

January 1860 through April 1861 will prove to be momentous for the country. The Democrat Party will split in two, a new President will have been elected that does not support slavery expansion into the territories and one state will have created a Constitutional crisis by seceding from the Union. And the local newspapers cover the house dividing.

# WATCHING THE HOUSE DIVIDE by JOHN BRACKMAN

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John Brackman

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## Chapter 1

## The Slavery Problem

#### Memphis Daily Appeal - November 2, 1860

"Sam, a slave of Mr. Madewell so far forgot himself as to strike a white man with a dray pin. For this offence the recorder sentenced him to receive thirty-nine lashes. His dray was run into by the complaining party, but that was not admitted to excuse Sam's conduct."

o understand the reasoning behind the eventual breakup of the Union, there must be an understanding of how the people of that time period viewed slavery. Slavery was the root of the parting but as will be shown, it had tentacles that ran deep through the texture of the country, creating problems and disagreements that severely divided the people and weren't easily resolved. That is why during the Civil War it became painfully obvious to Lincoln that a successful outcome of the war would not be to continue the restoration of the Union as it had been. Instead, the successful outcome would be to tear the existing problem out by its roots and to allow, as Abraham Lincoln said in his Gettysburg Address; "that this nation, under God, shall have a new birth of freedom..."

1860 began as other years had begun for the United States. Because it was the beginning of a new decade, a census would be taken and since this was a leap year there would also be a Presidential election. Slavery, slave drives, slave sales and slave pens were still in use and for the slaveholders these were an integral part of doing business in the slave trade. There was talk of secession in some of the southern states, but those sentiments had been voiced before. The issue of slavery, the abolition of slavery and the extension of slavery were still being debated with no perceptible change in the minds of the zealous slaveholders or the abolitionists. There were numerous other issues too, including "owning" labor versus paid labor, the economics of slavery, the fugitive slave law and dealing with former slaves who were freed.

All of these issues were reported in various ways by local newspapers. Of course, the central character in all of these disagreements was the Negro slave. They were an integral part of the American fabric and even if they were given their freedom, there were no easy answer regarding their status in a slavery-free landscape. The prevailing attitude in the South was that Negroes were put on earth for slavery and that this race of people benefitted from slavery.

The following is the view of slavery of a southern person in Texas in a letter to the newspaper.

"To the Editor of the Herald of Progress: Facts prove that servitude, subordination to the white man, is the natural condition of the Negro; and that

unaided, unsupported, and unenforced by the white man, the Negro is a poor, miserable savage, spending his time in the indulgence of the lowest propensities of animal nature ; that no book, map, history or tradition ever emanated from a Negro people ; and that the African, with the finest soils, the noblest rivers, the richest mines of the old



world, has remained in the dark savagery of his nature ; and there remains, till held up and sustained in the condition of helper, or servant, to his more indulgent friend, the white man. Servitude is his natural condition, as much so as it is that of the horse or ox. All experience proves that he will not work, unless put under the direction of his more sagacious and benevolent white brother and friend. Voluntary labor is not in the Negro!

Look at him in its native land for the past thousand years, and in the "West Indies! He was never of any use till the Englishman began to spin cotton, when lo, the poor benighted heathen was found able and happy to wield the hoe, under the hot

. . .

#### Watching the House Divide

sun that would kill his white friend. Both white and Negro must have cotton, or go naked! The white man cannot hoe cotton. The experiment has been tried, and the result is that none but the colored races can hoe cotton. What are Abolitionists going to do about it? There stands the fact. Nature has made it so. Denying it or intermeddling with it will not alter it. As a servant, the Negro is a useful, nay, an almost indispensable agricultural laborer, producing cotton to clothe the world, while he enjoys life in abundance.

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But as a free man, he is a pauper, and a savage, unable to take care of himself and doing no good for himself nor anyone else but he is happy in singing his hymn, saying his prayers, reading his Bible, (for they do read,) or dancing his jig, as to him seems best. All these things suit the Negro nature.

The Negro is not a white man. I don't know why not. He is nothing now, never has been, nor ever will be is it likely, beyond what his white friend and brother makes him. The Abolitionist is not that friend. At the South, the Negro element increases rapidly, though unassisted by emigration. At the North, the Negro element decreases, though the emigration is large. Why is it? The fact is so. God Almighty has made certain laws. They are true; and no man, South or North, black or white, can alter them. The Negro man is infantile, when compared to the white; the Negro naturally yields homage to the white man, as a child does to a grown person, because God has made it so. Why not be content to let God's laws be as they are? We cannot change them if we try; it will be fooling away time to make the effort. May Heaven bless our country, and lead the poor deluded Abolitionists to look at facts and restore their minds to a harmonious sanity!

Yours for the truth, as ever,

D. J. BALDWIN.

Houston, Texas, February, 1861."<sup>4</sup>

The buying and selling of slaves and the movement of slaves around the country was commonplace during the early history of the United States and advertisements for their sale as well as for buyers of this "human chattel" were prominent in the slaveholding states. Because of the Civil War, these practices would end in about five years' time but they would become a benchmark for this troubled period of the Union's history.

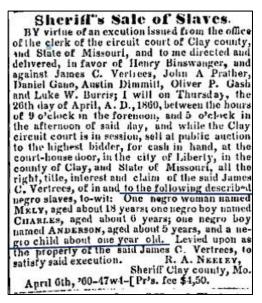
A description of a slave drive is recounted in the *Sacramento Daily Union* newspaper, which occurred in Kansas City Missouri in 1859.

"The last shipment of slaves from Jackson County to a Southern market was made from Kansas City (<u>Missouri</u>) in May, 1859 says a writer in the Kansas City 'Star.'

An apparent uneasiness was visible among the owners of slaves when it became a fixed fact that Kansas would become a Free State instead of slave. The easy escape of the slaves across the imaginary line between the two States rendered that kind of property very insecure. When once across the line into Kansas they were safe. No fugitive slave law could be enforced there to return slaves to their owners, and the Underground Railroad made rapid and frequent trips to the North into Canada, where

their forced return was beyond all possibility.

