

**HORACE**

**WHITE**

THE LIFE OF

LYMAN

TRUMBULL

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**The Life of Lyman Trumbull**

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# Horace White

## The Life of Lyman Trumbull

### PREFACE

A few years since, the widow of Lyman Trumbull requested me to write a biography of her husband, who was United States Senator from Illinois during the three senatorial terms 1855-1873, or to recommend some suitable person for the task. It had been a cause of surprise and regret to me that the name of Trumbull had not yet found a place in the swelling flood of biographical literature that embraces the Civil War period. Everybody, North or South, who stood on the same elevation with him, everybody who exercised influence and filled the public eye in equal measure with him, had found his niche in the libraries of the nation, and such place in the hearts of the people as his merits warranted. Trumbull alone had been neglected. I reflected upon the matter and came to the conclusion that, although better writers than myself could be found for this kind of work, no one was likely to be found who had been more intimate with him during his whole senatorial career, or who had warmer sympathy for his aims or higher admiration for his abilities and character. I reflected also that very soon there would be no person living possessing these special qualifications. Accordingly I decided to undertake the work.

Mrs. Trumbull placed in my hands several thousand letters received by Trumbull, and a few written by him, during his public career. All these have been examined by me, and they are now in the Library of Congress. He was not in the habit of keeping copies of letters written by himself unless he deemed them important, and such copies were generally written out by his own hand, not taken in a copying-press. Other letters written by him have been sought with varying success in the hands of his correspondents, or their heirs, in various parts of the country, but nothing has been found in this way that can be considered of much importance.

During the Reconstruction era I had sustained the policy of Congress in opposition to that of Andrew Johnson, but had revolted at the carpetbagery and misgovernment which had ensued, and had abhorred the "Ku-Klux" bills and "Force" bills which the Union party for a long time continued to enact or threaten. I was not quite prepared to find, however, upon going over the whole ground again, that I had been wrong from the beginning, and that Andrew Johnson's policy, which was Lincoln's policy, was the true one, and ought never to have been departed from. This is the conclusion to which I have come, after much study, in the evening of a long life. This does not mean that all of the doings and sayings of President Johnson were wise and good, but that I believe him to have been an honest man, a true patriot, and a worthy successor of Lincoln whose Reconstruction policy he followed. Lincoln himself could not have carried that policy into effect without a fight, and many persons familiar with the temper of the time think that even he would have failed. All that we can now affirm is that he was armed with the prestige of victory and the confidence of the North, and hence would have been better prepared than Johnson was for meeting the difficulties that sprang up at the end of the war. It must be admitted, however, that Johnson honestly aimed to carry out that policy, both because it was Lincoln's and because he himself, after careful consideration, esteemed it sound.

I acknowledge my indebtedness to the *Diary of Gideon Welles*, which I regard as the most important contribution to the history of the period of which it treats that has yet been given to the public. The history of Mr. James Ford Rhodes I have found to be an invaluable guide, as to both facts and judgments of men and things. I am indebted to Professor William A. Dunning, of Columbia University, for valuable suggestions, criticism, and encouragement, as well as for the assistance derived from his admired writings on Reconstruction. Miss Katherine Mayo has lightened my labors greatly by her intelligent and indefatigable search of old letters and newspaper files and

by interviews with persons still living. My gratitude is due also to the late William H. Lambert, of Philadelphia, for giving me access to his collection of manuscript correspondence that passed between Lincoln and Trumbull prior to the inauguration of the former as President; also to Dr. William Jayne, of Springfield, Illinois, to Hon. J. H. Roberts, of Chicago, to the wife of Walter Trumbull (now Mrs. L. C. Pardee, of Chicago), and to Mrs. Mary Ingraham Trumbull, of Saybrook Point, Connecticut.

