own ambitious purposes. The Southern secessionists trusted to effect a peaceable separation, by the concurrence of the fanatical disunionists of the North.¹

¹ In evidence, beyond what has already appeared, to support this statement, among a mass of similar testimony, the following may suffice. Mr. Wade, a Senator from Ohio, made the following declarations, in a published

The Northern Disunionists, knowing the prevalence and strength of Union feeling in their quarter, knew that this could not be, and were willing to drive matters to extremities, with the certainty before them that civil war, and in all probability servile war, would be the fearful result. But they conceived that, if separation should ensue, as a consequence

speech. [These extracts are all made from Carpenter's "Logic of History," a book published at Madison, Wisconsin, in 1864.]

"And, after all this, to talk of a Union! Sir, I have said you have no Union. I say you have no Union to-day worthy of the name. I am here a *conservative man*, knowing, as I do, that the only salvation to your Union" (that is, according to the resolve of Mr. Wade and others) "is that you divest it entirely from all the taints of slavery. If we can't have that, then *I go for no Union at all; but I go for a—FIGHT!*"

On the other hand, Mr. Chase appears to have wanted a dissolution without "a fight." In a published letter of Gen. F. P. Blair, he says:

"I know Mr. Chase tolerably well. * * * When the rebellion broke out, Mr. Chase held this language: '*The South is not worth fighting for.*' Several gentlemen of high position in the country heard him utter this sentiment, substantially. He was at that time Secretary of the Treasury. * * * Jeff. Davis said: 'Let us alone.' Chase said: 'Let them alone.'"

Mr. Thurlow Weed, than whom no one could be more conversant with the whole subject, declared in the *Albany Journal*, edited by him:

"The chief architects of the rebellion, before it broke out, avowed that they were aided in their infernal designs by the ultra abolitionists of the North. This was too true, for without such aid the South could never have been united against the Union."

Mr. Andrew Johnson, now President of the United States, declared, in a speech, just before the rebellion broke into open violence:

"There are two parties in existence who want dissolution. Slavery and a Southern Confederacy is the hobby. *Sumner wants to break up the Government*, and so do the abolitionists generally. They hold that, if slavery survives, the Union cannot endure. Secessionists argue that, if the Union continues, slavery is lost. Abolitionists want no compromise; but they regard *peaceable secession as a humbug*. The two occupy the same ground. Why, abolition is dissolution; dissolution is secession; one is the other. Both are striving to accomplish the same object."

The New York *Tribune*, the peculiar organ of the radicals, declared, March 2d, 1861, nearly six weeks before the assault upon Fort Sumter:

"We have repeatedly said, and we once more insist, that the great principle embodied by Jefferson, in the Declaration of Independence, that govern-

of the struggle, the North would be still a comparatively powerful government, by the side of a devastated and exhausted Confederacy; and who would know better than they, how to urge their claims upon popular approbation, for having redeemed their part of the country from its alliance and engagements with the slave institutions of the other?

ments derive their just powers from the consent of the governed, is sound and just; and that, if the slave States, the cotton States, or the Gulf States only, choose to form an independent nation, *they have a moral right to do so.*"

Of course, Southern members of Congress must have had the opportunity of knowing the private opinions of Northern members of the two branches, and, probably, of those members of the administration, whose views of the situation more or less coincided with those of the Secretary of the Treasury. Even General Scott, at the head of the military force of the Union, on the 3d of March, 1861, the day after Mr. Greeley's announcement of his views, in his published letter to Mr. Seward, proposed, as his final and apparently favorite alternative, in "the highly disordered condition of our (so late) happy and glorious Union, 'Say to the seceded States—*Wayward sisters, depart in peace.*'"

CHAPTER XVII.

Not easy to define the precise Points upon which rested the Alternative of War or Peace, before South Carolina passed the Ordinance of Secession.—Friendly Feelings between the Majority of the People, North and South.—Mr. Beecher's Definition of the Cause.—After the Secession of South Carolina the Breach could have been easily repaired.—The Leaders of the "Geographical" Party the Obstacle.—The Question really not in the Hands of the People, who dreaded the Idea of War, for the Sake of the Union, but of the Radical Party Managers.—The Mistake of the People in choosing such Men to Office.—It was in Contravention of the Purposes of the Constitution.

PREVIOUSLY to the passage of the "Ordinance of Secession," by the Convention of South Carolina, it would have been very difficult to define, in precise terms, any existing actual *cause of war*. Serious grounds of controversy had long existed, and at length a point of extreme embitterment had been reached, between a portion of the citizens in both quarters of the Union. It is perfectly safe to assert that, at the same moment, the most friendly feelings were entertained towards each other by a large majority of the people on both sides of the imaginary dividing line; and, moreover, that from conviction and habit, and a sense of the mutual advantages of union, and of the honor and glory of the common country, this majority was decidedly averse to the dissolution of the civil relations between the several sections. But the following declaration of the Rev. Mr. Beecher, throws no little light upon the influences which produced the war:¹

"A great many people raise a cry about the Union and the Constitution, as if the two were perfectly identical; but the truth is, *it is the Constitution itself*

¹ Attributed to Mr. Beecher, in Carpenter's "Logic of History," p. 93.

that is the cause of every division which the vexed question of slavery has ever occasioned in this country. It has been the foundation of our troubles, by attempting to hold together, as reconciled, two opposing principles which will not harmonize nor agree."

Doubtless, two things cannot be reconciled, or continue in a state of ordinary reconciliation, in regard to which the parties in interest are determined not to agree. Mr. Beecher's allegation, that the Constitution and the Union were not identical, was correct enough, in terms. The Constitution was only the framework of the Union. The one was simply the fundamental fabric upon which the other, the superstructure, was built. They were identical only in the somewhat important sense, that a main part of a thing is essential to the integrity of a whole thing. But since, in the case in question, the part was the very basis of the whole, it is evident that, by taking it away, the structure must tumble down; and, if not shattered to pieces by the fall, yet Mr. Beecher must very well know, what is the fate predicted for a dwelling-place—founded upon the sand, and not upon a rock. But Mr. Beecher's final allegation is inconsistent with the fact, that this carefully constructed edifice had already withstood, for many years, exhibiting no signs of fatal weakness, the fury of the elements without, and the frequently rude practices of the dwellers within; and if at length it began to appear, that the "two principles" of foundation and superstructure showed symptoms that they were no longer reconciled with each other, it could only be, because some of the indwellers had been engaged in undermining the one, upon which alone the other could securely rest. And in case such a breach should prove effectual, it is certain that no propping-up, or patching-up, can afford any warrant of safety in the future.

It is certain, however, that long after secession had begun, by the act of the South Carolina Convention, the breach could have been repaired without much serious difficulty. Undoubtedly that act was in itself *a cause of war*; that is, it placed the revolting State in a condition of insurrection,

to be dealt with, in due time, as the United States might deem necessary and proper, unless the doctrine of secession were to be admitted as valid.¹ But a cause of war usually precedes the final commencement of hostilities by a considerable interval; and between civilized nations, alien to each other, it is generally devoted to efforts at reconciliation, so as, if possible, to keep Christian peace unbroken, and to spare the effusion of Christian blood. The question now to be considered is—whether the considerable interval upon the occasion in question was so employed as to heal, or to aggravate the causes of controversy between States existing under a popular government, established “in order to form a more perfect union”?

The effect of the organization of a “geographical” party now became apparent enough, in its influence upon this question. The States of the North had thus been brought into opposition to the United States, which represented the interests and authority of the whole body of States. All but one of the former had given pluralities, at the election, in favor of the incoming administration. Whatever qualities the exigency might demand of the existing administration, it certainly required that itself should enjoy the public confidence; whereas, that part of the country upon which its principal reliance must be placed, at a crisis of extraordinary delicacy and danger, had just pronounced against it. It had been, in fact, deprived of moral power, partly by the strength

¹ The allowance of the right of one State to secede, would be to permit that State, upon its individual reasons, or at its own caprice, to be the arbiter of the destinies of the whole. For the accomplished secession of any one State, from a union of States, would be like taking a central link from a chain; a dissolution of the tie which binds them all together. As in regard to the obligation of the moral law, if broken in the least, it is broken in the whole. It is a breach of *the law*. But the denial of the right to secede involves the highest obligation, on the other hand, to avoid every occasion of offence, and to redress all causes of complaint. Otherwise, the bond is no longer liberty, but tyranny. Hence ensues the right of revolution, to be controlled only by the actual power of carrying it into effect, or to be pursued, at hazard of the consequences.

of a formidable organization, and partly by the casualty of a division among its own former supporters. But this was not the worst. The question and its final solution had actually passed from the people of the North, to the State officers and others chosen by them—from the many to the few. The disposition of a great majority of the Northern people was in favor of a wise and magnanimous settlement of the question. By far the most found themselves surprised into the appalling danger of civil war, of which they had been often assured, by those whom they had elected to office, there was not the slightest reason to feel any apprehension. The people, in reality, had very little to do with the course of coming events. They had been persuaded to commit the great question of peace and war to men mostly of extreme views, and sometimes “wise in their own conceit.” They had been gradually brought, under various specious pretexts, to elect officers of the State governments, and members of both branches of Congress, who constituted a sort of Northern “oligarchy”—an oligarchy in which, unhappily, radicalism exercised the most prevailing influence—which was now to determine the momentous question at stake, and the people must hence abide the issue. To give way, on the part of the “oligarchy”—supposing it possible for them to have conceived any such thought—would have been to abandon whatever they had secured and whatever they might yet hope to gain; in fact, to sacrifice themselves, which was certainly not to be thought of by “patriots” of their description; and although it required a great deal of time and management and manipulation, to bring the people up to the work, yet as the steps were gradual towards the final consummation, the Republican party, composed of conservatives, probably in a much larger proportion than of radicals, in the midst of doubts and hopes and fears, continued to follow its most radical leaders to the end.

CHAPTER XVIII.

Mr. Buchanan's History of his Administration.—His embarrassing Position.—Unanimous Vote of Approbation by the Legislature of Massachusetts.—Anxious Waiting for the Meeting of Congress.—A "John Brown" Incident in Boston.—Official Opinion upon "Coercion," of the Attorney-General of the United States.—Conciliatory Propositions in the *Albany Journal*, a leading Republican Paper in the Interest of Mr. Seward.—Upon Motion of Mr. Boteler, of Virginia, a Committee of One from each State (33) appointed, to consider and report upon "the present Perilous Condition of the Country."—Mr. Powell, of Kentucky, moves in the Senate for a Committee of Thirteen.—Proposition of Mr. Andrew Johnson in the Senate.—Speech of Mr. Wade, of Ohio.—He does not "so much blame the People of the South."—Allusion to the Speech by Mr. Nicholson, of Tennessee, in the House.—Mr. Crittenden, of Kentucky, offers Resolutions.—Extracts from Speeches of Mr. Andrew Johnson.—Great Number of Memorials in favor of the Crittenden Resolutions.—Opinion of Mr. Pugh, Senator from Ohio, of the Popular Vote in their favor, had they been adopted by Congress.—The *New York World* (Rep.) on the Effect of "one Word that way" from Mr. Seward.—Strong Statement of Boston *Daily Advertiser* (Rep.) as to Popular Aversion to a War.—Changes of Feeling.—The *New York Tribune* against a "Reactionary Spirit" for Union.—Resolution of Mr. Clark, Senator from New Hampshire, to defeat the Crittenden Propositions.—Mr. Seward disappoints Public Expectation by his Vote.—His Speech.—Its Effect.—The "Conservative" Republican Journals become *quasi* radical.—Statement of Mr. Wilson, Senator from Massachusetts.—Mr. Sumner, Senator from Massachusetts, on "the Barbarism of Slavery."—The "Irrepressible Conflict."—Interposition of Virginia.—The Appointment of Commissioners to the "Peace Conference."—Messrs. Shurz, Chandler, and Bingham.—Mr. Chase on this Subject.—The Spirit of the Radicals.—The Conference.—Its Propositions.

THE recent publication of the history of his administration, by ex-President Buchanan, renders it less necessary to examine the course of executive proceedings, during the remainder of his term of office. The situation was peculiarly embarrassing; for he could count upon little support either from the North or the South. The Executive was, as it were, between two fires; or, rather, the fire assailed it in so many different directions, that escape from the effects was out of the question, whatever course it might have seen fit to pursue. The Southern wing of the Democratic party hoped

for non-interference, at least, with the progress of events, whatever that might prove to be. The supporters of Douglas and Bell, in the South, and the Democrats and conservatives, in general, at the North, trusted that war might be prevented by the use of conciliatory means. The radicals would have rejoiced at the inauguration of war, by the Democratic administration; but impatiently awaited the hour when their own influence might be felt in the direction of affairs. It was the obvious policy of the existing administration to shift the responsibility of war, if war should finally ensue, upon the party which had placed itself in open conflict with the South, by the sectional basis of its organization. It was its duty to thwart, if it could, the indulgence of any hostile purposes, on either side, by prompt measures of repression, at the point where rebellion had begun; if, in the exercise of sound discretion, and in the possession, and by the use of suitable means, such measures should seem likely to promote the desirable end of peace, by the restoration of the authority of the United States in the insurgent quarter. Had the active disposition to rebellion been confined to South Carolina alone, as in the days of President Jackson, the problem would have been of very easy solution. But this disposition in the South was well known to be much more widely extended. On the other hand, the general cry of the country was for peace. To take active steps was only too likely to precipitate war. In fact, the very question which lingered along through the remainder of Mr. Buchanan's administration, did not find its solution until nearly six weeks after the inauguration of his successor.¹ Even then, matters were brought to a final issue, only by an ingenious course of proceedings, to be referred to in their appropriate place.

¹ On the 18th of January, 1861, the Senate of the Massachusetts Legislature passed a series of resolves, by a unanimous vote, of which the following is one. The House soon afterwards concurred:

Resolved, That the Legislature of Massachusetts, now, as always, convinced of the inestimable value of the Union, and the necessity of preserving its blessings to ourselves and our posterity, regard with unmingled satisfaction the de-

But the causes of war being now fairly on foot, the problem before the nation was—whether their progress ought to be and could be honorably stayed. Of course, all eyes were turned towards Congress, at its meeting on the 3d of December, 1860, and the strongest hope was entertained, somewhat vaguely, it is true, by moderate men of all parties in the North, that the complications in which the country was involved would be unravelled by an honest comparison of views and the exercise of a prudent and moderate spirit. It is certain that the people, in general, were very far from wishing for war.

An incident which took place in Boston, on the very day that Congress met, tends to throw a good deal of light upon this particular point. The "John Brown" sympathizers had called a public meeting, at a noted place of assembly in that city, in order to show due reverence to the memory of that person, on the anniversary of his execution, in due course of law, for the highest crime known to the laws of every civilized country. At the appointed hour, it appeared that many of the more respectable citizens of Boston were present in the hall, who largely outnumbered the sympathizers. The meeting was finally organized, after some verbal conflict, under the officers chosen by the former part of the audience, and though there was some resistance on the part of the "John Brown" men and women, which called for the intervention of a considerable police force, the meeting was eventually dispersed, and the "sympathy" was expended in some more private way.

Although there was much ridicule thrown, especially by the Republican chiefs, upon the attitude of South Carolina, as yet standing alone in the position assumed by her, yet

termination evinced, in the recent firm and patriotic special message of the President of the United States [Mr. Buchanan] to amply and faithfully discharge his constitutional duty of enforcing the laws and preserving the integrity of the Union, and we proffer to him, through the Governor of the Commonwealth, such aid in men and money as he may require to maintain the authority of the General Government.

thoughtful men could not but beware, that her example must soon be followed by other States; and that the situation was both novel and embarrassing, in regard to the powers of the Constitution, at such an emergency. The Attorney-General had already officially advised the President (November 20, 1860) that he had no authority, under the provisions of that instrument, to "make war upon a State or States," the power having been conferred on Congress "to provide for calling forth the militia to execute the laws of the United States, suppress insurrections, and repel invasions;" and Congress having made no provision for any such contingency as this, the United States could only defend itself when assailed.¹ It seemed evident, however, that it could strengthen its means of defence, at any and every point liable to be attacked; and it was understood that Mr. Cass withdrew from the Cabinet afterwards, because of disagreement with the President, solely in regard to failure of action in this particular.

On the day preceding the set time for the meeting of Congress (December 2d), the *Albany Evening Journal*, edited by Mr. Weed, well known to be the confidential intimate of Mr. Seward, stated the following propositions:

I. There is imminent danger of a dissolution of the Union.

II. This danger originated in the ambition and cupidity of men who desire a Southern despotism, and in the fanatic zeal of Northern abolitionists, who seek the emancipation of slaves, regardless of consequences.

III. The danger can only be averted by such moderation and forbearance as will draw out, combine, and strengthen the Union sentiment of the whole country.

¹ It was held among leading Republicans in Congress, as well as others, that there was no constitutional power to "coerce a State." Thus, Mr. Trumbull, Senator from Illinois, and reckoned, at the time, the special expositor of Mr. Lincoln's views, so declared in the Senate.

It was this opinion of the matter which kept affairs in an uncertain condition so long; that is, for forty days after Mr. Lincoln's inauguration, until the Confederacy was induced to *begin*, at Charleston, so as to put the United States on *its defence*. Congress, it is to be remembered, adjourned without taking any order for coercion; showing, of course, the prevalent opinion on the constitutional question.—See Carpenter's "Logic of History," p. 50.

Thereupon, the *Journal* recommended "a convention of the people, consisting of delegates appointed by the States." It was natural enough, it proceeded to urge, that there should be—though there seems to be no reason for it—some wear and tear of the machinery of the Government, after the use of seventy years; and it conceived that this could be set right by such a popular conference as it recommended. It was evident enough, from this announcement, that the "conservative Republicans," including, of course, Mr. Seward, who, it was well understood, was to be Secretary of State under the coming administration, were seriously alarmed at the condition of affairs—which could never have existed but for their countenance—and were anxious to devise some rational means to avert the threatened calamities. Unhappily, as has been alleged at another point of this discussion, the active influences of the party were not with this "wing" of the organization. The radicals really controlled the party press. Accordingly, on the 17th of December, Mr. Weed's paper stated, that "with two or three exceptions, the suggestions of the *Evening Journal*, having an adjustment of the controversy which threatens to divide the Union for their object, have elicited from the Republican press responses in the spirit of—'NO MORE COMPROMISES—NO BACKING DOWN.'"

It seems, therefore, upon this indisputable authority, and by actual experiment, that the general sentiment of the party as gathered from its press, was averse to *an adjustment*; and, in view of this spirit, the events of the future might be readily inferred.

Soon after the reception of the usual message of the President (December 8th), Mr. Boteler, of Virginia, moved, in the House, that so much of that document as related "to the present perilous condition of the country be referred to a special committee of one from each State, with leave to report at any time." After other motions had been made, and the occurrence of some debate, Mr. Boteler's order was adopted, by a vote of 145 to 38. This committee was soon

afterwards named, Mr. Corwin, of Ohio, who had been Secretary of the Treasury, under the administration of Mr. Fillmore, being the chairman. On the 13th of December, Mr. Powell, of Kentucky, moved, in the Senate, for the appointment of a committee of thirteen, in reference to the original number of the States of the Union, also for the purpose of taking into consideration the distracted state of the country. On the same day, Mr. Johnson, of Tennessee, introduced in the Senate a proposition for an amendment of the Constitution, by which the President and Vice-President were to be chosen directly by the people, instead of through the intervention of electors; and it provided, also, that at the next ensuing election, in 1864, the first should be selected from the slaveholding, and the second from the non-slaveholding States; and that in 1868 the process should be reversed, and so on, at alternate periods. It was, perhaps, the fairest compromise which had ever been proposed; for it placed the two sections in equal relations, and would have proved, if adopted, an effectual estoppel to all disputes upon the question of slavery. But, like multitudes of propositions made during the same period, it eventually came to nothing.

On the 18th of December, Mr. Wade, of Ohio, addressed the Senate upon the state of the country, and in the course of his speech remarked:

"I do not so much blame the people of the South, because I think they have been led to believe that we, to-day the dominant party, who are about to take the reins of government, are their mortal foes, and stand ready to trample their institutions under foot. They have been told so by our enemies at the North, and they would not hear us at all."