This fact induced many to part with their Negroes. Their value as a chattel was becoming more and more insecure as population flowed from the North into Kansas. Among the slaveholders were those who had owned slaves all their lives, but who never sold one, and would not under anv circumstances. They despised and held in the most utter contempt the slave buyer. It was beneath the dignity of many who owned slaves



to even recognize the man who speculated in that kind of property. Yet there were others who sold them as they would sell any other kind of property, no matter whether it parted father and mother, husband and wife, brother and sister, or sundered any other tie that bound them together. A great many were sold out of the border tier of counties of the State during the years '57, '58 and 59.

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The last shipment of slaves to the South in May, 1859 was made by Thomas McDaniel's, who had amassed quite a fortune speculating in Negroes. He owned and laid out McDaniel's addition to Kansas City, which contained some forty acres, and cornered at Missouri avenue and Main Street, running south. In 1858 he erected the Union Hotel that occupied the site of the ground upon which the Nelson building now stands. He had purchased nearly 100 likely young Negroes, mostly males, between the ages of 15 and 35 in different parts of the country, and had congregated them in front of this hotel at the corner of Missouri avenue and Main Street, preparatory to putting them on a steamboat and shipping them to a Southern market. They were handcuffed, and in some instances chained together, and herded out in the street something after the style of herding a drove of cattle while being driven through the streets of a city. Four or five men, with long blacksnake whip's and armed with revolvers, kept constant watch to see that none escaped. The drivers, as they were termed, used coarse and brutal language toward the Negroes whenever one happened to commit any infraction of the orders of their master. The Negroes were ordered to answer no questions asked of them, or to speak to anyone without permission.

The novelty of the scene attracted not only those who had never witnessed a revolting sight of the kind before, but those who were hardened to such scenes, and looked on as complacently as if it were a drove of cattle being sent to market. Their various marketable qualities were discussed and commented upon, and the price they would bring in a Southern market, it was declared, would make slave-breeding in Missouri very profitable.

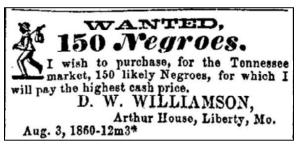
Those who came from the North, and had previously read descriptions of slave auctions, and witnessed the scenes portrayed in "Uncle Tom's Cabin." (It) renewed their abhorrence and disgust for an institution that made chattels of human flesh, even though it was black.

In the countenance of each slave (it) could plainly be seen that some of the undercurrent of dread was uppermost in his mind. Most of them knew that their

condition in the cotton fields of Louisiana and Mississippi would be far different from that on the farm in Jackson County. In the South they would be subject to greater toil, and less care would be taken of their general comfort, while the rations of hoe-cake and hominy would savor less of the good things of their former masters' table.

After being placed on board the boat at the foot of Main Street, and after it pushed out into the current of the river, they were unchained and permitted to scatter around the lower deck. They gave a yell of good-by to those on shore and took a last and lingering look at the bluffs of the city, which, perhaps, they never saw again.

It was a poor speculation for McDaniel. He returned to Kansas City several months afterward bankrupt. His property was sold under the hammer; he left the city and went to Atchison to reside, and died recently at Salina, KS."<sup>5</sup>



In 1860, James Buchanan, <sup>6</sup> was President but he was not а slaveholder; he was nominated for the Presidency as a northern Democrat who would be a

reliable ally of the South. In his annual address to Congress in January of 1860 he commented on his perception of the Negro slave.

"For a period of more than half a century there have been no perceptible addition(s) to the number of our domestic slaves. During this period their advancement in civilization has far surpassed that of any other portion of the African race. The light and the blessings of Christianity have been extended to them, and both their moral and physical condition has been improved.

•••

At present he (the slave) is treated more with kindness and humanity. He is well fed, well clothed, and not overworked. His condition is incomparably better than that of the coolies which modern nations of high civilization have employed as a substitute for African slaves. Both the philanthropy and the self-interest of the master have combined to produce this humane result."<sup>7</sup>

In contrast to the slave-holding position, the abolitionists of the north hated slavery and continually editorialized against it. *The Liberator* especially defined slavery as they saw it. Second—Then a fine looking girl, nearly white, was taken out of the pen. She was about eighteen, and lelt her degraded condition. Major ordered her on to the block, and the bidding commenced. Then the brutal buyers came around, and not content with asking her every indelicate question, they directed Major to strip first one part of her person, and then another, until I wondered the thunderbolts of Heaven did not pierce the building in which these diabolical scenes were enacted. Then this poor creature was called down, while

Then this poor creature was called down, while the bid was standing at 1,200, and her mouth stretched open in the same way, to see that she was really young and had no throat disease, then she was made to walk and almost run up and down, in order that the buyers could discover any concealed lameness or defect. if any existed.

"Let us consider it. Is Negro slavery unjust? Does it render to every man his due? Is the Negro a man? Are all men created equal? Do all men possess inalienable rights? Is justice one thing for the American-born white man and another thing for the American-born colored man? What accursed influence has rendered it necessary to ask these questions once pronounced self-evident by the greatest men the nation has produced? What has practically denied that self-evident answer, and put its denial into the mouths of the great orators of our day? Slavery. Slavery, that strikes down every right; slavery, that makes man a mere chattel personal, to whom nothing can belong, not even wife or child, not even the hand which toils nor the heart which feels, not even life itself, for it takes away all that supports life, all that protects life, and to all intents, constructions and purposes, makes man a thing, a piece of merchandize.

No man has any right, or can have any right, to take away the inalienable rights of another. No State or other body of men can have such a right, or confer such a right. ..... Away with this pernicious cant (whining) about slaveholder's rights! Nobody has any rights as a slaveholder. Nobody has any right to be a slaveholder. Nobody has any right to recognize the slaveholder as anything else than an enemy to his country and to mankind."<sup>8</sup>

However, much of the North had feelings somewhere between the two extremes and there followed a range of issues not easily reconciled, the first being what to do with so many slaves if they were suddenly to gain their freedom. The northern people were generally sympathetic to the plight of the Negro slave but not to the point of welcoming them with open arms.

In an editorial, the editor of the *Belmont OH Chronicle*, a supporter of the Republican Party, expounded on their opinion that removing slaves from the country to another location should be in place before freeing them.

"A correspondent asks us to republish from the *Courier* and *Enquirer* of the 3<sup>rd</sup> inst., our brief synopses of the Republican creed. We do so very cheerfully, placing our fifth article in italics, because it purports to be an individual opinion of our own, rather than the sentiments of the Republican Party. It affords us gratification to say, however, that what we put forth as an individual opinion is, in fact, the openly avowed sentiment of a very large majority of our Party.