It will be observed, here, that Mr. Seward's organ, the *Albany Journal*, had just stated the distinct proposition, that there was a party in the North who "seek the emancipation of slaves, regardless of consequences;" and, only the day before Mr. Wade thus expressed himself, the same paper had announced that the spirit of the Republican press was—"No compromises—no backing down." Obviously, the South had ample means of determining whether the representations

charged upon "enemies at the North" of the Republican party were well founded or otherwise; and if the unhappy condition of affairs were owing simply to misrepresentations, surely the opportunity would have been obtained for their correction, and for the restoration of a good understanding, by some such mutual conference as had been proposed by the organ of the "conservative Republicans;" but against which, it seems, that the Republican press, almost universally, uplifted its voice. But Mr. Wade's speech lets out another fact, namely, that the quarrel, after all, was much more between the several parties at the North, than between the North and the South, if the matter had been fairly understood.¹

On the 19th of December, Mr. Crittenden, of Kentucky, a Senator venerable for years and experience, eminent in ability and eloquence, and beloved for his personal characteristics, offered his famous resolutions. At the same time he addressed the Senate in a most affecting style of patriotic eloquence, though enfeebled by failing health, and evidently overwrought by anxiety for the fate of his country. These resolutions provided for certain amendments of the Constitution, and were intended to comprehend, of course, the main subject of dispute between the sections, in order to its settlement by compromise. They provided for—

I. The prohibition of slavery in all territory north of 36° 30' north latitude, and the recognition of it in all territory south of that line; and the admission into the Union of any territory, containing sufficient population, on an equal

¹ On the 24th of the same month, Mr. Nicholson, Senator from Tennessee, paid an eloquent tribute to the fidelity of the Democrats of the North. He said, in the course of an able speech upon the general subject which engrossed the attention of the country :

"The Senator from Ohio spoke the truth when he said that the South believed that the North were their enemies. But he denied that this belief had been brought about by any acts of the Democrats of the North. The belief of the South came from the most reliable sources—from the speeches and writings of the eminent men of the Republican party—in which remark he would especially include the Senator from Ohio."—*New York World's Report*.

footing with the original States, either with or without slavery, as its constitution might provide. This was, in effect, a restoration of the Missouri Compromise, in regard to territory, and a recognition of the principle of the Kansas-Nebraska Act, in regard to the admission of States.

II. They declared that Congress had no authority to abolish slavery in places under the exclusive jurisdiction of the United States, within States which permitted slavery.

III. That Congress shall not abolish slavery in the District of Columbia, except with the consent of Maryland and of the owners of the slaves.

IV. That Congress shall not interdict the transportation of slaves from one slave State to another.

V. That if the owner of a slave should be forcibly prevented from procuring his recovery, the United States shall be liable for his value, though with a remedy for the amount paid, against the county in which the rescue might occur.

VI. That these, and the existing articles of the Constitution touching the same subject, shall not be changed in the future.

In addition to the clauses thus stated in substance, there was one prohibiting the foreign slave trade forever, a declaration that the fugitive slave law ought to be faithfully executed, and a suggestion that Congress should recommend the repeal of the Personal Liberty Acts.

On the same day Mr. Johnson, of Tennessee, in addressing the Senate on the general questions before the country, remarked that he did not differ much from his Southern friends, except as to the mode of redress; but "he was in the Union and meant to stay in it."

On the following day he continued his speech at much length, and made the following practical statement of the situation:

"What is the reason for disunion? Because one man was not elected? If Mr. Breckinridge had been elected, nobody would have wanted to break up the Union; but Mr. Lincoln is elected, and now they say they will break up the Union. He said, No. What was there to fear? Mr. Lincoln was a mi-

nority President. Let South Carolina send her Senators back, and Mr. Lincoln cannot even make his Cabinet without the consent of the Senate. Was he to be such a coward as to retreat, when it was evident that the South had the power in their own hands? Was he to be so cowardly as to desert a *noble band at the North who stood by the South on principle?*"

This last expression is of much importance, as illustrating the *principles* of the conservatives of the North, not only at the time but during the continuance of the war. They were all *for the Union*; but they dreaded lest the radical policy towards which the dominant party was constantly verging, under the influence of an energetic and powerful faction within its circle, which policy it finally adopted in full, would either destroy the Union by furnishing to the Southern Confederacy substantial grounds of resistance, which did not originally exist, or, if successful itself, would leave the foundations of the Union in a condition so shattered, as to be incapable of answering the purposes for which it was first instituted.¹

¹ The class of citizens referred to in the text are described under the general designation of "Democrats," though including large numbers of "old Whigs," by Mr. Seward, in his despatch to Mr. Adams, at London, of November 10th, 1862. The "cause," alluded to by Mr. Seward in the first line of the extract, was the emancipation proclamation, issued shortly before, converting that struggle for the Union, in which most men at the North were agreed, into an *abolition war*, so inconsistently with all the previous professions of the administration. The demonstration of this "policy," which was obviously destructive of the Constitution, concentrated the steadfast supporters of the Constitution and the Union into the "opposition," of which Mr. Seward writes; a party which gave General McClellan no less than 1,811,754 votes in 1864, and by which there is every reason to believe he would have been elected, but for the interposition of official obstacles, generally thought, heretofore, hardly consistent with the freedom of popular choice. Mr. Seward wrote to Mr. Adams:

"From whatever cause it has happened, political debates during the present year have resumed, in a considerable degree, the normal character; and while loyal Republicans have adhered to the *new banner of the Union party*, the Democratic party has rallied and made a vigorous canvass, with a view to the recovery of its former political ascendancy. Loyal Democrats in considerable numbers, retaining the name of Democracy from habit, are classified by the other party as "opposition." * * * In this country, especially, it is a

An immense body of memorials in favor of the passage of the resolutions presented by Mr. Crittenden had begun to be laid before Congress, soon after their publication, signed by large numbers of citizens, principally of the Northern States, and they continued to pour in until the final disposition of the question. Those resolutions were speedily adopted by the legislative assemblies of Kentucky and Virginia; both of them States of such consequence, that their influence was most desirable towards the settlement of a great national question; and one of which, especially, might be said to hold in her hand, as it were, the key to the future destinies of the Union. A Senator from Ohio (Mr. Pugh) declared in his place, on the day preceding the final adjournment of Congress (March 3d, 1861), that the resolutions had "been petitioned for by a larger number of electors of the United States than any proposition that was ever before Congress." In fact, popular sentiment strongly and enthusiastically fastened itself upon this proposition as a practicable mode of relieving the national embarrassment; and it was generally hoped and believed that it would receive the favorable action of Congress, and would prove the effectual basis of settlement. There could be no doubt that a plan of adjustment accepta-

habit, not only entirely consistent with the Constitution, *but even essential to its stability*, to regard the administration at any time existing as distinct and separate from the Government itself, and to canvass the proceedings of the one without the thought of disloyalty to the other. We might possibly have had quicker success in suppressing the insurrection, if this habit had rested a little longer in abeyance; but, on the other hand, we are under obligation to save not only the integrity and union of the country, but also its inestimable and precious Constitution. No one can say, that the resumption of the previous popular habit does not tend to this *last and most important* consummation, if, at the same time, as we confidently expect, the Union itself shall be saved."

The "opposition" had rallied in defence of this "last and most important" principle; one indispensable, indeed, to the very existence of a republican form of government, to say nothing of a Union in violation of its fundamental basis! The violation of this principle, as above suggested, was *the cause* which led the Democrats and others to oppose the "administration," for the sake of the "Government," and in order to maintain it in its integrity. The italics in the above extract are not in the original.

ble to Virginia and Kentucky would be agreed to, as a matter of necessity if not of choice, by the entire Democratic delegation in Congress; and there was at first much reason to believe, that the conservative Republicans, in both branches, who had now discovered the imminence of a danger which they had not anticipated under the excitements of the election, would act in correspondence with the suggestion of Mr. Seward's Albany organ, with "such forbearance and moderation as to draw out, combine, and strengthen the Union sentiment of *the whole country*." In such case, the Crittenden proposition would have passed both branches of Congress by the requisite vote of two-thirds, and the evil day would have been passed over in peace and safety. In the existing frame of the public mind, alarmed at the pressure of an unforeseen peril to the Union, disgusted with the position into which they had been seduced by the delusive promises of the Republican leaders, and utterly averse to bringing upon their country the terrible calamities of civil war, there can be no rational doubt that a great majority of the people would have cheerfully seconded such a recommendation of Congress. Mr. Pugh, indeed, in the same speech already alluded to, did not hesitate to say, "I believe in my heart to-day that it would carry an overwhelming majority of the people of my State, ay, sir, and of nearly every other State of the Union."¹ Those who are able to recall the state of public feeling at the time, will have little hesitation about fully agreeing with the Ohio Senator on this point.

Indeed, the special reporter of the *New York World*, of December 28th, gives expression to the current opinion at Washington to the same effect. His despatch of the day preceding is as follows :

"The *Star* (Washington paper), of this evening, says: 'Circumstances have come to our knowledge, within the last twenty-four hours, which lead us to hope that Mr. Seward will, ere the close of the current week, counsel a settlement upon the basis proposed by Mr. Crittenden.'

¹ The Republican majority in Ohio had been only a little less than 33,000, in an entire vote of more than 430,000.

"One word that way would instantly settle the controversy; dethroning the disunionists *per se*, at the South, whose power is but the result of the universal belief at the South that the Republican party made up its mind for war to the knife, from the start, upon the constitutional rights of the slaveholding States."¹

It is very true, that a newspaper reporter may be mistaken both in regard to facts and to the conclusions which he deduces from them. But if an intelligent reporter, and the *World*, at that time, a leading organ of the Republican party, was not likely to employ one who was not of that class, he could hardly make a mistake as to the opinion generally entertained at Washington, and especially among the Republicans themselves, with whom he would probably confer, as to the effect—and an effect how momentous!—which "one word" from a particular source, and in a particular direction, might have exercised in the prevention of civil war.

In order to show how little such a direful event was wished for, or contemplated with any degree of satisfaction by the well-disposed people of the *extreme* North, and also to exhibit the really temperate frame of mind with which the actual state of affairs was regarded by that class, a single extract from the columns of a journal, unquestionably at that time the leading organ of moderate Republicans in New England, will be quite sufficient. The following is the passage referred to, which is taken from the principal editorial article of the Boston *Daily Advertiser*, of January 1st, 1861, and it must be admitted to be a peaceable and a hopeful augury for the beginning of the new year:

"The people desire no war; no attack upon South Carolina; nor do they wish to see her needlessly supplied with any pretext for the beginning of hostilities. They wish only for a *fair defensive policy* in the disaffected State, and for the active influence of the Government to be directed against secession in any States that are endangered. And, even now, the distinct adoption of such

¹ See extract from speech of Mr. Nicholson, of Tennessee, on page 400. But it was only the radical faction of the party which had thus *made up its mind*; and the question now was, whether the "conservative" Republicans would act with them, or would avert impending war.

a policy would enable Mr. Buchanan to close his administration with the approval, the support, perhaps we may add, the friendship of his most determined opponents."

Supposing a spirit so rational and so magnanimous as this to have prevailed among the moderate men, who did undoubtedly constitute, at that period, a considerable majority of the Republican party—it might well be a marvel to all future times, if unexplained, by what extraordinary means and influences a people so intelligent and civilized as those of the United States were inveigled or dragged into a civil conflict so tremendous in prospect and in progress, against all their interests as a nation, and their feelings and principles as men.

This promising state of mind, however, soon began to undergo a very striking change, the efficient causes of which it is by no means difficult to point out. The Republican party, as has been often explained, consisted of at least two wings. But while the conservative portion, composed of men chiefly engaged in their own affairs, looked on and did little, except furnish the funds—the management of the smaller circles, which largely controlled the political movements of the party, was in the hands of its radical and more active members. They were like the "clubs" of Paris, in the old French Revolution. They were closely allied to each other by common opinions, motives, and interests. Many of them lived by politics. Many held office in the nation or State by virtue of the recent election, and many more were anxious to hold it, at the first convenient opportunity. Announcements like that of the *World*, in regard to the probable course of Mr. Seward, the acknowledged leader of the party, and opinions like those expressed by the *Daily Advertiser*, the organ of conservative Republicans in the capital city of New England, struck a chill to their hearts. If those were to be the prevailing sentiments, they could scarcely see what the party had gained, except the short-lived triumph of an accidental election; and as for the

“Ebony Idol,” which they had set up—it would soon be as flat on its face as the image of Bel in the Apocrypha.

The alarm was great; but active exertions were soon in operation to turn the smoothly flowing tide into a much more troubled channel. Leading radicals, Governors of States, and others, hastened to Washington, with representations of the disastrous effect which the declaration of such a pacific policy was having upon the party at home; and it was in the power of the radical managers to make such a mission seem like the spontaneous manifestation of public sentiment in various quarters of the country. In the mean time, the legislative assemblies of the several Northern States had come together, with large Republican majorities, and consisting of men, who, however well qualified for local legislation, or to direct ordinary party tactics, were scarcely competent, in all instances, in point of experience, foresight, and comprehensiveness of view, to act the part of statesmen on a great national stage, at a crisis like the present. It was for this reason that the Constitution itself was made, to be a guide and a restraint in the regulation of national affairs; as the admirable constitution of Massachusetts expresses itself—“to the end it may be a government of laws, not of men.” Too often, it is to be feared, small party opinions, instead of constitutional principles, prompted the action of State authorities, both legislative and executive, on the occasion in question.

In fine, the radicals were able shortly to present the aspect, at least, of a turn in public sentiment, through the medium of the press and otherwise. The New York *Tribune* showed itself as much opposed to “a reactionary spirit” as Governor Andrew himself. Indeed, that paper, in a pungent editorial article, the application of which could not be misunderstood, undertook to rebuke, with much severity, certain “eminent men,” of whom it alleged the party “had a right to expect better things;” “but who,” it proceeded to say, now “counsel that it repudiate its platform of principles, confess itself a common cheat, turn its back upon those who elevated

it to place, and convict itself of having either been a rank hypocrite before the election, or of being a skulking craven now.”¹ Such “parlous words” as these could not fail to produce a certain effect; and, indeed, the general cry among the radical set now became—“Don’t yield an inch”—at a moment when the issue depending was, peace or war between kindred States. At length the cue was given and taken. The Washington despatch of January 3d, to the New York *Evening Post* (radical), stated, that “a committee of Democrats from New York have urged Mr. Seward to approve of Mr. Crittenden’s Compromise, but he refused.” On the same day Mr. Douglas addressed the Senate in a speech distinguished by his usual power of argument and eloquence, and asked—

“Why Republicans could not unite on that compromise now? Senators on the other side seemed determined to *act as a party.*”

In the midst of these conflicting views of the demands of the situation, an incident occurred which showed at once that Mr. Douglas was right in his augury; and that reluctant to vote directly against the Crittenden proposition, in the face of such generally expressed public sentiment, yet the Republican Senators stood ready to defeat it by indirection. This was a resolution introduced by Mr. Clark, of New Hampshire. He moved to strike out all of Mr. Crittenden’s proposition, after the preamble, which had asserted the danger of the Union, and the divisions in Congress, rendering it unlikely that such consent could be obtained in the way of legislation as might avert the threatened evils; and, therefore, referring the question to the people of the several States—and to insert the following resolution in lieu of the series proposed by Mr. Crittenden:

“That the provisions of the Constitution are ample for the preservation of the Union and the protection of all the material interests of the country; that it needs to be obeyed, rather than amended; and that an extrication from the present dangers is to be looked for in strenuous efforts to preserve the peace,

¹ Quoted in Carpenter’s “Logic of History,” p. 145.

protect the public property, and enforce the laws, rather than in guarantees for particular difficulties, or concessions to unreasonable demands.

“That all attempts to dissolve the present Union, or overthrow or abandon the present Constitution, with the hope or expectation of constructing a new one, are dangerous, illusory, and destructive; that, in the opinion of the Senate of the United States, no such reconstruction is practicable; and, therefore, to the maintenance of the existing Union and Constitution should be directed all the energies of all the departments of the Government and the efforts of all good citizens.”

This, it is evident, was mere wilfulness and trifling. Mr. Clark's amendment admitted the “dangers” and the “difficulties” of the situation, by retaining Mr. Crittenden's preamble, and, indeed, by necessary implication of its own terms—and hence, by a very odd sort of logic, it resolved, that no steps were necessary, in order to avert those dangers, or to relieve the country from those difficulties! In fact, although every clause of the amendment was indisputable (except, perhaps, that “particular difficulties” may be reasonably and justly thought to claim suitable remedies), and the individual statements, therefore, were true; yet, in the gross, and in its actual effect, it was simply an evasion of the whole question. Undoubtedly, the Constitution was unexceptionable, and had served a most excellent purpose for a period of seventy years; and if “obeyed,” might still maintain the country in happiness and prosperity for all generations. But the very cause of complaint was, that it had not been “obeyed,” in the hostile legislation of all the Northern States against the practical execution of *that one* of its provisions, which could alone be the source of “difficulties” between the North and the South; and which, of all its “guarantees,” was that one, upon agreement to which by the free States had altogether depended the original ratification of the instrument itself by the slave States. Nor would it be at all complimentary to the understanding of the Republican Senators to suppose them to have imagined, that the Constitution was “obeyed,” in its spirit and intent, in the sectional position at that moment occupied by the “geographical” party of which they were themselves among the lead-

ing members. And, especially since the political victory had not been won by their own "bow and spear," but was owing to the unhappy divisions of their opponents—unhappy, in every sense, since those opponents constituted a large majority of the people of the common country—those Senators were not, as legislators, in the position of mere party leaders; but, under the new phase of affairs, became grand arbitrators between the two sections as statesmen, and men of honor and patriotic principle, to see to it that the cause of controversy should be adjusted by a wise, just, and generous course of proceeding.

The question was soon taken upon this amendment, and all the Republican Senators, Mr. Seward among them, were found to be in favor of it. The vote stood 25 to 23; though it is proper to state that six Democratic Senators, of those from the slave States who still remained behind, do not appear to have been in their places. A reconsideration was immediately moved by Mr. Cameron, of Pennsylvania, who had voted with the majority; but the question was not reached until the eighteenth of January, when it was carried by a vote of 27 to 24; Mr. Johnson, of Tennessee, being among the "yeas," and Mr. Seward with the "nays." It was evident from the result thus obtained, that it would be in vain to expect the necessary two-thirds for Mr. Crittenden's proposition, which was henceforth of no avail; though the struggle was still kept up to procure its adoption, both in the country and in Congress, until the final disposition of it, on the third of March, the day on which the session came to its close. In the mean time, on the twelfth of January, Mr. Seward had made his long-expected speech; and public interest was profoundly awakened to learn the spirit in which the coming Secretary of State—"one word" from whom, the *World's* Washington correspondent had said, in favor of the Crittenden proposition, "would instantly settle the controversy." Alas, that word had been already spoken, in another direction, by the "aye" of Mr. Seward for the amendment of the New Hampshire Senator. The vote of the Republican mem

bers of the Senate was a blank denial of the necessity of compromise, and showed, of course, that they had deliberately made up their minds to refuse any negotiation. The result was as gratifying to the determined secessionists as to the radicals themselves.

Mr. Seward's carefully prepared and ingeniously phrased speech at once dissipated every hope, if any could yet remain, of *public* aid from him, in favor of any compromise. There is good reason to believe that the convictions and feelings of Mr. Seward led him sincerely to desire a settlement, and above all things the avoidance of civil war; and that he continued earnestly to hope, long afterwards, and perhaps throughout the whole progress of the war, for the restoration of national affairs upon their original constitutional basis. But at the moment, the Secretaryship of State was as yet, possibly, in abeyance. The inveterate radicals looked at him then, as afterwards, with moody brows and jealous eyes. Might it not have been thought, under such circumstances, that the unity of a party, at best in a minority, would require the sacrifice of a too conservative leader, however eminent, in order to pacify the anger of the radical wing, already muttered in no measured tones? In a word, could he attain a position in which, doubtless, he thought himself qualified and able to render the highest service to the cause of the Union—if the determined opposition of the radicals were aroused? Possibly not—but he might have saved his country, in spite of them. The speech in question, accordingly, was made up of many excellent generalizations, and was not a little rambling and vague. It would have answered the purpose of a speech extremely well, if there had been no pressing occasion for making out a distinct and decided line of policy; without which no speech could be of the slightest use towards changing the rapid course of instantly disastrous events. It rather put aside, for the present, the idea of some sort of compromise, than refused it. A single specimen of this remarkable production, considering the immediate exigency, may suffice:

“After the angry excitements of the hour have subsided, and calmness once more shall have resumed its accustomed sway over the public mind—then, and not until then—one, two, or three years hence—I should cheerfully advise a convention of the people, to be assembled in pursuance of the Constitution, to consider and decide whether any and what amendments of the organic national law ought to be made.”

It was as if, when the loosening and crashing timbers of a dam were about to break away and give place to the impetuous torrent, to sweep downwards in its course flocks and herds and the habitations of men—the householder should fold his hands, and say, that he would attend to the matter at some convenient future opportunity! The question was, upon the adoption of measures *now*, which should make “the angry excitements of the hour” subside.

The tone of the Republican press was changed, at once, upon the publication of this speech. Even the most moderate of those sheets saw the dawning of new light, and their speculations took a marvellously abrupt turn. The proposition, upon which the mind of the whole country, as it were, had been so long fixed, with a certain tremulous hope, and all similar projects before Congress, were now suddenly converted into “complicated and artificial expedients,” upon which “certain persons had been laboriously toiling.”¹ There was a great deal of “backing up” to be done on this occasion, and it was done. As one specimen of this species of political manœuvring, the following Washington despatch to the New York *Herald* may serve to exhibit the general system of operations:

“Senator Wilson has just returned from Massachusetts; says the Republicans there are stronger than ever in their faith. He states, that *the Democrats and Bell and Everett men* told him that *now was the time to settle the question of slavery*. The secession movement in South Carolina” (and similar causes referred to) “confirmed his constituents in their determination to *dispose of the question now and forever*. When asked *how* they would dispose of it, the Senator intimated, *that remained to be seen*.”²

¹ See Boston *Daily Advertiser*, and other journals of the party, at the time.

² Quoted in the Boston *Courier*, of January 25th, 1861.

The effect of a fabrication like this upon the Southern mind, at such a moment, in connection with the stand taken by the entire body of Republican Senators, may be readily conceived. In the mean time, the legislative assembly of Virginia had determined upon a strenuous effort of interposition to save the country, if possible, from those impending ills which now presented themselves to the public vision in a much more definite shape than heretofore, and excited universal alarm, except among those, on both sides, who hailed their approach as the means to an end which both had in view. For no rational man could then doubt, or can doubt upon the evidence, that the ultra-radicals of that day hoped and believed—since the main body of the Republicans, and especially a large majority of the Republican members of Congress, disavowed, in the most explicit manner, all purposes looking towards emancipation—that the end of the controversy, whether by means of war or otherwise, would be the separation of the North from slavery, by the dissolution of the Union.

The venerable Mr. Quincy had pronounced it the duty of *the North*, some years earlier, “to take possession of the Government,” and to administer it according to Northern opinions, “at any hazard, even of the dissolution of the Union itself.” Mr. Wendell Phillips had publicly boasted, in the phrase so often quoted in the newspapers, that he had been engaged “for nineteen years” in the work of dissolution, an object in which it is not to be supposed that the admirers of his oratorical efforts did not fully sympathize. The *New York Tribune*, which, more than any other journal of the period, was the express and ablest organ of the “radical wing” of the Republican party, on the 2d day of March, 1861—that is, at the very high tide of the secession demonstration—explicitly declared its opinion, as has been already shown, that the slave States had “a moral right,” if they chose, “to form an independent nation.” The construction to be put upon the intimations of Mr. Wilson—however truly they represented the sentiments of “Democrats and Bell and

Everett men!"—could scarcely admit of a question. On the 4th of the preceding June, a few days after the session of the Chicago Republican Convention, Mr. Sumner, in a speech to the Senate, afterwards published and circulated in a pamphlet form, under the significant title of "The Barbarism of Slavery," thus gave the key-note to the designs of that section of the party to which he himself belonged:

"Thus, sir, speaking for freedom for Kansas, I have spoken for *freedom everywhere*. * * * You may reject it (that is, this 'cause'), but it will be *only for to-day*. The *sacred animosity* between freedom and slavery can ead only in the triumph of freedom. The same question will soon be carried before that high tribunal, *supreme over Senate and Court*, where the judges will be counted by millions, and where the judgment rendered will be the solemn charge of an aroused people, instructing a new President, in the name of freedom, to see that civilization receives no detriment."

This was the "irrepressible conflict," with the new element of "sacred animosity" introduced, to impel one section of the people to "take possession of the Government," to the detriment of the other section, against the law. Indeed, the populace are here appealed to as *supreme* over both the legislative and the judicial departments of the Government, with a shrewd hint to them to assume supremacy over the Executive department also; and all, "in the name of freedom," when there was no freedom concerned in the matter, but that of negro slaves held in that condition by virtue of the organic national statute! And to cite no more instances, the Chicago Convention itself—though it were to be hoped that a large proportion of its members failed to observe the effect of the declaration,¹ had appealed, in its final and clinch-

¹ This hope could hardly be indulged after reading, at a later date, the following account of the transaction, by one of the principal actors at Chicago:

"The report (that is, of the resolutions) being read, the author proposed an amendment, respecting the 'self-evident truths' of the Declaration of Independence, * * * which was rejected. Unwilling to sit in a convention that hesitated to respect *the primal truths upon which the Government was founded*, the author left the hall. As he went to his lodgings, gentlemen from different States accompanied him, wishing to have another convention called of men who would abide by *the doctrines of the Government*. But, while con-

ing resolution, to the "causes of separation," which it was conceived were to justify the "proceeding, when necessary for *one people* to DISSOLVE the *political bands* which have connected them *with another*."

The interposition of the General Assembly of Virginia, at the now existing emergency, has been already alluded to. This consisted of the passage of certain resolutions, on the nineteenth day of January, inviting the several States to appoint commissioners to meet those named in the resolutions, on the part of Virginia, at the city of Washington, on the fourth of the ensuing February, "to consider, and if practicable, agree upon some suitable adjustment"—"in the spirit in which the Constitution was originally formed, and consistently with its principles." The propositions introduced into Congress by Mr. Crittenden, together with a provision for the protection of slavery in territories lying south of 36° 30' north latitude, during the continuance of the territorial government, were recommended to "constitute the basis of such an adjustment of the unhappy controversy" as would be accepted by the people of that Commonwealth. Every thing here depended upon the temper with which such a proffer as this would be met by the several legislative assemblies of the free States; and, considering the political basis on which those bodies themselves stood, the prospect certainly was not very encouraging. The result of a cordial agreement, by such a body of men as might be selected, if the spirit were willing, to confer with gentlemen of the character and standing of those named by Virginia—even upon something less, perhaps, than was claimed by the "Mother of Presidents"—would have had the certain effect of confining secession to the seven States already in that attitude; and must have led, at no distant date, to the return of them

versing on the subject, Mr. Curtis, of New York, offered, substantially, the same amendment, and sustained it by an able speech. Mr. Nye, of that State, also supported it, and it was adopted; and, being informed of this fact, the author and his friends resumed their seats in the convention."—*History of the Rebellion*, etc., by Joshua R. Giddings.

all, if from no other strong motive, yet from that of one overpowering interest common to the slave States. If the position of those seven States were irregular, for a time, certainly it would be nothing very extraordinary in the history of nations, and by no means so irregular as civil war.

The proposition of Virginia was like a fire-brand suddenly presented at the portals of the Republican magazine, and the whole energies of the radicals were at once enlisted to make it of no effect. The slaveholding States of Delaware, Maryland, Kentucky, Tennessee, North Carolina, and Missouri, cheerfully responded to the appeal of Virginia; but it was quite evident that they had, in general, made up their minds to test the question, now—whether their slave property was to be safe in the future or not, under the protection promised by the Constitution. Of the eighteen free States, five, namely, Wisconsin, Minnesota, Michigan, California, and Oregon, sent no commissioners—the two latter, indeed, precluded by the great distance and the brief time between the notice and the day appointed for the conference, but the others from disinclination. Several others selected men of eminent character, in whole or in part, who might be depended upon to act with discretion and honor for the true interests of the common country. In other cases, it was quite different. In the great State of New York, the newly elected Republican Governor, Mr. Morgan, would doubtless have appointed commissioners of conservative tendencies; but the Republican legislature chose to make the selection, and the delegation from that State was somewhat unequally divided between conservatives and the most uncompromising radicals. In Massachusetts, the popular alarm at the idea of war was very great, and it was hoped that the legislature would choose commissioners disposed to aid any reasonable plan for the settlement of the controversy. But, under whatever misapprehension, the power of appointment was unfortunately conferred upon the executive. It was well known that he was altogether opposed to taking any part in the contemplated proceedings; but he yielded finally to the formal request

of the members of Congress from Massachusetts, signified to him under date of January 28th, by every one, with the exception of Mr. Sumner.¹

The names of not a few gentlemen of the Republican party, who were considered well qualified for such a mission, and whose appointment would have given satisfaction to men of all parties, except the extreme radical faction, had been prominently before the public on this occasion. It was thought that the legislature, if it had retained the power of naming the commissioners, would have chosen several, at least, of the more moderate Republican class; and, possibly, considering that the subject of the proposed conference was of a peculiarly national character, in which men of all parties were profoundly interested, that the legislature might prove placable enough to permit even the Democrats and conservatives who had supported Bell and Everett, to be represented, in part, according to the example set by the New York General

¹ The following is a copy of their request. It will be observed, by its date, that their movement was made one week before the day appointed for the conference. Action was not taken upon it in Massachusetts, however, until the evening of the first day of the meeting of the conference :

“HOUSE OF REPRESENTATIVES, Washington, January 28, 1861.

“*H. E. Governor J. A. ANDREW, Mass.*

“DEAR SIR : It is deemed by some of us advisable that the Commonwealth should be represented at the meeting of delegates of States, to be held at this place on the 4th proximo. We, therefore, beg leave respectfully to call your attention to the expediency of early action in the premises.

“We are your obedient servants,

“ALEX. H. RICE,
 “CHAS. R. TRAIN,
 “HENRY WILSON,
 “C. F. ADAMS,
 “JNO. B. ALLEY,
 “JAMES BUFFINGTON,
 “H. L. DAWES,
 “T. D. ELLIOTT,
 “A. BURLINGAME,
 “D. W. GOOCH,
 “CHARLES DELANO.”

Assembly. In consequence of the opposition of the Governor, and of that portion of the legislature in sympathy with his views, action had been delayed until the 4th of February, the day designated for the meeting at Washington. At length, in an evil hour, but doubtless in the confidence that some reasonable respect would be paid to the various views of men, at an exigency so critical, the committee which had the matter in charge agreed to report a resolution to the legislature for the appointment of the commissioners by the Executive authority; which was adopted by both branches on the evening of February 4th. The names of those whom the Governor had fixed upon were announced on the following morning; and the public were astounded to observe that seven more thoroughly uncompromising gentlemen could not have been selected in the State. In fact, they were evidently to be sent to Washington, not to confer, but to resist; and their united influence, exerted in that direction, in combination with that of the other radical members, throughout the course of the proceedings, proved extremely unfavorable to the effect of any measures of adjustment which might be adopted, and rendered whatever was actually accomplished of no avail.

Indeed, the Northern legislatures, in general, having come under the control of the sectionalists, were extremely reluctant to accede to the invitation of Virginia; and although professing their desire for a friendly conference, in their resolutions for the appointment of commissioners, took care to let it be known that they were not prepared to accept the basis of adjustment proposed.¹ Several of them, in merely formal compliance, simply requested their Senators and Representatives in Congress to act on behalf of the State, in the Convention; that is, Republican politicians, already, both privately and officially implicated in the doings of the

¹ All but New Jersey, the only free State which had given a Democratic majority in the election. The resolutions of its legislature set forth that the proposition of Mr. Crittenden would be "acceptable to the people of the State of New Jersey."

party, instead of men from whom some impartial consideration of the subject might be expected as possible. But, notwithstanding all this effort at "hedging," the radicals were in a state of extreme trepidation. The Convention contained many gentlemen of great public reputation, and who had held eminent offices in the nation and at home, both from the border slave States and from several of the free States. There seemed reason to apprehend, that their deliberations might produce a strong public impression, and prove unfavorable to the interests and objects of the *party*. It was in this state of mind that the following despatch was sent to the Governor of Wisconsin, by a Red and Black Republican, who afterwards became somewhat notorious in a military capacity:

"February 1, 1861.

"To Governor RANDALL:

"Appoint commissioners to Washington Conference—myself one—to strengthen our side.

CARL SCHURZ."

The subjoined letter, also, from one of the Senators in Congress from Michigan, presenting the views of himself and his colleague, though often cited in the public journals, is of too much interest to be omitted here:

"WASHINGTON, February 11, 1861.

"MY DEAR GOVERNOR: Governor Bingham¹ and myself telegraphed to you on Saturday, at the request of *Massachusetts and New York*,² to send delegates to the Peace Compromise Congress. They admit that we were right and they were wrong; that *no Republican State* should have sent delegates; but they are here, and can't get away. Ohio, Indiana, and Rhode Island are caving in,

¹ Mr. Bingham, one of the Senators from Michigan, wrote to the Governor of that State, from Washington, under date of February 15th:

"It cannot be doubted that the recommendations of this convention will have considerable influence upon the public mind and upon the action of Congress."

² This letter indicates, therefore, the coincidence of views between the Massachusetts delegation and the Michigan Senator. In regard to New York, however, it was a partial misrepresentation. While a majority of its delegation were of the most "stiff-backed" description, there were others of a very different spirit. But, probably, the writer, who speaks of a State as if it were Republican property, reckoned all but the "stiff-backed" for nothing.

and there is some danger of Illinois ; and now they beg us, for God's sake, to come to their rescue, and *save the Republican party* from rupture. I hope you will send *stiff-backed men*, or none. The whole thing was gotten up against my judgment and advice, and will end in thin smoke. Still, I hope, as a matter of courtesy to some of our erring brethren, that you will send the delegates.

Truly your friend,

"Z. CHANDLER.

"*His Excellency* AUSTIN BLAIR.

"P. S.—Some of the manufacturing States think that *a fight* would be awful. Without a little blood-letting, this Union will not, in my estimation, be worth a curse."

If this truly eloquent and statesmanlike epistle does not express the views of the Republican managers at the time, precisely, it does at least indicate with sufficient clearness, their relations towards the Peace Conference, and the determined purpose of the radicals to have "a fight;" and it furthermore foreshadows the actual direction given to future events. There were enough of the "stiff-backed" in the Peace Conference to deprive its deliberations and their result of all moral effect. They thought much more of saving "the Republican party from rupture," than of taking pains to prevent the threatened dissolution of the Union; an event which only too many of them actually desired, and which had now come so near, because, in the face of a calamity so dreadful, "conservative" Republicans and desperate radicals continued to hold together and to act in concert with each other. The occasion had drawn to the city of Washington very many persons of public and private reputation, especially from the North; and their efforts were not wanting, by argument and expostulation, to impress the radical members of the conference with whom they were acquainted, with the realities of the situation, and in striving to bring about a better understanding. It was all in vain. The reply was—when driven to an explicit avowal of what they desired—"We have won the battle" (which was not the fact, since the victory had fallen to them by accident), "and we mean to have the fruits." The conference continued its sessions until February 27th. It is useless to examine its doings in detail. A committee of one from each State represented had been ap-

pointed at an early period of the proceedings, to consider the general subject before the conference; and its report, after the adoption of certain amendments, was finally agreed to by a majority of the delegates. The amendments to the Constitution proposed by the committee were contained in seven different propositions, the vote on each of which was taken separately:

I. Slavery was prohibited in territory north of the parallel of $36^{\circ} 30'$, and permitted south of that line. No law was to be passed by Congress or the local legislatures, to prevent the taking of slaves into the latter territory; and on either side of the line, territory, with inhabitants sufficient and with a republican form of government, was to be admitted either with or without involuntary servitude, as its constitution might provide.

II. No future acquisition of territory was to be made, except by discovery and for certain national purposes, without the concurrence of a majority of Senators from the free States and the slave States respectively.

III. Congress was to have no power, by construction of the Constitution, or by any amendment of it, to interfere with slavery in any State, or in the District of Columbia, or in places within the exclusive jurisdiction of the United States; nor to prohibit the transportation of slaves from one slave State or territory to another; but they were not to be taken through States or territories in which the laws forbade such transit. Slaves were not to be brought into the District of Columbia for sale, or to be kept there on the way to sale.

IV. No such construction was to be placed on the article of the Constitution which provides for the delivery of fugitives from service or labor, as to prevent States from passing laws for the enforcement of that provision.

V. The foreign slave trade was to be forever prohibited.

VI. The provisions of the Constitution for the delivery of fugitives from service or labor, and in relation to the apportionment of representatives and direct taxes, were not to

be amended or abolished without the consent of all the States.

VII. Congress was to provide by law for the payment, by the United States to the owner, of the full value of any slave rescued by violence or intimidation, or whose recovery might be prevented by the same means.¹

¹ It should be stated that Mr. Chase. at the period in question a Senator from Ohio, was also a member of the Peace Conference; and a brief letter written by him to a friend, at the time, expressing his apprehensions of an adjustment, came to light at a later period, and had extensive circulation in the newspapers of the day.

CHAPTER XIX.

Fair Basis of Settlement in the Propositions of the Peace Conference; but they were carried only by bare Majorities.—The Crittenden Resolutions.—The Committee of Thirteen.—Mr. Toombs's Statement of its Spirit.—Mr. Douglas on the Resolutions.—Mr. Crittenden's Opinion of their Effect, had they been adopted.—Mr. Pugh and Mr. Douglas, as to the readiness of Mr. Davis and Mr. Toombs to accept them, if agreed to by the Republican Members.—Resolutions already rejected by the House, lost in the Senate, by a Majority of One, Mr. Seward not voting.—The two-thirds Vote necessary to give them Effect could not have been obtained, had all the Southern Senators been present.—Mr. Douglas's Statement that many of the Republican Leaders desired Dissolution and War.—Mr. Everett's Letter, of February 2d, 1861, to the "Union" Meeting at Faneuil Hall, in Opposition to "Coercion," and stating the Party Obstacles to Adjustment.—Certain Anti-Abolition Resolutions pass the House.—The Faint-heartedness of the Class of Republican Leaders who were Union Men, but afraid of breaking up their Party, prevented the Settlement.

IN the foregoing propositions of the Peace Conference was evidently a sound basis for settlement of the controversy. These propositions came quite up to the resolutions introduced by Mr. Crittenden, and to the recommendations of the General Assembly of Virginia, except in regard to the comparatively immaterial point of the transportation of slaves through the non-slaveholding States; and they would, doubtless, have been gladly acceded to by the slave States at an earlier period. Even now, if adopted by the conference, with any thing approaching to general concurrence, or if accepted and recommended by Congress, the country might have been saved from its coming trials. But here was the difficulty in the way. No such general concurrence had existed, and there was no hope whatever of the favorable action of Congress. Though the majority of the delegations from several of the free States voted uniformly in favor of

the propositions in turn, the full vote of the delegates from others of the free States was given uniformly in opposition to each. Several of the propositions were not entirely satisfactory to some of the slave States; and Maine, New Hampshire, Massachusetts, and Vermont were sometimes found voting side by side with North Carolina and Virginia. In fact, the propositions were carried by majorities simply, and in some instances by bare majorities, instead of by any general consent; and so far as their effect was concerned, they might as well not have been carried at all. The same spirit prevailed in the conference, which had been already exhibited by Congress, and which was still kept up to the close of the session. The Crittenden resolutions had been reported to the Senate at an early period, from the Committee of Thirteen. The members of the committee were Messrs. Powell and Crittenden of Kentucky, Mr. Hunter of Virginia, Mr. Seward of New York, Mr. Toombs of Georgia, Mr. Douglas of Illinois, Mr. Collamer of Vermont, Mr. Davis of Mississippi, Mr. Wade of Ohio, Mr. Bigler of Pennsylvania, Mr. Rice of Minnesota, Mr. Doolittle of Wisconsin, and Mr. Grimes of Iowa. Eight of the members were Democrats or conservatives; five were Republicans. Five were from the slave States, and eight from the free States. It is difficult to see how the committee could have been more appropriately constituted. But, as in the case of the Peace Conference, it is evident that the action of the conservative majority could be of no avail, without the assent of the Republican members. Within five days after the subject had been submitted to their consideration, on December 23d, Mr. Toombs informed his constituents in Georgia that—

“A vote was taken in the Committee of Thirteen on amendments to the Constitution, proposed by the Hon. John J. Crittenden, and each and all of them were voted against harmoniously by the Black-Republican members of the committee. In addition to these facts, a majority of the Black-Republican members of the committee declared distinctly that *they had no guarantees to offer*, which was silently acquiesced in by the other members.”¹

¹ Quoted in Carpenter's "Logic of History," p. 139.