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Fifth: The Negro in our judgment is physically, socially and morally in a better condition as a slave in most of the Slave States than he would be in a state of freedom; and therefore, as opposed as we are to the Institution, if the General Government possessed the power and the constitutional right to abolish slavery in the Slave States, we should earnestly protest against its abolition without first providing for the extradition of the freeman beyond the limits of the United States." <sup>9</sup>

Slaves were expensive and this investment was a prominent barrier to peacefully resolving the slave issue. How much would it cost to reimburse slave holders for their slaves, even if there were a consensus as to where the slaves could be sent for resettlement? Slaves represented a significant part of the population of the country and the price of redemption would be extremely high. For example, the slaves just in the border state of Missouri were worth over 57 million dollars, an average of around \$550 per slave.<sup>10</sup> Using that price for the total number of slaves (3,851,801) in the United States in 1861 as reported by the *Liberty MO Tribune*, the cost for manumission would be around \$2.1 billion dollars. Using the high end of the range for slaves of \$1,800 per slave as reported by the *Liberty MO Tribune*, the cost would be \$6.9 billion

dollars. <sup>11</sup> Considering that the total federal budget for 1860 was around \$65 million dollars, there appeared to be no practical solution for reimbursing slave-owners for their slaves.

At the prices quoted per slave it was not hard to realize that slaveholders wanted their female slaves to have babies. The following is another article that appeared in the *Liberty MO Tribune*.



"R. P. Evans, Esq., informs us, that his father-in-law Andrew Gartin, Esq., of our county, has a Negro woman, who has given birth to *four* fine healthy "little niggers," in the period of *eleven months and four days*. A few more such and a man would soon become quite rich and comfortable. Were some of the great leaders of northern fanaticism to be brought into juxta-position with such elements of prosperity, we greatly doubt whether all their blatant sentimentality upon the terrible 'negro question' would not instantly evaporate, and in prospect of tangible gains, so easily and speedily realized, perhaps, Wm. H. Seward, <sup>12</sup> (New York U. S. Senator) himself, or old Horace Greeley, <sup>13</sup> (former New York U. S. Representative) would at once, determine to speculate rather largely in such species of chattel property. *Query*. Would even 'honest Abe Lincoln,' though President-elect of the United States, feel any conscientious scruples about the ownership of two or three such slaves, were he at liberty to purchase them, especially could he have them *free* gratis, as Paddy would say?" <sup>14</sup>

Because slaves were so valuable, finding escaped slaves and returning them to their masters was worth the effort required. For this reason, the adherence of the Free States to the Fugitive Slave Law was so important to the South, but the North despised the practice. To have a slaveholding owner from a slave state demand that

ordinary citizens of Free States help capture, hold and return a person of color to his estate was abhorrent to a people who did not believe in or own slaves.

"But to ask us to suffer our free territory to be made the hunting ground of the arrogant bullies of the slave interest; to be called out to play the blood-hound at their beck, and persecuted for disobedience, while we dare not pass over the line of a slave State for the most laudable purposes, is more than we either can or will stand." <sup>15</sup>

Furthermore, citizens attempting to help slaves escape were always subject to indictment.

"The Grand Jury of the United States District Court (<u>Chicago</u>) last evening found an indictment under the Fugitive Slave Law against eight citizens of Ottawa, Ill., for the rescue of an alleged slave in that city in October last."<sup>16</sup>

To combat the Fugitive Slave Law, many northern states had created nullifying laws (Personal Liberty Laws) that benefited the slaves; not the slaveholder. These laws ranged from fines and jail time for southern owners attempting to reclaim slaves to declaring an escaped slave free if in the state boundaries. Southern sympathizers declared these laws to be unconstitutional.

"There are many people who can easily see the mote in another's eye, but cannot find the beam in their own eye. Such are the Black Republicans. They make grievous complaints in advance of what they call Southern secession, but have not a word of condemnation for Northern NULLIFICATION, which has been openly committed by many of the States under their control. The following is a list of the nullifying States. We published this list several weeks since, but it may not be amiss at this time to reproduce it: Maine, Connecticut, New York, Rhode Island, New Hampshire, New Jersey, Wisconsin, Massachusetts, Michigan, Vermont, and Pennsylvania. States which deny the use of all public edifices in aid of the master are: Maine, Rhode Island, Michigan, Massachusetts, and Vermont.

States which provide defense to the fugitive are: Maine, New York, Wisconsin, Pennsylvania, Massachusetts, Michigan, and Vermont.

States which declare the the tingers off the hand of obliged to leave without if fugitives free, if brought by their masters into the State, are: Maine, Vermont, New Hampshire,

FUOITIVE SLAVE EXCITEMENT IN OHIO-SLAVE RE-MANDED-COLLISION BETWEEN U. S. OFFICRES AND THE PEOPLE.-Cincinnati, Sept. 23d.-On Thursday last the U. S. Marshal, with two Deputies and eight or ten men, went to Iberia, Morgan county, in this State, to arrest three slaves, who ran away from Germantown, Ky., about four months since. One was captured by the Marshal, and after an examination by the Commissioner, was remanded to the custody of his former master.

One of the Deputies in attempting to capture another negro was set upon by the crowd, who tore off his clothing and took away his warrant and money, and threatened to hang or shoot him, but after cropping his hair, they allowed him to depart without the negro. The other Deputy was fired upon while attempting to arrest a third negro, and returning the fire shot the fingers off the hand of one of the rioters, but was obliged to leave without the negro.

State that declares him free absolutely is New Hampshire.

The following are some of the penalties provided by statute against any Southern citizen who endeavors to reclaim his property as provided by the Constitution:

<u>State</u>	<u>Fine</u>	<b>Imprisonment</b>
Maine	\$1,000	5 years
Vermont	\$2,000	15 years
Massachusetts	\$5,000	5 years
Connecticut	\$5,000	5 years
Pennsylvania	\$1,000	3 months
Indiana	\$5,000	14 years
Michigan	\$1,000	10 years
Wisconsin	\$1,000	2 years
Iowa	\$1,000	5 years

It is worthy of remark in this connection that in some of these States, Wisconsin, Vermont, and perhaps others, so flagrantly violate are their acts of the plainest principles of the Constitution, that their own Supreme Courts have declared them unconstitutional and therefore null and void."<sup>17</sup>

As an example of the Personal Liberty Laws that the South hated, there was the Lemmon Slave Case of 1852. In this case, a Virginia slaveholder, Jonathon Lemon and his wife Juliet were attempting to immigrate to Texas with two slave families they owned. They spent the night in a hotel in New York, while their slaves were put in a boarding house. A free Negro of New York discovered the presence of the slaves and requested that they be freed based upon an 1817 New York state law that stated no person held as a slave could be brought into the state under any pretense and if so, would be freed. Because the slaves were not fugitives, New York also argued that the Fugitive Slave Act of 1850 did not apply. Eventually the Court of Appeals sided with New York against Virginia.

"The Albany papers inform us that this famous case (THE LEMON SLAVE CASE), involving the right of a slaveholder to pass through New York with his slaves, was decided the other day against the right. The facts on which the case was based, occurred several years ago, when Mr. Lemon, a citizen of Virginia, on his way to Texas, passing through New York, had his slaves taken from him by habeas corpus and set at liberty, on the ground that there was no law by which slaves, voluntarily brought into the State, could be held to service. - The State of Virginia brought suit for the value of the slaves, to test the question in the highest courts. The case was conducted through various courts to the Court of Appeals, which, on Friday decided against the State of Virginia..." <sup>18</sup>

The U.S. Constitution made no mention of the color of the skin regarding people of indenture, so it was left to the courts to decide what degree of Negro blood was required to qualify as a slave.

The court of Virginia defined a non-Negro as having no more than one-eighth black blood.

"At the recent session of the county court two men of mixed blood appeared before the court, and having proved themselves, to be octoroons, or possessing but one-eighth of Negro blood, asked the court to certify that they were no Negroes. The court having heard the evidence, granted the certificate asked for. The object of this process is to release the parties applying from the obligations and penalties attached to free Negroes by the laws of the commonwealth. - The application was founded upon the following section of the Code of Virginia:

'The court of any county or corporation, upon satisfactory proof, by a white person of the fact, may grant to any free person of mixed blood, resident therein, a certificate that he is not a Negro; which certificate shall protect such person against the penalties and disabilities to which free Negroes are subject as such.'

This is, we believe, the first application for the benefit of this provision of the State law ever made in this county." <sup>19</sup>

Then there was the issue of free Negroes: blacks who had either paid for their freedom or had been freed by their masters. <sup>A</sup> They lived in a state of quasi-freedom, not having the rights of white people, but not being slaves either and in the South, they were always subject to a return to slavery.

"The Alabama Legislature in the superabundance of fraternal love for the Negro passed a law *allowing* free Negroes to choose masters and go into Slavery."<sup>20</sup>

The North barely tolerated free Negroes and in Indiana, there was an attempt to forcibly keep them out of the state and expel those who already lived there.

"The following handbill has been posted at Evansville, Indiana:

NOTICE TO FREE NEGROES - The laws of Indiana provide that after a certain date no free Negroes shall immigrate to this State. Other cities and towns in Indiana are expelling the Negroes from among them, and owing to the laxity exhibited by our authorities and citizens generally, Evansville is being over-run and cursed by the worst class of this lazy, worthless, drunken and thieving race and to such an extent that those who have suffered from their bad conduct are resolved to suffer no longer, and will take the law in their own hands. This notice is therefore given that at the end of five days from the date hereof every Negro of either sex who is not by law entitled to a

<sup>&</sup>lt;sup>A</sup> The "free" Negro was subjected to many laws that did not apply to white people, such as the inability to vote, to attend school in many cases, to possess firearms, they could not be on a jury or testify against whites and in some cases and had to register in the county in which they resided.

residence among us must not be found in the city else he will be dealt with in a summary manner by

THE VIGILANCE COMMITTEE Evansville, Indiana, Aug 28, '60''<sup>21</sup>

The Border States as represented by this article from the *Petersburg Virginia Express*, put them back on the auction block, if only temporarily, for the purpose of paying unpaid taxes.

"On Thursday in front of the Court House, eleven hundred and ninety-three free Negroes will be offered for sale, for a sufficient time to enable them by their allowance per diem to pay their taxes. Some of these Negroes are indebted as much as \$25 to the city, and as they generally sell for ten cents a day their value will no doubt be made out of them. All of them are lazy rascals, showing conclusively that their freedom is a drawback upon them and proving how worthless is the race if unguided by the hand of a white man. The sale commences at 10 o'clock."<sup>22</sup>

However, there were exceptions. Supreme Court Justice John Catron, <sup>23</sup> questioned the Tennessee papers about a bill in the Tennessee legislature that would drive free Negroes out of the state and make slaves out of their children.

"A bill is pending before the Tennessee Legislature, aimed against free Negroes' designing to either drive them from the State, or enslave them. Justice Catron, of the Supreme Court of the United States, has written to the *Nashville Union and American* the following letter, protesting against the passage of this infamous bill:

'To the Editor of the Union and American;

Dear Sir: I have for several weeks' past been anxiously waiting to hear what the views of your leading journals were on the bill pending before our Legislature, proposing to enslave, or drive from the State, the free colored population now amongst us. It provides that these persons shall be seized and sold, if found here after the first day of May next, if they are adults - and that the children shall be bound out, etc.; the adults are allowed to emigrate to Africa, in which case some slight aid is to be furnished by the State, to assist in their transportation; or, secondly, they may seek a master and go into slavery.

#### Watching the House Divide

Now, who are these people! There is not one in one hundred of them, to say the least, that ever has been a slave. Usually, their mothers, grandmothers, or great-grand-mothers, were slaves, who were emancipated by masters for meritorious services, or from benevolent motives, by the courts of justice, and according to law. *They all have a vested right to freedom by the judgments and decrees of courts.* Under our Constitution of 1806, the free colored men voted at the polls. That the old Constitution extended to them, and protected their rights to a certain extent, is free from doubt.