Where the obstacle lay may be learned, also, from a speech of Mr. Douglas in the Senate, January 3d, in which, referring to a similar plan of compromise, introduced by himself, he said :

“I believe this to be a fair basis of amicable adjustment. If you, of the Republican side, are not willing to accept this, nor the proposition of the Senator from Kentucky, Mr. Crittenden, pray tell us what you are willing to do. I address the inquiry to the Republicans alone, for the reason that, in the Committee of Thirteen, a few days ago, every member from the South, including those from the cotton States (Messrs. Davis and Toombs), *expressed their readiness to accept the proposition of my venerable friend from Kentucky, as a final settlement of the controversy, if tendered and sustained by the Republican members. Hence, the sole responsibility of our disagreement, and the only difficulty in the way of an amicable adjustment, is with the Republican party.*”¹

Indeed, Mr. Toombs himself, in a speech to the Senate, January 7th, speaking of course for those with whom he was acting as well as for himself, after suggesting the conditions which he would prefer and would accept, “for the sake of peace—permanent peace”—proceeded :

“I am willing, however, to take the proposition of the Senator (from Kentucky), as it was understood in committee, putting the North and the South on the same ground, prohibiting slavery on one side, acknowledging slavery and protecting it on the other ; and applying that to all future acquisitions, so that the whole continent, to the north pole, shall be settled upon the one rule, and to the south pole, under the other.”²

This was in exact conformity with the propositions of the Peace Conference, and, moreover, the principle of the Missouri Compromise. Mr. Crittenden, also, in a published letter to Mr. Anderson, of Cincinnati, dated March 27th, 1861, remarks, in reference to the resolutions which bear his name :

“I believe, if those measures thus offered had been, at a suitable time, promptly adopted by the Congress of the United States, *it would have checked the progress of the rebellion and revolution, and saved the Union.*”²

On the day of the final disposition of the question, March

¹ “Congressional Globe,” Appendix, 1860-’61, p. 41.

² *Ib.*, 1861, p. 270.

3d, 1861, Mr. Pugh, of Ohio, declared, in a speech to the Senate :

“Before the Senators from the State of Mississippi left this chamber, I heard one of them, who now assumes, at least, to be President of the Southern Confederacy, propose to *accept it* (that is, the Crittenden proposition), *and to maintain the Union, if that proposition could receive the vote it ought to receive from the other side of this chamber.* Therefore, of all your propositions, of all your amendments, knowing as I do, and knowing that the historian will write it down, *at any time before the first of January, a two-thirds vote for the Crittenden Resolutions, in this chamber, would have saved every State in the Union but South Carolina.*”¹

Mr. Douglas followed Mr. Pugh on this occasion, and remarked :

“The Senator has said, that if the Crittenden proposition could have passed, early in the session, it would have saved all the States, except South Carolina. *I firmly believe it would.* * * * I can confirm the Senator's declaration, that Senator Davis himself, when on the Committee of Thirteen, *was ready at all times to compromise on the Crittenden proposition.* I will go further, and say that Mr. Toombs was also.”²

On the 3d of March a final disposition was made of the question. The House had already rejected the measure, on the 27th of February, by a vote of 113 to 80. In the Senate, the amendment offered by Mr. Clark, of New Hampshire, came up first in order, and was defeated by yeas 22, to nays 14; several Republican Senators, acting with the majority, in order, as they stated, either to allow “the Senator from Kentucky to obtain a vote on his resolutions,” or “in order to get an opportunity to vote against the resolution of the Senator from Kentucky.” Two or three others were silent as to their reasons, though acting doubtless from similar motives. The question then recurred upon adopting the Crittenden plan of adjustment. All the Republican Senators present voted for its rejection, except Mr. Seward, who abstained from giving his vote at all. The only Senators present from the seceding States were those from Virginia and Tennessee, one from Arkansas, and one from Texas, together

¹ “Congressional Globe,” part ii., p. 1300.

² *Ib.*, p. 1391.

with one from Missouri. All these, including Mr. Johnson, now President of the United States, voted for the adoption of the plan. The result was, its rejection by a strict party vote of 20 to 19. Thus the Senate of the United States put a final end to any lingering hopes which might have been entertained, that at least the moral influence of a majority of that hitherto respected body would have been afforded to the sole measure of pacification formally before the country, and upon which the heart of the nation may justly be said to have been so long and so anxiously fixed.¹

It has been alleged, indeed, on many hands, and very extensively believed, without examination of the facts, that it was by the wilful default of the Southern Senators, that the Crittenden proposition was defeated; in a word, that the Northern Senators could not be expected to adopt the measure, since those from the South had seen fit to abandon it to its fate. On the contrary, supposing higher motives, worthy of the occasion and becoming statesmen and patriotic citizens, could have had due influence, the very fact alleged—though not altogether accurately stated, since twelve Senators from slave States retained their seats until Congress finally rose—might seem to impose upon the Northern Senators a still higher obligation. It was entirely in their own power to adopt measures which would have put the deserters so clearly in the wrong, as to have left no excuse even to themselves; and which, at the latest hour, could have hardly failed to pave the way for the pacification of the country. It was the very absence of the seceders which gave the others the grand opportunity. For, in that case, no outbreak of violence could have occurred; the question would have been submitted to the people; and time would have been afforded for “the angry excitements of the hour” to pass away. And, even if the seven States, which alone had seceded, at the close of the session of Congress had been able to maintain their attitude until the pop-

¹ It was stated in the public prints, early in November, 1861, when actual war had been on foot but a few months, that Mr. Lincoln made known his “regrets that he did not urge the adoption of the Crittenden compromise.”

ular decision had been reached, it is certain that, upon agreement to the proposed constitutional amendment, by a majority of the Northern States, they must have been compelled to yield to the popular will of the South itself, without further action on the part of the North. Such a course, therefore, adopted by Congress, would have saved the country—but it would have broken up the Republican party.

But, in fact, the Democrats and conservatives in the Senate did not have it in their power to give the vote of two-thirds, necessary for the submission of the question to the people, even when the Senators from all the States were in their places; to say nothing of the decided majority against any plan of adjustment in the House of Representatives. Of the twenty-seven Senators who constituted the majority, upon the reconsideration of Mr. Clark's amendment, on the eighteenth of January, not less than seventeen were from the slave States, and no Republicans voted in favor of the motion. The Senate, at that time, consisted of sixty-six members; of whom thirty were from the slave States, and ten were Democrats or conservatives from the free States. Had all the seceding Senators, therefore, remained in their places till the last, they could not have secured the necessary two-thirds, without the aid of four Republican votes; and that those would not be afforded was made sufficiently clear by their action upon the amendment proposed by the Senator from New Hampshire. Indeed, the Republican members let it be known, at the earliest date, as has been already shown, that they "had no guarantees to offer." Had the others, therefore, been in numbers sufficient to obtain a bare two-thirds vote, it would have been simply a reaffirmation of their own well-understood views, and without any moral influence whatever. Besides, the action of the House shows it would have been of no avail. It was for the Republicans to shake themselves free from the trammels of party, and, for the sake of the country, to unite with the Democrats upon a plan of adjustment. Deliberately declining to do so, the conclusion is unavoidable, that upon them must rest the responsibility.

Of the spirit which really actuated the Republican leaders, the testimony of Mr. Douglas—liable himself to no suspicion of disunionism, and who had been, at the preceding election, the candidate of nearly two-thirds of the Democratic party, in opposition to the express “Southern wing”—affords convincing proof. The following passage is an extract from a letter addressed by him, from Washington, to Mr. Hayes, of Chicago, dated December 29, 1860 :

“*Many of the Republican leaders desire a dissolution of the Union, and urge war as a means of accomplishing disunion ; while others are Union men in good faith. We have now reached a point where a compromise on the basis of mutual concession, or disunion and war, are inevitable.*”¹

But the trouble then, and afterwards, was, that the Republicans who were for the Union *voted* with those who were for disunion, upon questions *tending to promote* disunion ; thus rendering their own private views of no consequence.

In another letter of Mr. Douglas, addressed to Mr. Taylor, of New York, and dated on the same day, he wrote :

“We are now drifting rapidly into civil war, which must end in disunion. This can only be prevented by amendments to the Constitution, which will take the slavery question out of Congress. Whether this can be done, depends upon the Republicans. *Many of their leaders desire disunion on party grounds, and here is the difficulty. God grant us a safe deliverance, is my prayer.*”²

It makes no difference, so far as these special vaticinations are concerned, that the revolution in the end, as revolutions often have done, took another turn than that originally anticipated. Most men believed, at the time, that the separation would be consummated. But those who had been the most notorious disunionists professed themselves “Union men,” when it became more likely that the North would “take possession of the Government,” and break down the Constitution in its application to the slave institution of the South. This class of persons is graphically described in the following further extract from a letter of Mr. Douglas, dated at Wash-

¹ Quoted in “Logic of History,” p. 138.

¹ *Ib.*, p. 130.

ington, February 2d, 1861, and addressed to a paper in Tennessee, with the purpose of dissuading the people of that State from taking part with secession :

“ You must remember that there are disunionists *among the party leaders* at the North, as well as at the South ; men whose hostility to slavery is stronger than their fidelity to the Constitution, and who believe that the disruption of the Union would draw after it, as an inevitable consequence, civil war, servile insurrection, and finally, the utter extermination of slavery, in all the Southern States. * * * The Northern disunionists, like the disunionists of the South, are violently opposed to all compromises, or constitutional amendments, or efforts at conciliation, whereby peace should be restored and the Union preserved. *They are striving to break up the Union, under the pretence of unbounded devotion to it.* They are struggling to overthrow the Constitution, while professing undying attachment to it, and a willingness to make any sacrifice to maintain it.¹

“ They are trying to plunge the country into civil war, as the surest means of destroying the Union, upon the plea of enforcing the laws and protecting the public property. If they can defeat any adjustment or compromise, by which the points at issue may be satisfactorily settled, and keep up the irritation, so as to induce the Border States to follow the cotton States, they will feel certain of the accomplishment of their ultimate designs. *Nothing will gratify them so much,* or contribute so effectually to their success, as the secession of Tennessee and the Border States. Every State that withdraws from the Union increases the relative power of the Northern abolitionists to defeat a satisfactory adjustment.”

On the same day that this letter was written, Mr. Everett, then at Washington, addressed a letter to a committee of citizens of Boston, who had in preparation the arrangements for a “ Union meeting ” at Faneuil Hall. The meeting was duly held, and was unsurpassed for the multitude in attendance and the interest exhibited ; and the fact that the “ Crittenden Proposition ” received the unanimous and enthusiastic approval of the vast assemblage gathered in the capital city of New England, may afford some reasonable indication of the support it was likely to obtain, if submitted by Congress to the whole people of the United States. Mr. Everett’s letter contained the following passages :

¹ There was another class, however, who boasted of having publicly *burned the Constitution*, and that they had been for years engaged in efforts to destroy the Union.

“The crisis is one of greater danger and importance than has ever before existed. * * * The course of the remaining Southern States will be decided in a few days. They are under opposing influences. *A strong conservative sentiment binds them to the Union*; a natural sympathy with the seceding States draws them in an opposite direction.

“If they adhere to the Union, there will be no insuperable difficulty in winning back the sister States, *which have temporarily withdrawn from us*; but if the Border States are drawn into the Southern Confederacy, the fate of the country is sealed. * * * To expect to hold fifteen States in the Union by force is preposterous. The idea of a civil war, accompanied as it would be by a servile insurrection, is too monstrous to be entertained for a moment. If our sister States must leave us, in the name of Heaven let them go in peace! I agree in the sentiment, that the people alone can avert these dire calamities. Political leaders, however well disposed, are hampered by previous committals, and controlled by their associates. The action of Congress, unless accelerated by an urgent impulse from the ultimate source of power, is too much impeded by the forms of legislation and tediousness of debate. There is no hope from the political parties of the country—agencies, unhappily, too potent for mischief, but, in the present extremity, powerless for good, except by a generous sacrifice of all party views, interest, and ambition, to the public weal.”

But the difficulty here was, that the direction of affairs was in the hands of political leaders, “hampered by previous committals and *controlled by their associates* ;” so that the question could not reach the people, in any such definite shape, as to obtain an efficient expression of their will. Numerous meetings, like that at Faneuil Hall, were held in the principal cities and elsewhere at the North. But they were merely popular assemblages of conservative citizens, known expressly as “Union men”—from which “agencies unhappily too potent for mischief,” induced the body of the supporters of the coming administration to withhold their countenance. What was wanted was, the legitimate vote of the people, according to the ordinary forms, upon a definite question submitted to their determination by the law-making power. But this Congress refused to grant. Truly, the “times were great, and the men were small.”

It is proper to state, that in the midst of these expressions of popular sentiment and feeling, on the 11th of February, the lower branch of Congress passed the subjoined resolu-

tions, with the unanimous support of the Republican members; upon which the Senate, however, took no action:

Resolved, That neither the Federal Government, nor the people, or governments of non-slaveholding States, have a purpose, or a constitutional right to legislate upon, or interfere with slavery, in any of the States of the Union.

Resolved, That those persons in the North, who do not subscribe to the foregoing propositions, are too insignificant in numbers and influence, *to excite the serious attention or alarm of any portion of the people* of the republic; and that the increase of their numbers and influence does not keep pace with the increase of the aggregate population of the North.

That such a profession of views as this was politic, in order to throw the blame of needless disturbance upon the South, and also to meet and to unite the sentiment of Northern popular majorities, there can be no doubt. A war professedly for abolition could hardly have enlisted a dozen regiments in the North. How far such a declaration was consistent with the statements of Mr. Douglas, for example, in regard to the opinions and purposes of men in eminent public station, with whom he was in habits of daily intercourse, or with that detail of facts which history is bound to record, is another matter. But, while it is certain, that the faction of the party thus stigmatized was, at the very moment, not only its most active agent, but the very nucleus around which the party itself had gradually formed itself—and did eventually, by regular advances, mainly mould its policy and control its action—yet the world cannot fail to be convinced by the tenor of these resolutions, that the civil war, so soon to ensue, was actually begun by the North, as well as the South, upon merely political, and not upon moral or philanthropical considerations. History will also painfully record, that the woes and sacrifices of the country and the strain upon republican institutions, of which the full effect has not yet been made manifest, might all have been saved by a little manliness on the part of that class of Republican leaders described by Mr. Douglas as “Union men in good faith,” who could easily have carried three-quarters of their party with them. What action the disunionist leaders and the remaining quarter

part of the Republicans might have seen fit to take, would have been of no consequence whatever. If they had attempted revolution in consequence of the failure of their schemes, the struggle against the united power of the country would have been brief indeed, compared with that which actually took place between the discordant and contending sections.

CHAPTER XX.

Inauguration of Mr. Lincoln.—His Character.—The Grand Question at the Time how to avoid War.—Mr. Everett's Favorable Position to judge, and his Opinion.—Resolutions of a pacific Spirit pass the House by a two-thirds Vote too late, but not acted upon in the Senate.—The Inaugural Address.—The Purpose only to maintain and defend the Union.—A Disavowal of any Intent to use Force.—The Policy temporizing and conciliatory.—Interview with Delegates from the Virginia Assembly after the Attack on Fort Sumter; still on the *Defence*.—Statement of the Purposes of Secession by the Commissioner from Mississippi to Maryland; not the Object to dissolve the Union.—The Grand Naval Expedition, and the Assault on Fort Sumter.—Mr. Campbell, ex-Associate Justice of the Supreme Court, and Mr. Seward.—Extract from Leading Journals, in Relation to the Affair of Fort Sumter.—The *New York Herald*.—The *Charleston Courier*.—The *New York Tribune*.—The *Herald* again.—Mr. Seward, no doubt, intended to fulfil his Engagement.—The Unhappy Results of the incongruous Composition of the Republican Party.—Despatch to the *New York Herald*.—The Effect of "Pressure."

ON the fourth of March, 1861, the day following the final action of Congress in the rejection of the "Peace Measures," Mr. Lincoln was inaugurated.

The new President was a person of scarcely more than ordinary natural powers, with a mind neither cultivated by education, nor enlarged by experience in public affairs. He was thus incapable of any wide range of thought, or, in fact, of obtaining any broad grasp of general ideas. His thoughts ran in narrow channels. He was infirm of purpose, so far as to be liable to be led by sharper minds and more resolute wills; though, like persons of that character, not unfrequently insisting upon minor points of consideration, whether right or wrong. He was of that class of men, who, under color of good intentions, often fail of bringing any good purpose to pass. He had been put in training by the Western Republicans, to hold a political contest with Mr. Douglas, in order

to become his rival for the Presidency; as manifesting certain eccentricities of thought and expression, and occasionally a humorous style of addressing popular assemblies which is taking with the multitude. By a large majority of the people he had never been heard of, before his nomination; and it was owing more to their ignorance, than to their knowledge of him, that he obtained their votes, in obedience to party dictation. He found himself at the head of affairs at the most critical period in the history of the country, and in the midst of dangers and embarrassments sufficient to try the abilities of the most prudent and sagacious statesman; and it is no wonder that he seldom understood what the situation demanded, and seldom failed to commit mistakes when he acted for himself. His character appears to have been defiled by no vices; but much more than this was requisite in his position. Mr. Lincoln had a certain shrewdness, but was inoffensive in disposition; and in most inferior stations could scarcely have failed to win good will. His dreadful assassination threw around him the halo of martyrdom. There could hardly have been a Chief Magistrate, in whose case a fate so tragic and terrible could seem more incongruous with all his personal characteristics. We know little more of "Duncan's" public life, than that he bore his faculties with exemplary meekness. To the murdered President the same tribute may be justly paid. He was as far from being a tyrant, as he was from being a statesman. He was undoubtedly patriotic, and sincerely so, by instinct, habit, and sentiment; but his well-known letter to the editor of the *New York Tribune*, overlooking the causes of Union in attempting to preserve it, shows that his patriotism was in the manner of those who do not clearly comprehend the true grounds of patriotism, or fully appreciate those objects of civil government, which inspire the cordial affections of intelligent and earnest lovers of free institutions. There have been those, since his death, who have seen fit to compare him with the first great President; but there could scarcely exist a personal contrast more marked, than that between

his somewhat loosely constituted and indecisive character, and the firm texture which distinguished the calm and moderate, yet high-toned and sagacious mind of Washington.

The causes of the war—that is, the course of events leading to that hostile state of feeling preliminary to a trial of strength between rival powers—may be thought to have been made manifest in this volume in sufficient detail. The grand question before the country now certainly was—How actual war—civil war—the guilt of bloodshed among a kindred people—not improbably the horrible and revolting excesses of a servile insurrection, might be avoided. Wherever a truly patriotic and Christian heart beat, throughout the length and breadth of the land, its fervent supplication was, that a calamity so direful might in mercy be averted—that some way of escape might be provided, from an alternative so needless. There was probably no person so favorably situated as Mr. Everett had been, to learn the exact state of opinion at Washington, and to see clearly what the exigency at hand demanded. His public reputation needs no comment. He had devoted himself conspicuously, for several preceding years, to a great national object, calculated to draw more closely together the ties of the Union.¹ He had just been a candidate, at the sacrifice of his private feelings, and for the sake of the cause of the distinctively denominated “Union party.” He was well known for his moderation in all things. He was in friendly relations with the leading men of all parties throughout the country. Notwithstanding his political position, he was on the best of social terms with those members of the Republican party who were likely to encourage a moderate policy; one of whom at least became the most conspicuous member of the administration, shortly after Mr. Everett’s letter to Boston, already cited, was written, and was the acknowledged leader of the Republican party; if any man could be said to lead a party distracted

¹ The purchase of Mount Vernon, by the people of the United States, as a perpetual memorial of “The Father of his Country.”

by such discordant views, and which he was often compelled to follow through many strange vagaries. Mr. Everett had written, in this letter of February 2d :

“I have yielded, at the sacrifice of personal convenience, to the advice and request that I would prolong my stay at Washington with a view to conference with members of Congress, and other persons from various parts of the Union, who are uniting their counsels and efforts *for its preservation.*”

This, then, upon such unexceptionable testimony, was the great object, which, with his unsurpassed means of forming his judgment, Mr. Everett thought could be accomplished only by preventing the secession of the important slave States which had not yet determined upon that step. Nor can there be any question that he expressed the opinions of others, able from their position to give the turn to affairs, as well as his own, when he wrote to the Boston committee, that it was preposterous “to expect to hold fifteen States in the Union by force,” and that “the idea of a civil war, accompanied as it would be by a servile insurrection, is too monstrous to be entertained for a moment.” The eventual result of secession and the non-occurrence of servile insurrection do not change the face of the question. As Mr. Everett states the aspect of the case, it so presented itself at the time. Indeed, great uncertainty hung upon men’s minds, in regard to the probable situation in the future. Evidently Congress was not disposed to assume the responsibility of inaugurating war, whatever turn affairs might take, since it purposely omitted to make any provision for such an event. Indeed, towards the close of the session, a series of resolutions was passed by the House of Representatives, which betokened any thing rather than a disposition for war. They adopted some of the measures recommended by the Peace Conference, but said nothing of the compromise line and slavery in the territories. But the first of the series indicates their spirit. It was as follows :

“That the existing discontents among the Southern people, and the growing hostility to the Federal Government among them, are greatly to be regretted ; and that *whether such discontents and hostility are without just cause or not*, any

reasonable, proper, and constitutional remedies, and additional and more specific guarantees of their peculiar rights and interests, as recognized by the Constitution, necessary to preserve the peace of the country and the perpetuity of the Union, *should be promptly and cheerfully granted.*"

This was surely the right spirit to entertain and to manifest, in the midst of a domestic quarrel which was on the eve of coming to blows; and it may be considered certain that, if a similar spirit had prevailed at an early period of the session, the foundation, at least, would have been laid for an amicable adjustment of the controversy. The whole series passed the House by a vote of 136 to 53, which was more than a two-thirds majority, although more than half of the Southern members had already relinquished their seats. To be sure it was rather late for mere resolves; but even these, though passed as "joint resolutions," and, therefore, requiring the concurrence of the Senate, failed of gaining any notice in that body, until during the haste and confusion of the few last hours of the final night of the session, and then were not even put to vote.