My objection to the bill is that it proposes to commit an outrage, to perpetuate an oppression and cruelty. This is the plain truth, and it is idle to mince words to soften the fact. Let us look the proposition boldly in the face. This depressed and helpless portion of our population is designed to be driven out, or to be enslaved for life, and their property forfeited, so no slave can hold property. The mothers are to be sold, or driven away from their children, many of them infants. The children are to be bound out until they are twenty-one years of age, and then to leave the State or be sold which means, that they are to be made slaves for life, in fact."<sup>24</sup>

Also complicating matters was that some states had already accepted Negroes as citizens and at least in Ohio, some Negroes were allowed to vote. It was also discovered that Vice-President Richard M. Johnson in the Martin Van Buren administration was married to a Negro, which could have led to the first black "first-lady."

"The Democracy of Illinois is pretty much bankrupted for arguments, but they have one last resource when everything else fails - everlasting "Negro equality." Of course, there will be no 'nigger equality' where there are no 'niggers....'

•••

In the State of Maine, the Negro is a citizen.

•••

In the State of New Hampshire Negros are citizens.

• • •

In the State of Massachusetts, Negros are citizens.

• • •

In the State of New York all colored persons who own \$250 worth of property are allowed to vote.

•••

In the State of Ohio persons of less than one-half Negro blood are allowed to vote.

• • •

Some years ago, the Legislator of Wisconsin provided for a popular vote on the question of allowing Negroes to vote at all elections, the same as white people.

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Here are five States which have introduced equality into their laws and constitutions, and a sixth where they proposed to do so, though the people failed to ratify, the preposition. And not only so, but the Democracy of the United States elevated to the Presidency one of the champions of the doctrine (Martin Van Buren), <sup>25</sup> (former U. S. President) and to the Vice Presidency a person who was actually married to a colored woman (Richard M. Johnson of Kentucky), <sup>26</sup> and who, in the event of the Presidents death, would have been mistress of the White House. Quite likely she would have lent grace to the Presidential levees. Quite likely she would have received the foreign Ambassadors with dignity and suavity; we have always heard her spoken of as an accomplished lady. But oh, what a comment on the Democracy and Negro equality!" <sup>27</sup>

Generally, Negroes were considered far inferior to the white race and that attitude also prevented an easy solution to resolving the slavery issue. The slave-holders often used the Bible to point out that God had put the black race on earth for the distinct purpose of slavery. The book of Genesis in the Bible was quoted as proof that Negroes were descended from Ham which made them inferior.

#### Watching the House Divide

"The New Orleans police recently descended on a Negro assembly in the midst of a religious ceremony. Naked Negro women were performing a dance around a cauldron of water in which was a great serpent. The incantation was for the very delivery of colored person from prison. The interference of the police destroyed the charm. Shocking as this performance is, it furnishes a connecting link in the trace of the descent of the Negro race from Ham. The prominent part ascribed to the serpent in original theology, in fixing the fate of mankind, by the seduction of Eve, and in its

use by Moses as a sacred emblem for healing the Israelites, is still retained by

Mamma,' said a promising youth of four summers, 'if all the people are made of dust; ain't niggers made of coal dust!"

these disinherited children of the patriarchs. It is affecting to see that, although outcasts from their brethren on account of the barefaced sin of their ancestor, in all their degradation, they still retain vestiges of the divine dealings with the first created man."  $^{28}$ 

Canada was a non-slave holding country and many of the escaped slaves settled there. However, there were reports that even in Canada freed slaves were a nuisance and had as such, captured the attention of the Canadian government.

"The number of runaway Negroes now in Canada is estimated at twenty-four thousand. They are universally considered a nuisance there - are an idle, thieving set, and no respectable whites can live within miles of them. The attention of Parliament has been called to the matter."<sup>29</sup>

There was always a concern about mixing the races. The following are a few of the stories presented to the reader.

"In Richmond, Va. Marion F. Barbier a white man, has been put under bonds in \$300 for sending to a female slave a letter, in which he states that he loves her devotedly and thinks of her all day and dreams about her all night. Therefore, he begs her to come to Richmond, and fly to the North." <sup>30</sup>

"Dr. Stout, Member of the Legislature from Monroe County has given notice of a bill to prohibit "bleaching" by intermarriage of whites with black." <sup>31</sup>

"A grand amalgamation ball came off on Thursday evening at the Assembly Rooms, on Prince Street, composed entirely of black men and white women; no white man or black woman was admitted. The (<u>N. Y.</u>) Daily News says:

'The room was tastefully decorated with banners, flags, etc., and portraits of celebrated Abolitionists, conspicuous among the number being a beautiful colored photograph of John Brown, <sup>32</sup> surrounded by a wreath of laurel. At 1 o'clock the festivities were brought to a close by the arrival of Broadway gamblers and shoulder-hitters with bags of flour and soot concealed about their persons. They commenced by throwing the flour over the black men, and the soot on the white women. At this juncture the lights were extinguished, and then commenced a scene which beggars' description." <sup>33</sup>

In the South it could be dangerous to air any views that could be interpreted as anti-slavery. As shown in the following letter, a person viewed as having prejudice against slavery was unwelcome and subject to threat or death.

"The Lafayette IN Courier has published a letter from a Mr. Hoover, who seven years ago, purchased 800 acres of land in northwestern Texas, and settled there with his family. He says:

I attend to my own business, working on my farm, and hiring white men exclusively assist me in my labor. This was noticed by friends of the slave oligarchy, and I was asked by some of them if I never hired Negroes to work for me. I told them that when I lived in Missouri, I had hired Negroes to work for me, but had never done so in Texas. They asked me the reason, I told them that I preferred hiring white men for two reasons; First, because I could hire them cheaper; secondly, because I could get a great deal more work out of them than I could out of Negroes. They asked my opinion in regard to Slavery. I answered frankly that I thought it was wrong but that it was a matter I did not wish to meddle with – the laws of the State tolerated Slavery, and I felt no disposition to rebel against the laws of my adopted state; that while I was opposed to the further extension of Slavery, and to the re-opening of the slave trade, I was equally opposed to meddling with it in the States where it already

existed by law. It was whispered around the neighborhood that I was a "Black Republican," and a "Methodist, North," meaning of the northern Conference.

At the Presidential election, four year ago, myself and another man in the neighborhood voted for (John) Fremont. <sup>34</sup> The fat was then in the fire. Whispers gave way to audible curses, and I was openly denounced as a 'd--m--d Abolitionist'...

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My nephew heard them plotting a mob to lynch me, or in less classic phrase, to "black-jack" me, which simply meant to tie my arms round a rough black-jack tree, strip me, and whip me with raw-hide as long as they pleased... A few days were generally given after the "black-jack" ordeal, for the obnoxious individual to leave the State. If they refused to go after being warned, they were hung without judge or jury.