So far as any definite idea of the policy proposed by the new administration could be gathered from the inaugural address of the President, it certainly seemed as pacific in spirit as that indicated by the action of the House. A single passage of this address will exhibit its general tone, and is of much importance, in view of transactions shortly afterwards to take place. Mr. Lincoln stated it as—

"Only the declared purpose of the Union, that it will constitutionally *maintain and defend itself*. In doing this, there need be no bloodshed or violence, and there shall be none, unless it is forced upon the national authority. The power confided to me will be used to hold, occupy, and possess the property and places belonging to the Government, and collect the duties and imposts; but, beyond what may be necessary for these objects, there will be *no invasion*, no using of force against or among people anywhere.

"In your hands, my dissatisfied fellow-countrymen, and not in mine, is the momentous issue of civil war. The Government *will not assail you*. You can have no conflict, without being yourselves the aggressors."

It is difficult to conceive how much less than this could have been said by the Chief Magistrate, under the existing

circumstances; or how any thing could have been said, unless it were an absolute allowance of the right of secession, less calculated to bring about hostile collision between the United States and the States which had formed the Southern Confederacy. Language could hardly set forth more explicitly the attitude assumed by the administration. Its profession simply was that it would, as it was bound to do, "constitutionally maintain and defend" the Union; and that it would not "assail" those already in open revolt against it. It declared that there should be "no invasion, no using of force" against the latter, except so far as might be necessary in order "to hold, occupy, and possess the property and places belonging to the Government, and collect the duties and imposts;" in a word, that there need be and should be "no bloodshed and violence," unless those in secession should be themselves "the aggressors."

It might be thought, indeed, that this official declaration was somewhat inconsistent with itself; since, although duties and imposts might certainly be collected outside of the several harbors, yet how to "hold, occupy, and possess" property and places already in the forcible possession of the others, except by "using of force," presented a difficult problem. Yet the language seemed to be chosen with care, and the expression—"to recover," instead of "to hold, occupy, and possess," as preliminary to the latter phrases—appeared to be purposely omitted. And, in order to appreciate the full force of this declaration, it is necessary to remember that, at the time it was made, all "property and places belonging to the Government," within the limits of the seceded States, except the fortifications in Charleston harbor, and two or three forts outside of the sea-coast, had been already seized, and were in the possession of the Confederates. So far as the external appearance of things was concerned, there was really no difference between the policy of the new administration, up to the fall of Fort Sumter, and that which had been pursued by its predecessor. In fact, it could not but be thought, that the administration had determined to

adopt a temporizing, as well as a conciliatory policy, in the hope and expectation of thus eventually effecting a restoration of the Union without hostile collision. This construction was made certain by the terms of Mr. Lincoln's reply to certain commissioners of Virginia, who waited upon him on the 13th of April, the day succeeding the attack on Fort Sumter. They had, of course, been appointed previously to that event; but the Border States had become troubled at the military preparations which were notoriously going forward under the direction of the authorities of the United States. These commissioners presented to the President certain resolutions of the State Convention from which they derived their appointment, as follows:

Whereas, In the opinion of this Convention, the uncertainty which prevails in the public mind as to the policy which the Federal Executive intends to pursue towards the seceded States, is extremely injurious to the industrial and commercial interests of the country, tends to keep up an excitement which is unfavorable to the adjustment of the pending difficulties, and threatens a disturbance of the public peace; therefore—

Resolved, That a committee of three delegates be appointed to wait on the President of the United States, present to him this preamble, and respectfully ask him to communicate to this Convention the policy which the Federal Executive intends to pursue in regard to the Confederate States.

Mr. Lincoln received these gentlemen, and in reply, amongst other things of less moment, referring to his Inaugural Address, remarked:

“By the words, ‘property and places belonging to the Government,’ I chiefly allude to the military posts and property *which were in the possession of the Government when it came into my hands*. But if, as now appears to be true, in pursuit of a purpose to drive the United States authority from those places, an *unprovoked* attack has been made upon Fort Sumter, I shall hold myself at liberty to *repossess* it, if I can, and also, *like places which had been seized before the Government was devolved upon me*; and, in any event, I shall, to the best of my ability, *repel force by force*.”

“In case it proves that Fort Sumter has been assaulted, as is reported, I shall, perhaps, cause the United States mails to be withdrawn from all the States which claim to have seceded, believing *that the commencement of actual war* against the Government, which justifies, and possibly, demands it. * * * Whatever else I may do for the purpose, I shall not attempt to collect the

duties and imposts, *by any armed invasion* of any part of the country; not meaning by this, however, that I may not land a force deemed necessary to relieve a fort upon the border of the country."

This was sufficiently mild. Why Mr. Lincoln intimated any want of absolute certainty, in regard to the assault on Fort Sumter, must be a matter of some conjecture. But he had received the information on this point, by which the whole North was on the instant profoundly surprised and affected, with a degree of composure, according to the published accounts of the day, scarcely consistent with emotions natural enough, when *unexpected* news had just reached him, communicating an event so startling and momentous as the commencement of actual war.

But since such was the character and effect of this affair, the question recurs—How far history, upon a review of the actual incidents attending it, would be justified in pronouncing it an "unprovoked attack?" Mr. Lincoln was certainly professing, all the while, as pacific intentions as were consistent with his position. On the other hand, professions, in correspondence with such peaceable views, were made, in a very marked manner, at the same period, by the commissioner despatched to Maryland, from the Mississippi State Convention. Proceeding from such a body in a State, one of the citizens of which was soon chosen for their President by the Confederates, it can hardly be supposed that this commissioner was not familiar with the purposes actually contemplated; and his explanation of them is frank and explicit enough, whatever may be thought of the feasibility of the plan thus revealed by him:

"Secession is not intended to break up the present Government, but to perpetuate it. We do not propose to go out by way of breaking up or destroying the Union, as our fathers gave it to us, but we go out for the purpose of getting further guarantees and security for our rights—not by a convention of all the Southern States, nor by congressional tricks, which have failed in times past, and will fail again. But our plan is for the Southern States to withdraw from the Union for the present, to allow amendments to the Constitution to be made, guaranteeing our just rights; and if the Northern States will not make those amendments, by which these rights shall be se-

cured to us, then we must secure them the best way we can. This question of slavery must be settled now, or never. The country has been agitated by it for the past twenty or thirty years. It has been a festering sore upon the body politic, and many remedies having failed, we must try amputation to bring it to a healthy state. We must have amendments to the Constitution; and if we cannot get them, we must set up for ourselves." ¹

Of course, the administration could not but understand, upon an open avowal like this, and through other authentic sources of information, that such was the plan actually entertained. Indeed, the passages already cited from Mr. Lincoln's Inaugural Address necessarily confirm this view of the subject. Forty days had actually elapsed between the inauguration and the demonstration in Charleston harbor, without a hostile movement. Extensive military preparations had been made, by the appropriate departments of the Government, during that period; but these were not inconsistent with the President's qualified declaration of the purpose of the Union simply "to maintain and defend itself"—without "invasion," or "using of force against any people anywhere." Preparations much more extensive and complete, for a long time previously, had been going forward also, on the Southern side. But, however violent measures may have been contemplated, as possibly unavoidable in the last resort, it is obvious that, during several weeks after the incoming of the new administration, on its own part, and on that of the Confederate leaders, the wish, the hope, and the expectation were predominant for a future peaceable adjustment of the pending controversy—which the preamble of the Virginia Convention somewhat naïvely stated—"threatens a disturbance of the public peace." In fact, the policy of the new administration, for the forty days immediately succeeding its inauguration, could not be distinguished from that of Mr. Buchanan. It certainly did not exceed it during that period, in ostensibly hostile spirit or demonstration.

In order properly to appreciate the circumstances attending the assault on Fort Sumter, it is necessary to bear in

¹ Quoted in Shaffner's "Secession War," published in London in 1862.

mind the pacific intentions thus professed on both sides, and the language of the Inaugural Address, in connection with the fact, that all the public places within the Confederate States, except Fort Sumter, and Fort Pickens at Pensacola, Florida, had been already seized, at the time of the inauguration of Mr. Lincoln—though, of course, no claim of right, on the part of the Confederates, was intended to be or was admitted by him. Soon after the 4th of March, certain commissioners, in behalf of those representing the Confederates, at Montgomery, Alabama, repaired to Washington for the purpose of negotiating the evacuation of those forts. Only the one first mentioned shortly afterwards became the object of special interest; and, in regard to that celebrated fortification, the question resolves itself into this proposition—Whether, considering its actual situation, it did not come within *the spirit* of the rule of action laid down in the Inaugural Address. There seems no good reason why the motives for the temporary abandonment of other forts, and of arsenals, and public property in general, in the seceded States, should not be equally applicable to Fort Sumter, if it were not in a condition to be successfully defended. If it were, the matter might present itself in a somewhat different light; though not necessarily, if the object were to avoid collision. It was situated in the centre of Charleston harbor, closely besieged by batteries at various points, and feebly garrisoned. An attempt to furnish it with supplies, by an unarmed transport, near the close of Mr. Buchanan's administration, had been repelled by the fire of those batteries; though no obstacles were thrown in the way of procuring provisions from the markets of Charleston, at least until a few days before the final assault. At a Cabinet consultation, it had been determined, with the concurrence of General Scott, then chief in military command, that the reënforcement of the fort, in the face of resistance, was impracticable. This view resulted from the character of the harbor, which denied access to ships-of-war of more than moderate capacity, as abundantly appeared afterwards, during the long siege of '7

city, in the progress of the war; and other vessels, after the example of the "Star of the West," could only be expected to meet with disaster, in attempting to run by the batteries. Besides, an endeavor to throw troops into the fort, "using force" would be manifestly an "armed invasion," inconsistent with the official announcement of his intentions by the President.

Such seemed to be the view of the matter taken by the administration. It had been certainly a subject of wonder with many persons, that a strong body of troops had not been ordered to the fortifications of Charleston harbor, before the secession of South Carolina took place. It could then have been the ground of no plausible complaint, whatever else might have been the effect of such a demonstration, under the existing circumstances. But to retain a slight garrison now in the fort, in its own critical situation and in the critical condition of the times, appeared at least useless, and in many points of view scarcely in accordance with the ostensible policy of the administration. And however revolting to the national pride might be the idea of giving up this piece of national property to those who were in a state of practical hostility to the United States, yet, in its present condition, it could render no service to the nation, while its temporary abandonment would be one important means of checking the further advance of the rebellion, and thus tend to the substantial national welfare. For it was not until after the bombardment of this fort, that Virginia, Tennessee, Arkansas, and North Carolina, deeming the expedition to Charleston an act of war, joined the States already in secession, and that Kentucky declared its purpose to remain neutral.

Mr. Campbell, of Alabama, who had resigned his position as one of the justices of the Supreme Court of the United States, when the State in which he resided declared for secession, was the organ of communication, at Washington, between the Department of State and the Confederate commissioners. His account of his negotiation has been before the public,

and has not been contradicted upon any known authority. He stated that Mr. Seward authorized him to give assurances to the Southern commissioners that Fort Sumter would be evacuated. This assurance appears to have been repeated, on various occasions, and at length with the statement that the fort would be immediately evacuated. On the seventh of April, Mr. Campbell, having learned, doubtless, that ships-of-war were in motion at New York and elsewhere, and hearing the rumors at Washington, addressed a note, indicating his uneasiness, to the Secretary of State, and received the explicit reply: "Faith as to Sumter fully kept—wait and see."¹ On the twelfth of April, a fleet, consisting of two sloops-of-war, a steam cutter, and three steam transports appeared off Charleston harbor, and remained at anchor in the offing, inactively, during the assault which ensued. It is well known that upon the appearance of this fleet, a message was despatched to Montgomery for orders, to which the reply was, to demand the surrender of the fort, and to reduce it if compliance with the demand were refused. Upon Major Anderson's refusal, the bombardment began.

Whether the appearance of this fleet, under the circumstances, could be considered a pacific or a hostile demonstration, may be left to inference. Whether its total inaction, during the fierce bombardment of the fort and its defence, continued for days, and until its final surrender, justly bears the aspect of an intention to avoid the charge of "aggression," and to give the whole affair the appearance of *defence* merely, may also be referred to the judgment of the reader. The question also occurs—whether this sudden naval demonstration was not such a palpable violation of the promise—"faith as to Sumter fully kept"—as to be an unmistakable menace of "aggression," if not absolute aggression in itself. For these inquiries are not to be settled upon the basis of the abstract right or duty of the Government to adopt one line of conduct or another, in its own support; but, in reference

¹ See journals of the day.

to the position in which it had placed itself, to the understanding between the parties, and to the whole circumstances of the actual case in hand. It should also be considered that when the fleet came to anchor off Charleston bar, it was well known that many other and larger vessels-of-war, attended by transports containing troops and surf-boats, and all the necessary means of landing forces, had already sailed from Northern ports—"destination unknown"—and that very considerable time must have been requisite to get this expedition ready for sea, during the period that assurances had been so repeatedly given of the evacuation of the fort. It bore the aspect, certainly, of a manœuvre, which military persons, and sometimes, metaphorically, politicians, denominate "stealing a march." It was generally thought at the North that the attack on Fort Sumter was a desperate, if not a treacherous deed; but it was considered at the South as the repulse of a threatened assault upon Charleston, involving an ostensible breach of faith by a responsible officer and agent of the administration.

Certain extracts from leading journals of the day, will tend to throw considerable light on this subject. The regular telegraphic despatch from Washington to the New York *Herald*, of April 7th, contains the following announcement:

"Despatches received here to-day from Montgomery render it perfectly certain that no attack will be made by the Confederate troops on either Fort Sumter or Fort Pickens. President Davis is determined that this administration shall not place him in a false position, by making it appear to the world that the South are the aggressors. This has been and still is the policy of Mr. Lincoln. It will not be successful. Unless Mr. Lincoln's administration make the first demonstration and attack, President Davis says there will be no collision or bloodshed. *With the Lincoln administration, therefore, rests the responsibility of precipitating a collision, and the fearful evils of protracted civil war.*"

Making all due allowance for the occasionally speculative character of despatches from newspaper correspondents, yet this appears to be consistent with the professions and the action, on both sides, except in regard to those aggressions already committed by the people of the several States, which

had been partially condoned by the terms of the Inaugural Address. No act of violence had been committed by authority of the Confederate Government, since its organization on the ninth of February; and both parties seemed to be seeking to avoid "aggression." The New York papers of April 8th contained the subjoined statement, showing the prevalent opinion at Charleston in regard to the situation:

"The Charleston *Courier*, of Friday last (April 5th), received here, says: 'That, from the best informed quarter, there is reason to believe that, in a few days, *leave of absence* will be granted for an indefinite period to the entire command at Fort Sumter.'

On the same 8th of April, however, the New York *Tribune*, much more likely than any other newspaper, at that time, to obtain accurate information of the purposes entertained at Washington, printed the following passage among its despatches of the 7th of April from the capital:

"In a word, Major Anderson *is not to be withdrawn, and he is to be provisioned*, as was prefigured in my last despatch."

This was on the day that Mr. Campbell addressed his final inquiry to Mr. Seward. On the tenth of the same month, two days before the bombardment occurred, in an editorial article, the *Tribune* made the following explicit declaration:

"We are enabled to state, *with positive certainty*, that the principal object of the military and naval expedition which has sailed from this harbor, within the past four days, *is the relief of Fort Sumter.*"

In this connection, the following passage extracted from an editorial article in the New York *Herald*—than which no paper was more assiduous in the collection of information from all quarters—cannot but be considered highly explanatory of the deliberate purpose for which the expedition was despatched to the harbor of Charleston. The passage appears in the number of that journal for May 11th, after opinions had become more settled upon the subject, and after a very considerable change had been manifested in the expression of its own opinions in regard to the national situation:

"*The demonstration which precipitated the attack on Fort Sumter was resolved upon to prove to the country and the world the true character and*

objects of the rebellion. It was, in fact, the first tangible evidence we had that the Government *had a policy*, and the success with which it has been attended has inspired more confidence in its ability to carry us through our present difficulties."

A comparison of this passage should be made with the telegraphic message from Washington to the same paper of April 7th. But if this statement of the *Herald* is to be believed, it cannot be doubted that the *new policy* at length adopted by the administration was developed by the expedition to Charleston; that it was a decisive deviation from its formerly declared policy; and that it was intended to "draw the fire" of the Confederates, and was a *silent* aggression, with the object of producing an *active* aggression from the other side. It was in this manner that the determinate issue of peace or war was finally reached.

It would be extremely uncharitable towards Mr. Seward, and not less unjust, to imagine that he made any engagement which he did not intend to fulfil. The Republican newspapers of the day pretended, by way of palliation, that his promises were given only in his private capacity, and not as Secretary of State. But this theory was, of course, untenable; for although the administration declined to recognize, officially, the several sets of commissioners who appeared at Washington, either on the part of some Southern State, or from Montgomery, yet Mr. Seward could only treat with them at all, on matters affecting the interests of the United States and those of its revolted citizens, as Secretary of State. But the truth undoubtedly was, that he had overrated his own immediate influence, and believed it would be in his power to carry out the policy which had been substantially laid down in the Inaugural Address. But now were felt the full effects of the unhappy composition of the Republican party, and of bringing men together in a political organization, for a merely political object, whose views were so utterly at variance as to the ulterior ends to be answered by a successful election. Undoubtedly Mr. Lincoln was sincerely desirous of maintaining the Union. Every sentiment

and motive would prompt him to prevent its disruption, and to take no steps tending towards a dissolution, which would be imputed to the fact of his own elevation to the office of President. But the claims of party had required him to consult the several factions of the party in the selection of his cabinet. Mr. Seward himself, Mr. Smith, Secretary of the Interior, and Mr. Bates, the Attorney General, were as conservative as it was possible for men connected with the Republican party to be. Mr. Chase, Secretary of the Treasury, and Mr. Blair, Postmaster General, represented the extreme radical wing; while, of the two remaining members, Mr. Cameron, Secretary of War, and Mr. Welles, Secretary of the Navy, neither of them persons of very marked characteristics, it may be only necessary to say here, that the naval and military expedition to the Southern coast was fitted out under the authority of their several Departments.

It is evident that Mr. Lincoln, on this first and fatal occasion, as upon others afterwards, yielded to "pressure." Mr. Seward had no choice but to submit, and was unable to afford any explanation in regard to the discrepancy between the policy at first declared and that finally adopted, without a betrayal of cabinet secrets, which could not but result in the dissolution of the cabinet, would necessarily divide the party, and possibly might lead to the overthrow of the administration itself. An article in the editorial columns of the *New York Herald*, of April 25th, gave indications, at least, of the state of sentiment in the cabinet after the bombardment of Fort Sumter.

"There are rumors here that Mr. Lincoln does not like the smell of gunpowder; that Mr. Seward would rather let the seceded States go than fight them, and that Mr. Secretary Chase thinks it would be the best antislavery policy to turn them adrift."

But on April 27th the same paper published an article still more significant. It was headed "Opposition of the Republican Journals," and thus made manifest the uneasy state of mind in the Republican ranks:

“What is the matter with the Republican journals of New York? What do they want? They continue to be deeply dissatisfied with the President and his cabinet. Some want Seward removed; some desire to oust Chase; some to get rid of the cabinet at one fell swoop. Some even insist upon having the President himself superseded to make room for a Cromwell, or a military dictator.”