A few months ago, I was compelled to fly from my Texas home and family, to save my life from being sacrificed by a brutal mob, simply because I believed that Slavery was wrong."<sup>35</sup>

During the election, another issue was highlighted; the issues of slave labor versus free labor, referenced as the "irrepressible conflict," a term coined by Senator William Seward in an 1858 speech predicting the collision of the socioeconomic institutions of the North and South. The following article referenced the 'Bleeding Kansas' conflict.

"From the hour that the price of raw cotton jumped up from six to sixteen cents a pound, in the year 1832, there arose a sectional strife between the dual forms of labor, in the Territories of the United States, the voluntary and the forced, or rather the free and the slave, that now promises to be finally composed.

The reader will run his memory back to the various events that have marked the career of this internecine strife, until he comes down to the Kansas struggle, and he will find it always turned upon the point, which form of labor should prevail in the Territories of the Union! In other words, there has been an "irrepressible conflict" between free and slave labor in the Territories, a dualism of labor..." <sup>36</sup>

The Vice-Presidential running mate of Andrew Douglas was an avowed slavery man who openly supported slavery and made a speech stating that "free" workers

were actually "owned" by their employers. This angered the North as shown in the coverage of his speech and commented upon by the *Belmont OH Chronicle*.

"In his speech at Pittsburgh, on Saturday night, Sept. 22, H. V. Johnson, <sup>37</sup> (former Georgia Governor) Douglas' candidate for the Vice Presidency, openly insulted the Mechanics and Laboring Men in the North. He denounced them as slaves, as 'men owned by their employers,' varying his favorite theory that 'capital should own labor,' by asserting that 'capital does own it.'

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Here it is in its very essence - 'Capital should own labor.' It is 'labor' that capital should own, bear in mind; not Africans, nor Indians, nor Mexicans - but the 'class of men who get their living by the sweat of their brow' - there is no distinction, but all are included. It is not the 'class that controls and directs the capital of the country' - it is not the owner of the cotton factory, the machine shop, the furnace, the foundry, the publishing house; but it is those who are in their employ (the mechanic, the machinist, the weaver, the printer) that the Democratic candidate for the Vice Presidency declares should be 'owned' by those who 'control and direct the capital of the country." <sup>38</sup>

THE SLAVERY ISSUE was **THE** central issue that compounded all other facets of law-making that affected both the North and the South.

It affected territorial expansion because the territories were held by the Federal Government and the slave-holding states were adamant that slaves should be allowed in a territory while the Free States were just as adamant that they should not be allowed there.

It affected fugitive slaves. The fugitive slave law was written in the Constitution but held in contempt by the Free States because of strongly held beliefs that forcing humans back into slavery was wrong; causing them to create personal liberty laws that attempted to circumvent both the ownership and/or capture of a slave. Even when George Washington was President and the country's capital was in Philadelphia; Pennsylvania had a personal liberty law that freed the slave if the slave resided in the state for more than six months. Washington was forced to return his slaves' home periodically to prevent them from gaining their freedom.

It affected the entrance of new states into the Union. New states brought new Senators into Congress and the fight for slavery was integral to the balance of slaveholding and non-slave-holding senators.

Simply put, the slavery issue was the flaw in the foundation that the founders created with the Declaration of Independence in 1776. <sup>B</sup> Thomas Jefferson recognized the flaw and attempted to circumvent it but was overridden by both the slave-holding delegates and northern commercial interests supporting the Trans-Atlantic slave trade. This flaw manifested itself time-after-time during the 84 years between the Declaration of Independence and the Civil War and each time Congress attempted to mollify it, to no avail. Eventually, it was the flaw that brought the house down.

By 1860, the divisions had reached critical mass and were becoming impossible to resolve.

<sup>&</sup>lt;sup>B</sup> The Declaration of Independence submitted by Jefferson to the Continental Congress delegates contained a statement attacking slavery. This statement was eventually removed from the final document.

## Chapter 13

## **Results of the Election - Aftermath**

November, 1860 - January, 1861

Memphis Daily Appeal - December 7, 1860 "Two men were hung in Coryell County (<u>Texas</u>), on the 7<sup>th</sup>, for voting for Lincoln and Hamlin."

#### Shock, Doubt and Gloom

s Lincoln's election became a fixed fact, there were myriad reactions, including shock, doubt, frustration, anger and consternation but also sometimes hope. Everyone had an opinion about what was to be done and rumors abounded about what was to happen.

The first reaction was dread and dismay. How had the country reached this point in its search for solutions to the problems created by slavery? Would the slave-holding states carry through on their threat to secede? This reaction was manifested in various ways.

The Border States expressed dismay and anxiety at the prospect of the "Black" Republican taking office. The *Liberty MO Tribune* began by stating that "Sufficient returns have been received of the recent elections to warrant us in stating that Abraham Lincoln, of Illinois, and Hannibal Hamlin, of Maine, have been chosen President and Vice President of the United States, for four years from the 4<sup>th</sup> day of March next. It is a painful announcement for us to make; not that these men are, personally, so objectionable, but the doctrines of the party which nominated them is the point of objection." <sup>220</sup>

The *Louisville KY Journal* printed that "we have prayed fervently against this event, and we have worked against it with every energy in our nature strained to the utmost; its occurrence fills us with sorrow and anxiety," <sup>221</sup> while the *Cincinnati OH Enquirer* followed up with this editorial:

"The people of the Northern States, by an apparently overwhelming mass, have rendered their verdict on an issue really made up, and, after full deliberation, that verdict says that they deny that fifteen States of the Union are entitled to equality in the Union, and the future policy of the Federal Government shall be based on active, deadly hostility to the south and her institutions. What the effect of that verdict, immediately or ultimately, we do not intend to prophesy.

We see in the immediate future gloom and storm and much to chill the heart of every patriot in the land. We can understand the effect that will be produced in every Southern mind when he reads the news this morning that he is now called on to decide for himself, children and family, and his children's children, whether he will submit tamely to the rule of one elected on account of his hostility to him and his, or whether he will make a struggle to defend his rights, his inheritance and his honor." <sup>222</sup>

Of course, the northern states were much more optimistic. After all, Lincoln was their chosen candidate and they were hopeful that he would work hard to placate the South. The *Philadelphia PA Press* expressed it this way:

"May not the very fact that Mr. Lincoln has been chosen by the Free States alone make him anxious to administer the Government in a spirit of conciliation and justice. It would be a noble mission if a man traduced as the foe of our Southern institutions should devote himself to the Christian task of assaulting their prejudices and disappointing their apprehensions. At all events let us hope for the best. Let the incoming Administration have a fair trial. If the new President shall do wrong the laws shall punish him, and if affirmed by the full purposes which have been attributed to him he shall make war upon any, even the smallest State, or essay to withhold or deny a single right to the humblest citizen, the same masses who have put him where he is will fetter his hands and consign him to an infamous oblivion." <sup>223</sup>

#### Watching the House Divide

The *Belmont OH Chronicle* tried to reason that the election was not a harbinger for despair. They noted that the election of 1800 had also instilled fear about the future of the country.

"The election of Mr. Jefferson as President in the year 1800 frightened many very worthy people. A correspondent of the *National Intelligencer*, who remember the excitement sixty years ago, says it was then contended that Mr. Jefferson's' election would dissolve the Union; our country would be overrun with paupers and criminals from other countries; our religion would be destroyed, our churches closed and Bibles burnt. None of that occurred. The writer adds – Mr. Jefferson proved to be one of our most popular Presidents, the rights of each State protected, no churches closed and no Bibles burnt. Such, I dare believe, will be the course of Mr. Lincoln and if I do not greatly err in my judgement, he will prove to be one of the safest and best Presidents we ever had." <sup>224</sup>

It was also pointed out that there were many ties that bound the country together, such as business, family and friendships. The *New York Herald* commented that regarding the South "the people of that section are bound to us by many ties besides those of business. We have exchanged hospitalities, received and returned courtesies with them. We are connected, some of us by blood and others by marriage, with southern families." <sup>225</sup>

The *St. Louis MO News* went so far as to predict that even if a split occurred, the country would not be much worse off than it was anticipating it and that no one had the means to prevent it, should it occur.

"In the first place we hold that if Disunion should positively take place, it could do little more harm to the country than the *apprehension* of it already is doing. Indeed, many persons think that the reality would not be as hurtful as the fear that now prevails.

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We have anticipated the evil - made ourselves miserable over it - and cannot be much if any worse off whether it happens or not; though of course everyone prays sincerely to have the dark shadow removed from our country, and the "glorious Union" gallantly preserved.

But next as to Disunion itself - can Mr. Buchanan, or Mr. Lincoln, or anybody, or any power prevent it, if the Southern States desire it? We answer *no*. If the Southern States mean to secede, they will do so, and no civil war follows, no blood will flow. How can it be otherwise? Suppose that South Carolina announces her withdrawal from the Union, and declines any longer to obey the Federal laws - will Mr. Lincoln send the U. S. Army there to coerce her? The army is only 20,000 strong, and the regiments are scattered from Maine to Arizona and from Florida to Washington Territory. And they could not be spared from the posts they occupy. But suppose that the U. S. Army could be concentrated on South Carolina – what would or could 20,000 men do with a Sovereign State? Probably one half of the officers would be Southern men, and resign when they reach the South, and disband their force rather than bear arms against their brothers.

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Upon the whole, we are well assured that no *fighting* can possibly be done on account of the secession of any one or more States. Mr. Lincoln can get nobody to fight the South for him, and no law to make them fight for him, and no money to arm, equip, and forward them..."<sup>226</sup>

And the foreign press weighed in; the *London Times* editorialized that upon further consideration of the facts involved with that step, the South would not secede.

"But when the cooler heads of the South begin to consider how imaginary is the injury which they have sustained, how vast are the interests involved, how heavy would be the cost, how considerable the danger of disunion, and how impossible it would be for the Southern States to maintain in the force of the world the strong position they now hold as members of the great American Confederacy, we suspect that the South will think better of it, and turn its activity into the more practical channel of providing Mr. Lincoln with a Democratic successor in 1864."<sup>227</sup> But the South was not buying any of it. To most southerners, Lincoln's election was sufficient justification for leaving the Union. The Republican Party was perceived as an extension of the abolitionist philosophy, and because it would now occupy the Presidential seat and a large number of Congressional seats, there was a general feeling that the fight over slavery and all of its manifestations, especially the extension of slavery into the territories were no longer winnable at the federal level.

"Lincoln is elected and great excitement must prevail throughout the Southern States. — South Carolina is reported to have renounced their allegiance to the Union. North Carolina is arming. Virginia anticipates another raid. — Tennessee is organizing minute men. And in fine, all the Southern States give evidence of great disappointment, dissatisfaction and revolutionary tendencies." <sup>228</sup>

"A sectional party, united upon a single principle, and that of opposition to the Constitutional rights of fifteen States of the Union, has succeeded in electing Abraham Lincoln, of Illinois, President, and Hannibal Hamlin, of Maine, Vice President of the United States. It is true, these men have been elected according to the forms of the Constitution; but it is the first time in

A gentleman of Chicago, direct from New Orleans, where he has been spending a short time for commercial purposes, tells us that we of the North can form no adequate idea of the blind, unreasoning passion and insensate fury by which the people of that city and the extreme South are animated. They are for instant and unconditional dissolution of the Union, at any price, and at all hazards. They want no compromises, no concessions, no bargains, no amendments of the Constitution. They are for a Southern Confederacy—nothing less. There is, he tells us, a conservative class, but they are borne along with the crowd, and dare not yet lift a voice in remonstrance against the extreme measures upon which the populace are bent; nor do they hope that anything like reason will again rule the hour until some fatal act is committed which will separate the Cotton States from the Union, and perhaps plunge the country into civil war. Of course, in the midst

the history of the Government, that any party has succeeded in electing their candidates upon an issue that involved *the rights of property* existing, according to the Constitution, in nearly one half of the States. This is the reason, and the *only* reason, why there is so much dread and fear in the public mind concerning Mr. Lincoln."<sup>229</sup>

And the N. Y. Day Book editorialized that by the time Lincoln was to be inaugurated, the United States would essentially be comprised of the slave-holding states and such northern states that supported them.