There can be no doubt that the pressure from these quarters had been very great, ever since the day of the inauguration. The radicals had been utterly disgusted with the placable tone and indecisive policy exhibited by Mr. Lincoln's address, and had made their disappointment and dissatisfaction emphatically known. But, sad result, indeed, of a junction of conservatives with radicals—while the former generally remained at home engaged in their own affairs, the other smaller faction of the party, through their newspapers and agents, kept up the “pressure,” and had almost altogether the clean sweep of the field. It is not, perhaps, so surprising as deplorable, that they should have been able to bring about some change of policy in a divided administration, which was weak, of course, through its own inherent antagonisms. It must be remembered, that the State governments, as the result of the preceding election, were in the hands of Republican officials, who were generally in close alliance with the radical managers of the party. Northern Governors and Congressmen, and politicians of this class, were constantly going and coming between their places of residence and Washington, untiringly employed in efforts to make the President and his Secretaries as “stiff-backed” as those whom they had wished for as representatives of the States, at the Peace Conference. They were in mortal fear of losing all which they had hoped to gain as the fruits of the election; afraid that there would be no war, no emancipation, no dissolution of the Union; in a word, that, remembering he was in a decided minority at the election, and knowing that at least three-quarters of the whole people anxiously desired peace, the President was only too likely to place himself in the hands of the conservative masses and to effect a settle-

ment, at last, with the seceded States, which would put an end, and forever, to the "agitation" upon which the radical leaders had so long lived and flourished. For it was plain, that an adjustment effected with the South would preclude, for all future time, the interference of the North with the institution of slavery; and that, upon the ratification of such adjustment, the conservative majorities of the North and the South would become united again, and much more firmly united than ever before, in support of the Constitution and for the perpetuation of the Union.

It has thus been shown, in some detail, that radical influences at the North unfriendly to the Constitution and the Union, at work through a long series of years, and gradually inflaming the passions and moulding the sentiments of the people of the South, at length had the effect to place the Southern States in an attitude of hostility to the United States. In like manner the same baleful influences, as soon as the prospect of adjustment and peace, and eventually of renewed union, threatened disappointment to purposes so long cherished, and finally affording some promise of fruition, induced that change of policy which resulted in a hostile demonstration and "precipitated" the war. The positive causes of the war may be briefly summed up, as having consisted of that kind and degree of long-continued aberration from the principles of the Constitution, and its weak and false popular indulgence, against which the people were so affectionately and sagaciously warned by the injunctions of the Father of his Country, whose expostulations were so often repeated in spirit and in substance by the most illustrious citizens, in both sections, for many successive years.¹

¹ See Appendix VI.

CHAPTER XXI.

Object of this Volume.—Except for Causes arising in the North, any Attempt at Secession in the South would have been impossible.—Two Important Questions remaining after the War.—The Speediest Restoration best for the Whole Country.—The Radical Policy.—The Emancipation Question.—An Illustration of Radical Policy from Spanish History four hundred Years ago.—The End of the Republican Movement corresponds with its Beginning.—What would have been the Condition of the Country, if Emancipation had taken place when the Constitution was adopted.—The same Motive which led the Radical Managers to “precipitate” the War induces them to oppose Restoration.—The Question must soon be—“Whether we will have a reëstablished Constitution and a true Union, or a Government of Laws and not of Men”

It has been the object of this volume to trace the direct and indirect causes which led to the war. Less pains has been taken to exhibit in special detail the well-known sentiments, or the political demonstrations of determined secessionists at the South, either before or after those causes had accumulated and had become the basis of their action. Except for those causes it is plain that the promoters of secession would have had no ground of action, and could have made no such appeal to the people of the South, as to enlist them in a transaction so momentous as open rebellion against the Government of the country; or could have persuaded them that their interests and rights demanded of them the perils and sacrifices necessarily involved in such an attempt. Except for their belief in the existence and operation of those causes, and of the danger to their rights and interests which they conceived were thus threatened, any effort for secession must necessarily have been an object simply of derision in the Southern States, and any active movement in that direction would have been summarily put down by the South without calling to its aid a single man from the North.

Upon these grounds, therefore, it was, and from such motives, that the country, against the decided and general wishes of the people, was finally betrayed into a war for the Union, by conspirators against the Union.

But now that the war itself is at an end, two very important questions yet remain for the solution of the American people.

What is to be the permanent loss or gain to the country by reason of the war?

What obstacles, if any, are in the way of its permanent restoration to the state before the war?

The superior power of the United States having been completely vindicated by the final result of the great struggle, the submission of the South is necessarily equivalent to an abandonment of all further purpose of resistance. This posture of affairs among a kindred people of "sister States," surely ought to be sufficient—for why should there be "a tribe lacking in Israel"? And since that submission, whether voluntary or involuntary, must be complete to all practical purposes, then the speediest possible restoration of the Southern States to equal rights under the Constitution is for the highest interest of the whole country, if the Union is to be, and to remain a republic of equal rights, in conformity with its own organic law. In that event, the loss will be but that of the life and property which the accomplishment of that end required; while the gain will be the more stable and lasting settlement of the Union upon a constitutional basis. In any other event, the whole country suffers under the operation of an irregular, unequal, and disorganized system of government, which, for the common safety, ought not to be permitted to continue for a moment longer than the most unavoidable necessity requires. For, so long as the condition of the States remains unequal, the stronger section occupies, at least, the attitude of a despot—the weaker that of a vassal. It would be a strange commentary upon the war, if in liberating negroes from slavery, its effect should be to reduce white men to bondage! So far as such a "policy" is insisted upon

by the radicals, it must be seen whether they were actuated by a sincere attachment to the principles of civil liberty, or only by hostility to a portion of their fellow-citizens. By pursuing such a policy the sections are practically divided, and consequently the whole country is lowered in dignity and weakened in power. It is really keeping up disunion, under the specious pretext of protecting the Union, and is utterly at war with all truly republican principles. In order to maintain such a system against one section, the other must also be subjected to practical restraints, to which it has not been accustomed. In a word, only the name and the form of the old system would remain; a central and practically irresponsible power would be established, and the country neither would be nor would deserve to be free.¹

¹ The "policy" urged by the radical leaders finds a striking illustration in that practised towards the Moors in Spain, by Cardinal Ximenes, the famous minister of Ferdinand and Isabella, in the year 1492. The following account of the affair, after the fall of Granada, which brought to a close an insurrection in active operation for a period of nearly ten years, is from the third volume of Prescott's "Philip II.," pp. 7, 8, 9:

"By the terms of the treaty of capitulation, the people of Granada were allowed to remain in possession of their religion, and to exercise its rites; and it was expressly stipulated that no inducements or menaces should be held out to effect their conversion to Christianity. * * * That extraordinary man, Cardinal Ximenes, Archbishop of Toledo, was eager to try his own hand in the labor of conversion. Having received the royal assent, he set about the affair with characteristic ardor, and with as little scruple as to the means to be employed, as the most zealous propagandist could have desired. When reasoning and expostulation failed, he did not hesitate to resort to bribes, and, if need were, to force. * * * Exasperated by the unscrupulous measures of the prelate, and the gross violation they involved of the treaty, they (the Moors) broke out into an insurrection, which soon extended along the mountain ranges in the neighborhood of Granada.

"Ferdinand and Isabella, alarmed at the consequences, were filled with indignation at the high-handed conduct of Ximenes. But he replied that *the state of things was precisely that which was most to be desired. By placing themselves in an attitude of rebellion, the Moors had renounced all the advantages secured by the treaty, and had, moreover, incurred the penalties of death and confiscation of property!* It would be an act of grace in the sovereigns to overlook their offence and grant an amnesty for the past, on condition that

It is of the utmost importance, also, in this view, that the people should have a clear understanding of the emancipation question, and should know what is actually gained or lost in this relation. By the Constitution of the United States, every State has a right to permit slavery, if it see fit. It is not a question of State sovereignty, but of State rights, and one with which the United States has nothing whatever to do. The Act of Congress, therefore, of 1862, promising freedom to slaves who would abandon their master and come within our lines, was a merely hostile measure, without legislative force, any more than it had practical effect. Mr. Lincoln said of it, in his famous interview with the Chicago divines, who solicited from him a proclamation of emancipation, "I cannot learn that that law has caused a single slave to come over to us." The proclamation, subsequently issued, was equally illegal and ineffective. Both measures were in entire derogation of the previous *official* declaration of both the President and of Congress. The late President said, in his Inaugural Address:

"I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so; and I have no inclination to do so."

Immediately after the battle of Bull Run (July 23d, 1861), Congress resolved, by nearly a unanimous vote, that—

"The war is waged by the Government of the United States, not in the spirit of conquest or subjugation, nor for the purpose of overthrowing or interfering with the rights or institutions of the States; but to defend and maintain the supremacy of the Constitution, and to preserve the Union, with all the dignity, equality, and rights of the several States unimpaired."

every Moor should at once receive baptism or leave the country. *This precious piece of casuistry, hardly surpassed by any thing in ecclesiastical annals, found favor in the eyes of the sovereigns, who, after the insurrection had been quelled, lost no time in proposing the terms suggested by their minister, as the only terms of reconciliation open to the Moors.*"

Compare with this the propositions recently introduced into Congress by Mr. Sumner and others (December 4th, 1865, after about four hundred years of enlightenment and progress, since the day of Cardinal Ximenes). Compare also the conduct of the radical leaders in inciting the causes of the war.

Whatever slaves, therefore, were freed in fact, during the war, were freed, not by the operation of law, or by the effect of any decree; but as an accident of the war, by the passage of a superior force through certain portions of the slave States, the march of which they joined either voluntarily, or because they had no other resource, in consequence of the devastation of the country. And the question goes much deeper than any mere fact of emancipation, by accident or otherwise; since it involves the original, present, and future state-right of every State of the Union, to hold slaves, or to establish any other organized system of labor for an exceptional class of the population which the States themselves may choose. The proclamation of the late President, and the Acts of Congress in relation to this subject, are, of course, admitted to be nugatory, by the requirement of the present administration, for the constitutional adoption of the amendment proposed for this purpose. If this amendment be voluntarily acceded to by the States, and not under duress, the embarrassment by which the proceeding would be otherwise attended is removed. For the question may well arise, of what validity is a constitutional provision, obtained by the force of dictation, on the part of either civil or military authority? Or, adopted by conventions representing but a handful of the people? Or, in States, whose position in the Union is so unsettled, that they are without representation in the Congress of the United States?

On the other hand, it should be remarked, that the fact of emancipation makes no difference to the moral or philosophical aspect of the case. The bestowal of civil freedom upon a large body of persons incapable of its rational use, certainly seems contrary to reason. To accompany such an enfranchisement with the gift of privileges and powers, which imply in a republic, the exercise of the best intellectual and moral qualities of the citizen, would appear like either inconsideration or indifference to the best good of the State. If the negroes, as a class, are so constituted by nature, and, in this country, also by habit, that the use of freedom cannot

but prove injurious to themselves and others, and relatively to the whole system of civil polity, their enfranchisement, except as a matter of necessity, would be an act of folly scarcely to be paralleled. If it throws upon their own resources the helpless beings, most of whom have little other resource than so to perish miserably, it becomes a great national wrong.¹

In the mean time, the negro question is rapidly solving itself—cruelly for the black man, prejudicially for the white. In fact, the unhappy black man is himself the principal sufferer. In a majority of cases, the master is undoubtedly relieved of a heavy burden by the emancipation of his slaves. If he had the benefit of the frequently capricious labor of his servants, he provided for their support in infancy and sickness and old age. The law required of him this care, and enforced its demand; and interest, besides, to refer to no other motive, made it imperative upon him. In relieving the master, therefore, of this obligation, the negro is deprived of the legal countenance and protection which was its mutual condition. Indeed, emancipation can only mean, in general, deterioration, and the substantial extinction of the race—the white man's interest promoted, the black man's welfare totally overlooked or disregarded. And this decay of the race must be much more rapid in its progress than that of the aboriginal people of the land. For they had the horse, the shaft, the gun, the prairie, the hunting grounds, the great rivers, and the ocean-lakes; the warrior-council, often sagacious and wise; the tribal wars, bringing into action the best qualities, at least, of savage life, and the free heavens over their heads as they roamed whithersoever they would. But

¹ Probably, no more significant and forcible illustration of negro freedom could be offered, than by the following incident of 1865, related in the *Atlanta (Ga.) Intelligencer*, as told to the editor by a friend:

“Coming,” he says, “to Atlanta, on Monday last, I saw an old freed woman lying on the side of the road, dead, and two younger ones standing by her remains. I asked what had been the matter with her. The reply from one of the girls was, ‘She perish to def, sir; but she free dough.’”

the negro must cling forever to the white man, and to the white man's habitations. He must be always the inferior and the dependant—practically a slave, with none of the benefits or claims which such a condition imposes upon the superior. The lesson thus taught by the practical application of abolition may yet return to “plague the inventor.”

In fact, the end of the Republican movement has corresponded with its beginning. Just as the Topeka constitution, adopted by the antislavery party in Kansas, and voted for by the entire Republican party in Congress, provided for the utter exclusion of the negro, whether bond or free, from the embryo State—so, in the emancipation finally forced upon him in the country at large, his own welfare has seemed to constitute no part of the motive of action. The real motive was obviously political, not philanthropical. So that an impartial review of the whole subject may lead to the inevitable conclusion, that the views of those denounced as “proslavery men” were not only just to their Southern fellow-citizens, under the Constitution, but rational and humane, also; while, judging the antislavery party by its conduct rather by its professions, it can only be thought that its “tender mercies are cruel.” But in this view of the momentous question, it may not be unreasonable to imagine that, for the essential welfare of both races and of the entire country, the eventual convictions of an intelligent, moral, and religious people, will lead them to seek, at least, some substantial modification of any solution of it which has been yet reached.

Let us imagine, for a moment, the condition of the country, as it would have been, if the slaves had been made free upon the adoption of the Constitution. At that period, the South was richer by far than the North. It was the difference between the genial climate and exuberant soil of the one, and the harsher elements with which nature had encompassed the other. The more profitable business of the South was agriculture, of the North commerce; the one, developed, promoted, and controlled within itself; the other, subject to its inherent and proverbial chances, and the dictation or

caprice of foreign powers. In the South, life was easy, prosperous, and often careless; in the North, it was commonly hard, and the returns of labor and enterprise were comparatively small and difficult to obtain. Had the slaves been then liberated, they would doubtless have hung a burden upon their former owners; yet one of far less account than now, since they were then scarcely more than an eighth part as numerous as they have subsequently become. With the enfranchisement of the slaves would have ceased also, upon the moment, the foreign traffic in slaves, instead of provision being made for its legalized continuance for a further term of twenty years, enriching the North which transported the negroes from Africa, and adding continually to the black population of the South. Doubtless, the Southern States would soon have established suitable municipal regulations, to counteract the constitutional indolence of the colored race, to compel them to labor, at a proper rate of remuneration, and to secure the benefits of their toil. It is manifest that, with such an organized system of comparatively uncostly labor, and favored by every natural advantage, the South must have gained still more rapidly than before upon the North, the chief activities of which were devoted to the uncertain and competing interests of commerce, and from the ungenial soil of which the farmer could hardly hope to obtain much more than enough for the comfortable subsistence of his family. But it is equally certain, that the extension of freedom to the negro would have operated as a check of incalculable force upon the struggling and doubtful fortunes of the common country. It might have thrown back its course of progress for very many years, if the republic thus could have survived at all. Perhaps it could not have survived, amid the fierce contests which then embroiled the nations; since it was only by the use and development of the means it had then in possession, which soon became of such vast consequence to itself, and to other powers, that the young republic was strengthened and its rapid advancement secured. In a word, the prosperity of the North owes its most effective

impulse to the organized and compulsory system of labor kept up at the South. The settlement of the West, to encourage which Virginia and other Southern States had generously given up to the common country the immense tracts of territory held by them, and now constituting many of the most powerful States of the Union, was largely due to discouragements to labor at the North, before the establishment of its extensive manufacturing system. The vast product of the great staple of the South, by means of its amply sufficient mode of labor, suggested and furnished the foundation for those manufactures, which, for nearly half a century, have so promoted the fortunes of the North, and made it what it could never otherwise have been, the competitor of Europe in the markets of the world.

There is really but a single obstacle to the restoration of the country to the state before the war. To effect that restoration should be the paramount object. It was for this object that the country fought; and without keeping it conspicuously in view, certainly it would have been impossible to set the war on foot, to any effective purpose, in the North. This obstacle results from precisely the same causes which led to the war. It is dread of Union between the former elements of union in the North and the South, involving the loss of political power by the radical Republicans themselves. But if slavery, as was formerly alleged, was the bond of alliance between these elements, and that bond is broken—then, surely, there is no longer any reason for resistance to restoration, except the mere partisan desire to hold the authority of one section over the other, at the sacrifice of united sentiment between the main body of the people in both. But the result of unreasonable opposition must necessarily be, a thorough overturn of political organization in the North, and the reinstatement of a wiser, more magnanimous, more patriotic class of men in stations of honor and trust. Indeed, it seems evident that such a change of sentiment cannot be long deferred. In every sense and in every relation, the country is weakened by the present state of things;

and the longer it continues, the more the danger grows, of a gradual, but none the less fatal, revolution in the fundamental basis of the Republican system. It is to be hoped, indeed, that the reviving good sense and patriotic feeling of the Northern States will not long permit the whole country to suffer, by the unreasonable exclusion of the people of the South from the mutually beneficial enjoyment of equal rights. This would be a mistake similar to that committed by the better-disposed men of the Republican organization, who wanted no war, but yet allowed the country to be dragged into war, by the managing and mercenary politicians on the outskirts of their party. So that, in the end, many of the warmest friends of a peaceable Union felt themselves compelled to fight for a Union imperilled as well by the machinations of disunionists at the North as in the South; and those Northern disunionists, when the war had lasted two years, and dragged heavily after McClellan was displaced, were compelled to assume the name which they had formerly so derided, and to profess themselves as of a "Union party," in order to spur public interest and to save the utter wreck which all things foreboded, under the policy which they had thus far pursued. But, in any event, the course of policy now marked out by the radical leaders must necessarily, and for the welfare of the whole country, soon transfer to the North a controversy so unreasonably kept up with the South, after its causes have ceased; and, perhaps, future elections may be decided upon wiser and broader principles than of late.

And the final resolution of this point will test the whole question which has been in dispute. That question was, practically, not of bondage or emancipation for negroes, on their own account; but whether, in solving this problem, the country itself should retain its ancient political rights and still be free, or should become subject to an arbitrary government, forced upon it by party action. For, whether negro slavery actually exist or not, the country can be neither free nor safe until this matter becomes again the individual

concern of the several States alone, without subjection to any interference whatever by the General Government. We may say, that the South has lost its slaves by rebellion; and, so far as this is a mere incident of fact, unavoidable by the fortunes of war, it would have no effect upon the question of constitutional liberty. We may say, that the South deserved to lose them by its revolt; but the important point is, whether, in their particular loss, suffered otherwise than as a passing incident of war, the whole body of States, and hence the country at large, does not thereby lose its own constitutional immunities. For national legislation to such an end, or executive dictation producing such a result, is revolution, not restoration; without which the States cannot be equal, and, consequently, neither they, nor the country of which they are constituent parts, can be free. For such a revolution changes the principle and practice of our Republican system, abrogates the constitution on which we should rest, and gives us practically, a consolidated, instead of a popular, frame of Government. Hence, therefore, the opposition of enlightened citizens, friends of popular rights, to the whole (so-called) Republican movement, from its beginning to the end. That movement was compulsory, and therefore despotic, and never had any title to the name of Republican.

It would be an imputation hardly endurable upon the freemen of the American States, to suppose that they would long tamely suffer under the loss of public liberty necessarily involved in the centralization of power, which would be the effect of constituting the North the master of the South. There can be no real freedom to the United States, until the equality of all its States is reestablished; and the best hope which an American citizen can indulge for the welfare of republican institutions is, for the coming of the time when an order of the President, outside of the prescribed sphere of his constitutional authority, will have no more force than an order of a justice of the peace—to the end, that it may again become, as it was originally instituted—“a government of laws and not of men.”

There are those, doubtless, who, while no burden presses upon themselves individually, will see nothing in the future but the greatness and strength of a reinvigorated republic. There were those, in another age, who saw, or thought they saw, in the coming of the youthful Macedonian conqueror—if the lessening of Athens, yet the glory of Greece. But it was the death of liberty. It was the first fatal sweep of “decay’s effacing fingers.” It was the turn from freedom to despotism, from despotism to anarchy, and thence the subjection of the free States of Greece, as the province of a strange people. Then followed the decline from civilization to barbarism, and the “progress” bearing on, through ages of darkness, the inextinguishable light of a name.