"From present appearances the chances seem about even that *Mr. Abraham Lincoln will never go to Washington*, for by the 4<sup>th</sup> of March if things go on at the rate, they

have been going for the past few weeks, *all the Southern States*, except possibly one will have declared they will not acknowledge any anti-slavery government. The South will then be *the* United States, with all the glorious associations of Washington, Jefferson and Madison, and then, too, such northern States as will acknowledge the interpretation of the constitution as our fathers made it, can and will doubtless join them, while Massachusetts, Vermont and other nullifying States will be *turned out* of the Union, as they ought to have been long since."<sup>230</sup>

There were all sorts of conjecture about what a pending dissolution would look like. Although the southern states were the ones to threaten dissolution, there were other ideas of what a divided nation may actually look like. Would other states decide to realign themselves into other blocks more to their interests?

"The *Philadelphia PA Pennsylvanian* is in a tearing passion over the result of the election, and says that the fifteen Slave States must say 'whether the Union shall continue, or whether by secession this confederacy of thirty-three States shall be he reduced to eighteen.' That is the first step; and then the *Pennsylvanian* has another, which is that "it will have to be he determined whether the Middle States will consent to remain in association with the New England States, and whether the empire of the Northwest will remain as it is, or set up for itself."<sup>231</sup>

The *Joliet IL Signal* asked: "Should the compact which holds the States together be irremediably broken, no doubt our confederacy would be divided into several parts. Each section would unite in accordance with the requirements of interest and sympathy.

Among the propositions suggested, in the event of the appalling calamity coming upon us in all its devastating force, is one for the formation of a republic of the States, of the West and the Southwest, including the entire valley of the Mississippi. (<u>River</u>) This proposition is ably and favorably discussed by a writer in the *Chicago Times*, and is deserving of serious consideration in the present alarming condition of national affairs.

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However, it must be admitted that a Republic formed of the States of Louisiana, Texas, Arkansas, Tennessee, Kentucky, Ohio, Indiana, Missouri, Iowa, Minnesota, Wisconsin, and Michigan, connected, as they are, by their vast thoroughfares of commerce and identity of interests, would sway the scepter of the Western continent." <sup>232</sup>

Less than two weeks after the election, it started to become apparent that in order to keep the slave-holding states in the Union, the North would have to acquiesce to the South in some manner. But it was warned, even concessions such as Constitutional amendments might not be enough to maintain the Union.

"If the Union is maintained, it must be maintained by force of public opinion. Coercion is impossible. The people of the North will never take arms against their brethren of the South.

The Republican newspapers and the Republican leaders must recede from their menacing tone against the South. There must be conciliation for the sake of the Union. Fanaticism and folly must be put down, and the North must show the South that they respect them as brothers, and do not regard their complaints as mere gasconade and bravado. The people must speak in tones of friendship and fraternal amity. It is by this alone that revolution and ruin of the great interests of the country can be prevented." <sup>233</sup>

The *New York World*, stated unequivocally that "any amendment to the Constitution is impracticable which would make greater concessions to the slaveholding interest than are made by the compact as it stands. If, then, the South will not be satisfied with a frank concession of all the rights granted by the Constitution, the continuance of the Union is impossible." <sup>234</sup>

And if secession happened, because both sides could find no agreement for reconciliation, there were predictions of what a Civil War would look like.

"Ultra and extreme men constitute the greatest draw-back incident to a free government. They have brought these, hitherto, United States to their present perilous condition; and, if permitted to have their way much longer, our land will be drenched in blood; the sun of liberty go down forever; and the iron heel of despotism firmly planted on the necks of the people."<sup>235</sup>

The New Orleans Commercial Bulletin "declares that a breaking up of the Union would not only cause the ships to rot at the levee, and bankruptcy and ruin to follow in the train of disasters, but real estate of N. Orleans would not be worth twenty-five cents on the dollar to what it now is, cotton would go down to such a figure that it would not pay to cultivate it, and the pall of general stagnation, the wings of a dreary desolation, would rest upon the land torn by internal dissensions, and drenched in civil and fraternal blood. Mexico (Mexican-American War) is but a faint picture of what our condition would be upon a gigantic scale."<sup>236</sup>

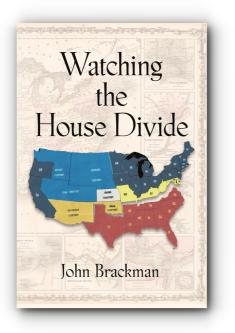
And there were actual ramifications that were being felt because of the election. Both the North and South were feeling the effects of lost commerce between the two sections of the country. The *New York Herald* and the *Liberty MO Tribune* both commented on the problems of the poor.

"It is now only a month since the Presidential election, and we find that its evil effects have begun to tell severely upon the poor in all the large cities. The fact is that the increase in the price of provisions and in-house rent has been much greater than the rise in the wages of mechanics and laborers, so that in the best of times they have very hard work to make both ends meet. Very few of them lay by anything, and those who have a small balance in bank are forced to withdraw it when their employment ceases. Thus, when hard times come, as many as fifty thousand men, women and children are thrown upon public or private charity for support. We fear that this winter will be even worse for the poor than those of 1854 and 1857. The prospect is a most gloomy one. The business of the country has come to a standstill. The Cotton States have assumed an attitude from which they cannot at present withdraw. Mr. Seward's irrepressible conflict between free and slave labor has commenced, and free labor is so far the sufferer." <sup>237</sup>

"The scarcity of provisions, in Alabama is so great that petitions have been circulated asking the Legislature to make appropriations to prevent the poor from starvation. Some of these petitions ask that the \$200,000, appropriated last winter to purchase arms and munitions of war with which to 'precipitate a revolution' in case of the election of Lincoln, be directed to the more peaceful purpose of buying something for the starving citizens and their wives and children to eat. .... They think it very

probable that they will never have much use for muskets with which to fight Uncle Sam, and have a shrewd suspicion that it would be a losing game any way, but they know very well that they must have the bread and meat." <sup>238</sup>

ALL OF THE SPECULATION failed to deter the course of action of one state: South Carolina.



January 1860 through April 1861 will prove to be momentous for the country. The Democrat Party will split in two, a new President will have been elected that does not support slavery expansion into the territories and one state will have created a Constitutional crisis by seceding from the Union. And the local newspapers cover the house dividing.

# WATCHING THE HOUSE DIVIDE by JOHN BRACKMAN

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