Indeed, this question must, ere long, present itself with an irresistible appeal to the rational minds of American freemen—whether they are willing that anti-republican institutions shall be forced upon them in a Republican name—to submit themselves bound hand and foot, at the imminent peril of the inestimable bequest of their fathers, to the purposes of an incongruous organization, whose proper functions have ceased—or will confer together, exercise their reason, rise above a partisan Congress, should it prove such, and whatever other obstacles may be in their way, and place their country once more upon the free and solid foundation of the Constitution and the Union; a Constitution, but a sheet of parchment without an honest Union; a Union, but a soulless name, without the reëstablished Constitution. Thus only can the republic be “Peace.”

APPENDIX.

I.

THE EXTRACT BELOW IS FROM A WORK ENTITLED "THE SECESSION WAR IN AMERICA," BY MR. J. P. SHAFFNER. PUBLISHED IN LONDON AND NEW YORK, IN 1862.

"The following description of Southern life was written in 1822, by Major-General Quitman, a native of New York, to his father. As it was then, so it is now (1862). The letter is full of truth :"

Our bar is quartered at different country seats—not boarding; a Mississippi planter would be insulted by such a proposal, but we are enjoying the hospitalities that are offered to us on all sides. The awful pestilence in the city brings out, in strong relief, the peculiar virtues of this people. The mansions of the planters are thrown open to all comers and goes free of charge. Whole families have free quarters during the epidemic, and country wagons are sent daily to the verge of the smitten city with fowls, vegetables, etc., for gratuitous distribution to the poor. I am now writing from one of these old mansions, and I can give you no better notion of life at the South than by describing the routine of a day. The owner is the widow of a Virginia gentleman of distinction—a brave officer who died in the public service during the last war with Great Britain.

She herself is a native of this vicinity—of English parents, settled here in Spanish times. She is an intimate friend of my first friend, Mrs. G.; and I have been in the habit of visiting her house ever since I came South. The whole aim of this excellent lady seems to be to make others happy. I do not believe she ever thinks of herself. She is growing old, but her parlor is constantly thronged with the young

and gay, attracted by her cheerful and never-failing kindness. There are two large families from the city staying here; and every day some ten or a dozen transient guests. Mint juleps in the morning are sent to our rooms, and then follows a delightful breakfast in the open verandah. We hunt, ride, fish, pay morning visits, play chess, read, or lounge until dinner, which is served at 2 p. m., in great variety, and most delicately cooked in what is here called Creole style—very rich, and many made or mixed dishes. In two hours afterwards, everybody, white and black, has disappeared. The whole household is asleep—the *siesta* of the Italians. The ladies retire to their apartments, and the gentlemen on sofas, settees, benches, hammocks, and often gypsy fashion, on the grass under the spreading oaks. Here, too, in fine weather, the tea-table is always set before sunset; and then, until bedtime, we stroll, sing, play whist, or coquet. It is an indolent, yet charming life, and one quits thinking and takes to dreaming.

This excellent lady is not rich, merely independent; but by thrifty housewifery, and a good dairy and garden, she contrives to dispense the most liberal hospitality. Her slaves appear to be, in a manner, free, yet are obedient and polite, and the farm is well worked. With all her gayety of disposition and fondness for the young, she is truly pious; and in her own apartments, every night, she has family prayers with her slaves; one or more of them being often called on to sing and pray. When a minister visits the house, which happens very frequently, prayers night and morning are always said; and on these occasions the whole household and the guests assemble in the parlor; chairs are provided for the servants. They are married by a clergyman of their own color; and a sumptuous supper is always prepared. On public holidays they have dinners equal to an Ohio barbaque; and Christmas, for a week or ten days, is a protracted festival for the blacks. They are a happy, careless, unreflecting, good-natured race; who left to themselves would degenerate into drones or brutes; but, subjected to wholesome restraint and stimulus, become the best and most contented of laborers. They are strongly attached to “old massa” and “old missus;” but their devotion to “young massa” and “young missus,” amounts to enthusiasm. They have great family pride, and are the most arrant coxcombs and aristocrats in the world. At a wedding I witnessed here last Saturday evening, where some one hundred and fifty negroes were assembled—many being invited guests—I heard a number of them addressed as governors, generals, judges, and doctors (the titles of their masters); and a spruce, tight-

set darkey, who waits on me in town, was called "Major Quitman." The "colored ladies" are invariably Miss Joneses, Miss Smiths, or some such title. They are exceedingly pompous and ceremonious; gloved and highly perfumed. The "gentlemen" sport canes, ruffles, and jewelry; wear boots and spurs; affect crape on their hats, and carry huge segars. The belles wear gaudy colors, "tote" their fans with the air of Spanish señoritas; and never stir out, though black as the ace of spades, without their parasols.

In short, these "niggers," as you call them, are the happiest people I have ever seen; and some of them, in form, features, and movements, are real sultanas. So far from being fed on "salted cotton-seed," as we used to believe in Ohio, they are oily, sleek, bountifully fed, well clothed, well taken care of; and one hears them at all times whistling and singing cheerily at their work. They have an extraordinary facility for sleeping. A negro is a great night-walker. He will, after laboring all day in the burning sun, walk ten miles to a frolic, or to see his "Dinah," and be at home and at his work by daylight the next morning. This would knock up a white man or an Indian. But a negro will sleep during the day—sleep at his work—sleep on the carriage box—sleep standing up; and I have often seen them sitting bareheaded in the sun on a high rail-fence, sleeping as securely as though lying in bed. They never lose their equipoise; and will carry their cotton baskets, or their water vessels, filled to the brim, poised on their heads, walking carelessly and at a rapid rate, without spilling a drop. The very weight of such burdens would crush a white man's brains into apoplexy.

Compared with the ague-smitten and suffering settlers that you and I have seen in Ohio, or the sickly and starved operatives we read of in factories and in mines, these Southern slaves are indeed to be envied. They are treated with great humanity and kindness.

II.

FROM "REMARKS ON THE REVIEW OF INCHIQUIN'S LETTERS," ATTRIBUTED TO REV. DR. TIMOTHY DWIGHT, PRESIDENT OF YALE COLLEGE. P. 80, *et seq.*

YOUR next remarks are on *The slavery of the Blacks in the Southern States*: a subject which you have touched upon before, and in the mention of which you must be confessed to be unhappy. I do not mean in censuring the *African* slave trade, or the manner in which the slaves are treated.¹ To these subjects I make you cordially welcome. They are the proper themes of every moralist; and no severity with which they are treated will draw from me a single animadversion. It is the attribution of these iniquities to the *Americans*, with an intention to make them a characteristic disgrace peculiar to *them*, of which I complain. Surely, when you wrote this passage, you forgot how lately you have begun to wash yourself clean from this smoke of the bottomless pit. Please, sir, to take a short trip to *Liverpool*, and survey the hulks, which, probably, in great numbers, are even now rotting in the docks of that emporium of *African* commerce. Then look around upon the numerous splendid buildings, public and private. Next, exclaim, "These ships were the prisons in which hundreds of thousands of miserable *Africans*, after having been kidnapped by avarice and cruelty, or taken captive in war, kindled by the same insatiable spirit and torn forever from their parents, husbands, wives, and children, were transported across the *Atlantic*, to bondage and misery, interminable but by death." In these floating dungeons, one-fourth, one-third, or one-half of the unhappy victims to this infernal avarice, perished under the pressure of chains, or rotted in the pestilential steams, embosoming as a vapor bath the niches in which they were manacled. This work of death has been carried on, also, a century and a half. What must have been the waste of mankind which it has accomplished! These houses, the public edifices, nay, the temples, devoted to the worship of the eternal God, with all their splendor, were built of human bones, and cemented with human blood. Rise, *Sodom* and *Gomorrah*, and whiten by the side of men, baptized

¹ The Southern planter who receives slaves from his parent by inheritance, certainly deserves no censure for holding them. He has no agency in procuring them; and the law does not permit him to set them free. If he treats them with humanity, and faithfully endeavors to Christianize them, he fulfils his duty, so long as his present situation continues.

“in the name of the FATHER, and of the SON, and of the HOLY GHOST.”

Are you at a loss, sir, concerning the justice of this representation? The records of your own Parliament will furnish you with abundant and terrible evidence. Look at the report of the Committee of the House of Commons. Look at the account written by the excellent *Clarkson*. Look at the speeches of *Mr. Wilberforce*, the glory of your Parliament, and of your country. Read the speech which he delivered April 2, 1792. You will there read, “*Europeans* came on the coast of *Africa*, and hovered like vultures, and like vultures lived on blood. They ensnared at times, and, at times, by force, took away the natives and sold them for slaves.” Read the examples of villany recited by him on this occasion, too long to be quoted by me, and too dreadful to admit of a comment. As these will tell you, that of six hundred and fifty slaves, on board one ship in the year 1788, one hundred and fifty-five died; of four hundred and five in another, two hundred died; of four hundred and two in another, seventy-three died.

From all these sources, learn, also, the immense extent of this foul business; the amazing numbers of unhappy wretches who perished in it; the amazing numbers who lived, only to be made miserable; the portentous iniquity with which it was carried on; and the vast difficulty with which it was broken up. You probably were present, as a member of your Parliament, during most, if not the whole, of the long struggle made by many of your nobles of high rank; by your enlightened statesmen, and by a numerous train of your gentlemen; not the fox-hunters mentioned above, but men of education, of enlightened and superior minds, and possessed of an honorable character among their countrymen; against the glorious effort made by *Mr. Wilberforce* and his coadjutors to terminate this demoniacal traffic.

But, sir, in your zeal to heap scandal upon the *Americans*, you appear to have forgotten that you have colonies of your own; and that in these colonies slavery exists in forms and degrees incomparably more horrid than in the Southern *American* States. You have forgotten that the enormous crimes perpetrated in this system, are committed by native *Britons*, under your own eye, and beneath the control of your own Parliament. I shall take the liberty to refresh your memory concerning this subject.

“To the disgrace of *Great Britain* and her colonies,” says the *Christian Observer* for July, 1811, “the *British* slave-code is more severe in its provisions than, perhaps, any other. Compared with it,

the code promulgated by the Spanish Government is freedom itself."

Will you please, sir, to cast your eye upon the fifth report of the Directors of the *African Institution*, read to the subscribers, March 27, 1811? You will there find, substantiated by evidence, which precludes all doubt concerning the facts, that a *Mr. Huggins*, a distinguished planter in *Nevis*, "went, January 23, 1810, attended by two of his sons, on horseback, with upwards of twenty slaves, men and women, in the custody of drivers, through the streets of Charlestown, to the market-place, and there proceeded to indulge his cruelty to the utmost, during more than two hours in the face of day, and in the sight and hearing, not only of free persons, but of magistrates, who offered him no interruption."

To one negro man he gave, by the hands of expert drivers, lashes no less than	365
To a second	115
To a third	165
To a fourth	252
To a fifth	212
To a sixth	181
To a seventh	187
To a woman	110
To a second	58
To a third	97
To a fourth	212
To a fifth	291
To a sixth	83
To a seventh	89

The number of victims thus specified was fourteen. The seven *men* received 1,447 lashes; or 211 each at an average. The seven women received 940, or 134 each. All these were inflicted with a cart whip. The whole number of lashes was 2,417; inflicted by expert drivers, within the compass of somewhat more than two hours; at the command, and under the eye of this devil in human shape, and of his two sons, whom he brought to be witnesses of their father's character. Even this is not all, "for he administered," says the Report, "to various other women and men various other cruel measures of the same punishment, at the same time." One of these miserable sufferers died soon after of this merciless treatment. Nor was this all.

There were, at this time, seven magistrates in Charlestown. Two of them, the *Rev. William Green* and the *Rev. Samuel Lyons*, each holding two livings in the island, were within hearing of the lash, and must have known of the cruel and illegal cause, yet did not interpose. The same was true of *Dr. Cassin*, a surgeon in that island, who was present at a part of this scene, and, after having counted 236 lashes given to one negro, coolly said he thought it was enough. Another magistrate, *Mr. Edward Huggins, Jr.*, looked on the greater part of the time.

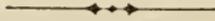
If you will read a little farther, you will find that *Mr. Huggins*, the master, was acquitted by a jury, although the facts were proved beyond a doubt, so as not to be disputed, and although the slaves had been guilty of no offence of any importance. In addition to this, the printer of the *Gazette*, in *St. Christopher's*, was prosecuted by him for inserting in his paper the minutes concerning the subject, sent to him by order of the Assembly; was found guilty of publishing a libel issued by the House of the Assembly of *Nevis*, and was sentenced to a month's imprisonment, and to find bail to keep the peace for three years.

In the same Report you will find an account of a man, that is a human body animated by a demon—a planter of *Tortola*, named *Hodge*. This infernal agent whipped twelve of his slaves so, that they died. Down the throats of two females he poured a quantity of boiling water. A child he ordered to be dipped in a copper of boiling liquor. Frequently he caused the children on his estate to be taken up by the heels and dipped into tubs of water with their heads downwards, and kept there until they were stifled, then to be taken out, and suffered to recover and breathe, when they were again treated in the same manner, and so repeatedly, until they have been seen to stagger and fall. On this he has ordered them to be taken up and suspended to a tree by their hands tied together, and in this situation cart-whipped. Among others, a mulatto child, *reputed his own*, named *Bella*, was repeatedly whipped by his order, and he was also seen repeatedly to strike the child with a stick on the head, so as to break her head.

I presume, sir, you are tired of this tale. So am I. I will only add, that, to the unspeakable joy of every honest man who has heard, or who ever will hear of it, this wretch, after many obstacles had been thrown in the way of justice, was at last convicted and hanged. Amen, and amen.

I hope, sir, *we shall never more hear any comparison made be-*

tween your slaveholders and ours. [Compare the relation of Appendix I. with this account of slavery in the British West Indies.]



III.

COMMONWEALTH OF MASSACHUSETTS.

In March, 1836.

THE Joint Special Committee, to whom was referred so much of the Governor's Message as relates to the Abolition of Slavery, together with certain documents upon the same subject, communicated to the Executive by the several Legislatures of Virginia, North Carolina, South Carolina, Georgia, and Alabama, transmitted by his Excellency to the Legislature, and hereunto annexed, have considered the same, and ask leave, respectfully, to submit the following

REPORT:

Your committee have devoted to this momentous subject the deep and serious attention which its merits obviously demand. The intense interest which the question is exciting throughout the whole country; the requirement of our great national compact, enjoining respect for the legislative proceedings of other States; the common bonds of sympathy, interest, and brotherhood, which connect the various sections of the Union, could none of them fail of due weight in our minds. But your committee find enough in the earnest and united appeals of the several legislatures above named, to induce them to meet the whole question promptly and fairly, and to respond in the most explicit manner to the strong demands which they make upon the justice and honor of the Commonwealth.

Your committee feel themselves called upon entirely to disclaim the opinion, if it anywhere prevails, that the consideration of this matter is to be avoided by them in consequence of its exciting nature. They feel that the time has arrived for its consideration; that it cannot and ought not to be avoided; that it ought to be met at its outset by all the powers of manly and intelligent minds; and that every day's delay only hastens the progress of those tremendous consequences, which

it is the duty of every good citizen to deprecate, and by every honest means in his power to endeavor to avert.

The language of the various documents in the possession of the committee is such as needs no comment to vouch for its sincerity. The citizens of the slaveholding States evidently consider it the most important political question which could be presented to their minds. They believe, and state, that the tendency of the proceedings of certain abolitionists and abolition societies, in the Northern States, is to unsettle the character of their slave population, and to prepare the way for all the horrors of a servile insurrection. In case of such an event, however the master might be able eventually to overpower the slave, it is certain that it could not be effected without the great pecuniary loss and ruin of many; without an immense sacrifice of their own lives, and of the lives of those most dear to them; without the frequent commission of the worst crimes which fill up the black catalogue of human enormities. The mind revolts at once from such a spectacle. It is difficult to conceive how a humane man can regard an event like this as possible without the profoundest sentiments of unmingled horror. It is not, perhaps, material to the question, whether the apprehension be well or ill founded; or whether the contingency be near or remote. It is sufficient that the slaveholding States (infinitely the best judges in the case) look upon it in this light, and call upon us by every motive which ought to influence our conduct, to afford them such relief as it is in our power to offer.

The question which first presents itself, as to the right of the non-slaveholding States to interfere at all in the existing relations between master and slave, is a point so well understood, that it is hoped no argument need be submitted to the Legislature upon this part of the subject. Whatever emotions such a view may excite in the mind of the philanthropist, the right of the master to the slave is as undoubted as the right to any other property. It is recognized by the well-understood admissions of the Constitution. It is recognized by the laws of the land, and the tribunals of justice; and any attempt, whether direct or indirect, to deprive the slavholder of this property, as of any other, is a violation of the fixed laws of social policy, as well as of the ordinary rules of moral obligation. If slavery be an evil, the slaveholder declares to us that it is no evil of his own creating, but that he is able and willing to endure the burden, and neither seeks nor desires any intervention of ours. If it be a sin, he is equally ready to incur the entire responsibility, and will not submit to our interference, because it can bring nothing to him and his but disaster

and ruin. Above all, his argument (and it would seem to be unanswerable), is that *the property is his own*; and that no man or body of men can impair its security without doing him the deepest injustice and wrong. One would think this might be sufficient to satisfy the most ardent friend of abolition in the world.

The abolitionist, however, alleges, on the other hand, that his motives are entirely misapprehended, and that it is no part of his desire or intention to produce those terrible results which are the imputed consequences of his conduct. He states it to be his wish not to operate on the feelings of the slave, but to affect the mind of the master by arguments and appeals, addressed to his moral and religious sensibilities. If such be the case, it would seem that the means employed are singularly inappropriate to the proposed end. The argument, however, at best, is entirely fallacious in its nature, although if, as it were charitable to hope, it deceives the abolitionist himself, it can surely deceive no one else. It is too plain to be denied, that the kind of publications which have issued from the abolition press must either directly or indirectly operate upon the slave himself; that their only effect can be to suggest to him, that his position in society is not only different from his deserts, but that his detention in that state is contradictory of his natural rights, and sinful in the sight of heaven.

It is easy to foresee the consequences of such impressions fixed in the mind of the slave; and equally easy to see that no other possible consequences can result from the efforts of the abolitionist. The idea of thus affecting the mind of the master, so as in any way to promote the emancipation of the slave, would seem to your committee almost too unreasonable to be very seriously entertained. Apart from the consideration that such a supposition necessarily involves the sacrifice of his sources of wealth, often of his means of living, and, as would be, no doubt, frequently the case, the reduction of himself and his family to want, and perhaps beggary; the slaveholder avows, in the most explicit language, that he will not for a moment listen to any such proposition; and that he cannot view it in any other light than that of the deepest injury which could be inflicted. There is no doubt of his right to make such an avowal. There is no doubt that the proposal to him to part with his property upon the terms suggested, is one to which he will never consent. It were unreasonable to expect it. No history exhibits any such instance. No deduction from any of the known principles of human conduct can show with ordinary plausibility that it might be anticipated. So far from having the least influence to convince the slaveholder that domestic slavery

is a sin to be immediately expiated, the arguments of the abolitionist only irritate whatever is most excitable and vehement in his nature, and lead him, rather than submit to their reiteration, to look with calmness upon a crisis which would disturb and convulse all the elements of our social organization, and would totally dissolve all those countless ties which God and nature constituted; which were cemented by the blood of a united ancestry, shed upon the field, and which should have become more closely woven by the efforts of wisdom and experience through the lapse of many succeeding years.

The question presented to us is obviously, therefore, one of immense moment, and it is our duty to consider what measures it may be proper for us to adopt, upon a reasonable and dispassionate view of the whole subject.

The Legislatures of the five States which have transmitted to us the documents above referred to, recommend the immediate use of such means as will effectually suppress and prevent the formation of abolition societies, and the enactment of such penal statutes as will deter, or suitably punish, those who print, publish, or distribute the various productions of the abolition press. It is for us to determine how far it is safe or proper for us to proceed in compliance with this request.

The liberty of the press is declared, by the Constitution of this Commonwealth, to be essential to public freedom, and, even if it were possible, it would be a matter of very grave deliberation whether it were desirable to restrain or control it by any express statutory limitation. The consequences of such legislation, in its application to other contingencies, are such as cannot be altogether and fully anticipated. It is enough, in the opinion of your committee, that the precedent seems of dangerous tendency; and not the less to be avoided because its probable results are, to a certain extent, indeterminate. It is well understood, that the licentious use either of the press or the tongue, renders the party amenable to the common law jurisdiction of the courts of justice; and your committee are of opinion, that this jurisdiction is amply sufficient to provide for all circumstances which can arise in this Commonwealth. Besides, there is a powerful influence already at work amongst us, stronger than any law—the force of public sentiment, directed by the best intelligence, and sustained by the highest character, which sympathizes with our southern brother, as well as with his slave, and which looks indignantly upon every movement calculated to disturb him in the possession of his just rights, or to endanger the peace and security of his domestic or social

relations. And your committee believe that an unsound and intemperate enthusiasm is best met by such influences. They believe that the experience of society warrants them in this conclusion; that passions have been excited, and powers concentrated, in resistance to the enactments of a positive statute, which might have slept in the absence of its provisions; that the wildest extravagances have sometimes triumphed against the execution of an untimely law, which, without that law, would have weakened and dissipated themselves by their own fruitless struggles; and that nothing, which is not founded upon the eternal principles of truth and justice, can ever long prevail against the silent but irresistible force of public disapprobation.

The abolitionist, indeed, as might be expected, not only denies altogether the propriety of enacting penal laws upon this subject, but contends that the expression of any legislative opinion, against what he considers his right of free discussion, would contravene those well-known principles of public liberty upon which he justifies his own motives and conduct.

Your committee differ entirely from this doctrine. It might, perhaps, seem even a little inconsistent with liberal dealing, for the anti-slavery societies to claim for themselves the privilege of unlimited discussion, and the free expression of whatever opinion, and to deny to the Legislature the right of publishing to the good people of the Commonwealth its own deliberate conclusions upon this or any other subject. Indeed, a recurrence to the fundamental principles of the Constitution will show at once that the power of making laws is no more clearly defined, than the duty of the Legislature, from time to time, to afford the people the aid of its advisement and direction upon matters of public moment. Especially if the weight of its influence be requisite in order to restrain licentiousness, and to maintain the public peace and order, no duty, in the opinion of your committee, could be more plain. *The right of free discussion*, which some say may be infringed by any legislative action, is undoubtedly a most sacred right, and most inestimable privilege. But, as it is understood by extravagant men in the discussion of many exciting subjects, it would prove one of the deepest curses that could possibly befall any country. The truth is, that the unlimited exercise even of legal rights may be not only inexpedient, but improper in the extreme. For all men uniformly to insist upon claiming all which might belong to them would not only constantly embitter all social relations, but would disturb and overturn all civil society. The legal power may often be unquestioned where the moral obligation expressly contradicts it. The

apostle himself instructs our weakness upon this point, where he declares *many things inexpedient which are nevertheless lawful*. And, indeed, whoever has reflected much upon the principles which connect and harmonize society, cannot but have perceived, that, without the constant recognition of this rule, no political organization could exist for a single day. Indeed, it is seen, that the discussion of this very question, as it is discussed by the abolition agents, has been, in the first place, to defeat the very object proposed, by riveting the chain more strongly to the neck of the slave; and next, to rouse in the mind of the master the warmest and most determined spirit of resistance to what he accounts an invasion of his rights.

Indeed, the liberty of free discussion, to the extent claimed by some descriptions of people, would, in the opinion of your committee, be absolutely destructive to every domestic tie, and entirely subversive of the most fundamental principles of all civil society.

The main argument, however, relied on by the abolitionist, whenever the consequences of his conduct are laid before him, is, that "we must discharge our duty, and leave the event." The rule is acknowledged to be wholesome; but its application to the case is unequivocally denied. There can be no doubt that whenever a plain line of duty is set before an accountable being, he is bound to pursue it, regardless of personal inconveniences or dangers. But the rule will be found, in its application to the business of life, subject to many exceptions and many limitations. Besides, it can in no case be assumed as of general obligation, except where the point of duty is well defined and unquestionable. Wherever the question may admit of doubt, the obligation becomes weakened, and sometimes wholly inoperative. Especially in those questions often occurring, where men entertain great and irreconcilable differences of opinion, to pursue a course of conduct supposed to be abstractly right, but inevitably productive of immediate evil consequences, is not only out of the line of duty, but inconsistent with either human or divine legislation.

It is upon the constant and daily recognition of this principle, that all human institutions depend for their preservation. Upon any other theory, pursued to its legitimate results, the whole world would be involved in a state of indiscriminate and inextricable confusion. Religion, as well as the soundest deductions of mere human reason, forbids us to "do evil, in order that good may come."

A mistaken view of the pursuit of duty, has often been productive of civil discord; has often kindled the fires of martyrdom; has often set the world in arms; and it may be fairly concluded, that he is an

unsafe theorist, who forgets that wisdom and prudence are the very first elements of moral obligation.

The two other arguments chiefly relied upon, seem to be, in the first place, *that the most unlimited discussion is permitted upon other questions of public interest*, and the temperance cause is the instance particularly adduced; and next, *that in the earlier days of the republic the leading men of the South and elsewhere—Jefferson, Madison, Jay, Franklin, and many others—not only spoke, but wrote upon this subject in the freest and most open manner*. Your committee, however, are unable to perceive the justice of the parallel between this question and the temperance reformation. In the one instance the matter is of the most general interest possible, and of the most direct and positive application to every portion of the Union; in the other, the interest of the Northern man is, at best, of an entirely indirect and incidental character; and, upon a strict construction, a matter in which he has no concern whatever. With regard to the other argument, your committee can only say, that these very gentlemen, with their colleagues, settled the question of slavery as it now exists, and imposed it upon their descendants, whether it be a burden or a sin; that their discussion of it was at a time when no immediate danger was anticipated, and when no irritated feelings had been excited upon the subject; that all their acknowledged wisdom could devise no remedy for the evil; that the abolitionist cannot now propose, does not offer to propose, any feasible plan of emancipation; that no Southern man now expresses any opinions like those alluded to; and that your committee believe it to be the unquestionable duty of those who feel most deeply upon this topic, to leave the whole affair in the keeping of a merciful Providence, who will not require of any man or nation an unreasonable account.

It is upon these views that your committee wish to express their most mature and deliberate convictions as to this great question. They feel that the conduct of the abolitionist is not only wrong in policy, but erroneous in morals. However sincere an enthusiast may be, and there are, no doubt, many degrees of sincerity among this body, his zeal cannot excuse him from the weight of moral accountability. The evil consequences which have already attended their efforts, and those infinitely more evil likely to ensue, unless they should be in some way arrested in their career, must be answered, at some period, at a higher tribunal than even public opinion.

Your committee have no right to prejudge this cause; or to anticipate how strict an account will be required of the grounds of

motives, and how far an honest investigation of their reasonableness, as well as their sincerity, will be necessary, in order to palliate the extravagances of human actions. It is the business of your committee to apply to the transactions of life the ordinary causes from which they result; and, so far as may be in their power, to recommend those measures which may seem best adapted to stay the progress of evil. They feel that there is a deep responsibility resting upon them, and while they cannot avoid their duty, they have no desire to shrink from its discharge.

Whatever, indeed, may be the action of the Legislature upon this subject, your committee are determined to fulfil their duty to the State and to our common country, in the most firm and faithful manner. In remembering that they are men of Massachusetts, they are incapable of meanly forgetting that they are also Americans. However they may regret the condition of slavery everywhere in the world, they have no sympathy with that diseased sensibility which, in its commiseration for the slave, wilfully shuts its eyes against the fatal consequences of conduct which is likely to involve both master and slave in one common destruction. They have no sympathy with that false benevolence, which, in order to liberate the slave, is willing to destroy the hope of liberty itself, by plunging the country in all the horrors of civil war, with bloodshed, anarchy, and despotism, the sure attendants in its train. In a word, they cannot but deem that philanthropy not only officious, but extravagant and inexcusable, which will intermeddle in the proper and peculiar affairs of others, not only against their will, but to their manifest and inevitable detriment. To those who are amenable to no other argument, there is an appeal which this Legislature cannot safely resist. One of its first duties here, is solemnly to swear that it will support the Constitution of the United States; and your committee beg gentlemen to consider how they will answer the observation of that oath, by promoting or countenancing those wild schemes, which cannot but deprive their brother of the guaranty which that Constitution does provide for his security in the possession of his property and all its legal rights.

The appeal which is addressed to us by our sister States is indeed of the most solemn and affecting character. Its language is often ardent; in the opinion of some it may be reprehensible. But your committee believe that the character of the good people of this commonwealth is somewhat too well understood; that its spirit and honor are too well known, to allow the Legislatures of other States to expect to extort any thing from us which does not address itself to our

reasonable convictions. They appeal to our justice as men; to our sympathies as brethren; to our patriotism as citizens; to the memory of the common perils and triumphs of our ancestors and theirs; to all the better emotions of our nature; to our respect for the Constitution; to our regard for the laws; to our hope for the security of all those blessings which the UNION, and that only, can preserve to us.

In view of these motives, therefore, which surely cannot be disregarded, and for the reasons above set forth, and after the most mature deliberation, your committee have determined to recommend, and do recommend, the following preamble and resolves to the acceptance of the Legislature :

COMMONWEALTH OF MASSACHUSETTS.

In the Year of our Lord one thousand eight hundred and thirty-six.

Whereas, the Legislatures of our sister States of Virginia, North Carolina, South Carolina, Georgia, and Alabama, have transmitted to the Legislature of this Commonwealth, certain memorials and resolutions relating to the subject of domestic slavery within their limits; which state that the proceedings of certain persons therein styled abolitionists, are dangerous to the public peace, are calculated to excite the slave to insurrection and revolt, and to render not only the property, but the lives of our Southern brethren insecure; and, *whereas*, they call upon us, by the most interesting and solemn motives, to aid them in arresting the progress of this evil; and, *whereas*, in our opinion, the institution of domestic slavery is one in which, as it is settled by the Constitution of these United States, we have no title to interfere, especially without the consent of those whose interests may be most dearly affected by such a course; and, *whereas*, it is our highest political duty to endeavor to maintain the most friendly and intimate relations with all the States of this great and happy Union, and to discountenance every thing which may tend to its disturbance and dissolution; therefore,

Be it resolved, by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That this Legislature, regarding the Constitution of these United States as the most sacred and inestimable political inheritance which could have been transmitted to us by our ancestors, looks indignantly upon every thing calculated to impair its permanency; and that we deem it our high duty to maintain the Union, which it secures, at every hazard, and by

every sacrifice, not inconsistent with our known duties as men, citizens, and Christians.

Resolved, That this Legislature distinctly disavows any right whatever in itself, or in the citizens of this Commonwealth, to interfere in the institution of domestic slavery in the Southern States; it having existed therein before the establishment of the Constitution; it having been recognized by that instrument; and it being strictly within their own keeping.

Resolved, That this Legislature, regarding the agitation of the question of domestic slavery as having already interrupted the friendly relations which ought to exist between the several States of this Union, and as tending permanently to injure, if not altogether to subvert the principles of the Union itself; and believing that the good expected by those who excite its discussion in the non-slaveholding States, is, under the circumstances of the case, altogether visionary, while the immediate and future evil is great and certain:—does hereby express its entire disapprobation of the doctrines upon this subject avowed, and the general measures pursued by such as agitate the question; and does earnestly recommend to them carefully to abstain from all such discussion, and all such measures as may disturb and irritate the public mind.

Resolved, That this Legislature entirely disapproves of all those tumultuous and riotous proceedings everywhere, which have arisen from the agitation of this question; and believing that the good citizens of this Commonwealth entertain a sacred regard for the authority of the laws, and for the preservation of the public peace, this Legislature earnestly recommends and demands, that by their influence and example, and by their quiet and peaceable demeanor, they will do all in their power to prevent the recurrence of such scenes; and it enjoins upon all magistrates and civil officers the firm and faithful discharge of the duties entrusted to them, to maintain order and decorum, and to uphold the dignity of the Commonwealth.

Resolved, That his Excellency the Governor be requested to transmit copies of this report and these resolves, to the Executive of each of those States which have addressed us upon the subject.

By order of the Committee,

(Signed)

GEORGE LUNT.

IV.

THE resolutions copied below are those referred to in the text (p. 115). A note to the Abridgment of Debates (vol. xiii., p. 568), published in 1860, says: "These resolutions, and the debate to which they gave rise, and the modifications which they underwent, and the final vote upon them, contribute the most important proceeding on the subject of slavery which has ever taken place in Congress. They were framed to declare the whole power of Congress upon the subject, and were presented for a "test vote," and as the future "platform" and "permanent settlement of the law on the slavery question." They passed the Senate in the following terms by a vote of yeas 35 to nays 9:

1. *Resolved*, That in the adoption of the Federal Constitution, the States adopting the same acted severally as free, independent, and sovereign States; and that each for itself by its own voluntary assent, entered the Union with the view to its increased security against all dangers, *domestic* as well as foreign, and the more perfect and secure enjoyment of its advantages, national, political, and social.

2. *Resolved*, That in delegating a portion of their powers to be exercised by the Federal Government, the States retained, severally, the exclusive and sole right over their own domestic institutions and police, to the full extent to which those powers were not thus delegated, and are alone responsible for them; and that any intermeddling of any one or more States, or a combination of their citizens, with the domestic institutions and police of the others, on any ground, political, moral, or religious, or under any pretext whatever, with the view to their alteration or subversion, is not warranted by the Constitution, tending to endanger the domestic peace and tranquillity of the States interfered with, subversive of the objects for which the Constitution was formed, and by necessary consequence tending to weaken and destroy the Union itself.

3. *Resolved*, That this Government was instituted and adopted by the several States of this Union as a common agent, in order to carry into effect the powers which they had delegated by the Constitution for their mutual security and prosperity; and that in fulfilment of this high and sacred trust, this Government is bound so to exercise its powers, as not to interfere with the stability and security of the domestic institutions of the States that compose the Union; and that it is the solemn duty of the Government to resist, to the extent of its

constitutional power, all attempts by one portion of the Union to use it as an instrument to attack the domestic institutions of another, or to weaken or destroy such institutions.

4. *Resolved*, That domestic slavery, as it exists in the Southern and Western States of this Union, composes an important part of their domestic institutions, inherited from their ancestors, and existing at the adoption of the Constitution, by which it is recognized as constituting an important element in the apportionment of powers among the States; and that no change of opinion or feeling on the part of the other States of the Union in relation to it, can justify them or their citizens in open and systematic attacks thereon with a view to its overthrow, and that all such attacks are in manifest violation of the mutual and solemn pledge to protect and defend each other, given by the States respectively, on entering into the constitutional compact which formed the Union, and as such are a manifest breach of faith, and a violation of the most solemn obligations.

5. *Resolved*, That the interference by the citizens of any of the States, with the view to the abolition of slavery in this District, is endangering the rights and security of the people of the District, and that every act or measure of Congress designed to abolish slavery in this District would be a violation of the faith implied in the cessions by the States of Virginia and Maryland, and just cause of alarm to the people of the slaveholding States, and have a direct and inevitable tendency to distract and endanger the Union; and

Resolved, That any attempt of Congress to abolish slavery in any Territory of the United States in which it exists, would create serious alarm and just apprehension in the States sustaining that domestic institution; would be a violation of good faith towards the inhabitants of any such Territory who have been permitted to settle with and hold slaves therein, because the people of any such Territory have not asked for the abolition of slavery therein, and because when any such Territory shall be admitted into the Union as a State, the people thereof will be entitled to decide that question exclusively for themselves.

Resolutions could scarcely have been contrived more amply or more particularly covering every point of contention between the North and the South than these; namely, slavery in the States, slavery in the District, and slavery in the Territories—the continuance of the latter dependent upon the final action of the people of the Territories. Yet, while they doubtless had the effect to compose the public mind

in the latter quarter, they were altogether disregarded by the Liberty party, and scarcely attracted the attention of the rest of the people, in the former.

These resolutions of the Senate were not acted upon by the House; but soon after Congress met, at its following session, Mr. Atherton, of New Hampshire, introduced a series of resolutions (December 11th, 1838), covering the same ground, in regard to slavery in the States, the District, and the territories. The final resolution provided, that "every petition, memorial, resolution, proposition, or paper, touching or relating in any way, or to any extent whatever, to slavery, as aforesaid, or the abolition thereof, shall, on the presentation thereof, without any further action thereon, be laid on the table, without being debated, printed, or referred." These resolutions were passed, in general, with very slight opposition; the most decisive have been evinced towards the final one which included the above extract. On this, the vote stood 126 yeas to 73 nays, or nearly a majority of two-thirds in its favor.

V.

It was in the year 1855, in the demoralized condition of the once powerful Whig organization, as described in the text, that the Republican, or "geographical" party, began distinctly to form itself, principally under the auspices of well-known political managers in the State of New York. But, in that State, the efforts of the antislavery leaders among the Whigs to transfer their party to the newly formed Republican organization encountered a powerful opposition, and it was never fully accomplished. A large minority, probably no less than one-third of the Whigs of the State, comprising the most thoughtful and conservative portion of the party, refused to unite with this sectional organization. The result was that at the election of 1855 the Republican candidates were signally defeated.

The proposed fusion was resisted by Washington Hunt, Daniel D. Barnard, Francis Granger, William Duer, and many of the most eminent and honored leaders of the old Whig party who remained faithful to its constitutional principles. They clearly foresaw the dangers which threatened the Union, and boldly denounced the system of sectional strife and alienation which had been substituted for legitimate

party action, as the most effective agency for gaining political ascendancy in the General Government. A short time before the assembling of the last Whig State Convention of New York, in 1855, which had been called with the avowed design of disbanding the party, and forming an amalgamation with the Republicans, Governor Hunt wrote a letter, which was widely published, protesting, with emphatic earnestness, against the contemplated alliance, and predicting with remarkable accuracy, the fatal consequences which ultimately resulted from the movement. After urging many conclusive objections against sectional combinations, and repeating the warnings of Washington against "parties founded on geographical discriminations," he employed the following language:

'Believing that a sectional combination of this kind is fraught with danger and mischief, it does not accord with my views of duty to enlist under its banner. In Federal politics I am not prepared to serve in any party which does not identify itself with the whole country, by presenting broad national principles and a system of measures upon which good men in both sections, and in all the States from Maine to California, can unite in friendly coöperation. If a Northern antislavery party is desirable, it must be desired that all the people of the free States should enter into it. The very proposition implies that we are to be met by the people of the Southern States in solid array. We cannot close our eyes to the practical tendencies of such a conflict. Its effect must be to exasperate one part of the nation towards the other part, and to weaken, if not to banish those sentiments of friendship and brotherhood which gave birth to the Constitution. In such a warfare both sections will be roused to fierce resentment by mutual insult and denunciation, until either side will see on the other aliens and enemies, instead of friends and fellow-citizens; and, in a word, we shall cease to be one people.

"It is contended that the Union is too strong, if not too sacred, to be endangered by angry contention between the North and the South. This may be true while the contest is confined to a band of sectional gladiators; but how long the Federal compact would survive a partisan struggle between the people of the free States and the people of the slave States, or to what degree mutual wrath and vengeance may be indulged with safety, are problems upon which I choose not to speculate. But I will not hesitate to express my conviction, that if the time shall ever come when fraternal kindness and sympathy between the States shall be extinguished in the popular breast, and when the sectional animosity which is avowed in some quarters shall become

the common sentiment of the American people, the Union will be no longer worth preserving. It will no longer be the Union established by Washington and his compatriots on the broad foundation of common interests, friendly ties, and national patriotism."



VI.

THE external aspect of the affair off Charleston which "precipitated" the war, is as that of a boy "spoiling for a fight," who places a chip on the rim of his hat and dares his competitor to knock it off. But even if warlike matters had been brought to an issue by the undesigned exhibition of the fleet, it would be no more surprising than a fact stated by Mr. Kinglake, in his history of the Crimean invasion. He declares that event to have been brought about by means of a cogent despatch to Lord Raglan, drawn up by the Duke of Newcastle, who was in favor of war, and read by him at a cabinet-meeting after dinner, when a majority of the ministers present had sunk into a profound sleep; to which despatch the prime minister and other leading members of the cabinet would have urged controlling objections, had they remained awake, at a moment so critical. The orders to the American fleet may have been issued under somewhat similar circumstances, since it is well known that the administration at Washington entertained quite discordant opinions in the case in question; at least, up to a very late moment before the event. Indeed, it might well be said of certain members of the administration, as Clarendon remarks of Fairfax, Generalissimo of the Parliament forces, under whom Cromwell served as Lieutenant-general: "Fairfax wished for nothing that Cromwell did, and yet contributed to bring it all to pass."

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