H. W.

## INTRODUCTION

Events in the year 1854 brought into the field of national politics two members of the bar of southern Illinois who were destined to hold high places in the public councils—Abraham Lincoln and Lyman Trumbull. They were members of opposing parties, Lincoln a Whig, Trumbull a Democrat. Both were supporters of the compromise measures of 1850. These measures had been accepted by the great majority of the people, not as wholly satisfactory, but as preferable to never-ending turmoil on the slavery question. There had been a subsidence of anti-slavery propagandism in the North, following the Free Soil campaign of 1848. Hale and Julian received fewer votes in 1852 than Van Buren and Adams had received in the previous election. Franklin Pierce (Democrat) had been elected President of the United States by so large a majority that the Whig party was practically killed. President Pierce in his first message to Congress had alluded to the quieting of sectional agitation and had said: "That this repose is to suffer no shock during my official term, if I have the power to avert it, those who placed me here may be assured." Doubtless the Civil War would have come, even if Pierce had kept his promise instead of breaking it; for, as Lincoln said a little later: "A house divided against itself cannot stand."

It was not at variance with itself on the slavery question solely. In fact, the North did not take up arms against slavery when the crisis came. A few men foresaw that a war raging around that institution would somehow and sometime give it its death-blow, but at the beginning the Northern soldiers marched with no intention of that kind. They had an eye single to the preservation of the Union. The uprising which followed the firing upon Fort Sumter was a passionate protest against the insult to the national flag. It betokened a fixed purpose to defend what the flag symbolized, and it was only slowly and hesitatingly that the abolition of slavery was admitted as a factor and potent issue in the Northern mind.

It is true that the South seceded in order to preserve and extend slavery, but it was penetrated with the belief that it had a perfect right to secede—not merely the right of revolution which our ancestors exercised in separating from Great Britain, but a right under the Constitution.

The states under the Confederation, during the Revolutionary period and later, were actually sovereign. The Articles of Confederation declared them to be so. When the Constitution was formed, the habit of state sovereignty was so strong that it was only with the greatest difficulty that its ratification by the requisite number of states could be obtained. John Quincy Adams said that it was "extorted from the grinding necessity of a reluctant people." The instrument itself provided a common tribunal (the Supreme Court) as arbiter for the decision of all disputed questions arising under the Constitution and laws of the United States. But it was not generally supposed that the jurisdiction of the court included the power to extinguish state sovereignty.<sup>1</sup>

The first division of political parties under the new government was the outgrowth of emotions stirred by the French Revolution. The Republicans of the period, led by Jefferson, were ardent

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<sup>1</sup> Mr. H. C. Lodge, in his *Life of Daniel Webster*, says, touching the debate with Hayne in 1830: "When the Constitution was adopted by the votes of states at Philadelphia, and accepted by the votes of states in popular conventions, it is safe to say that there was not a man in the country, from Washington and Hamilton, on the one side, to George Clinton and George Mason, on the other, who regarded the new system as anything but an experiment entered upon by the states, and from which each and every state had the right to peaceably withdraw, a right which was very likely to be exercised." Mr. Gaillard Hunt, author of the *Life of James Madison*, and editor of his writings, has published recently a confidential memorandum dated May 11, 1794, written by John Taylor of Caroline for Mr. Madison's information, giving an account of a long and solemn interview between himself and Rufus King and Oliver Ellsworth, in which the two latter affirmed that, by reason of differences of opinion between the East and the South, as to the scope and functions of government, the Union could not last long. Therefore they considered it best to have a dissolution at once, by mutual consent, rather than by a less desirable mode. Taylor, on the other hand, thought that the Union should be supported if possible, but if not possible he agreed that an amicable separation was preferable. Madison wrote at the bottom of this paper the words: "The language of K and E probably *in terrorem*," and laid it away so carefully that it never saw the light until the year 1905.

sympathizers with the uprising in France. The Federalists, who counted Washington, Hamilton, and John Adams as their representative men, were opposed to any connection with European strife, or to any fresh embroilment with England, growing out of it. The Alien and Sedition Laws were passed in order to suppress agitation tending to produce such embroilment. Jefferson met these laws with the "Resolutions of '98," which were adopted by the legislatures of Virginia and Kentucky. These resolutions affirmed the right of the separate states to judge of any infraction of the Constitution by the Federal Government and also of the mode and measure of redress—a claim which necessarily included the right to secede from the Union if milder measures failed. The Alien and Sedition Laws expired by their own limitation before any actual test of their validity took place.

The next assertion of the right of the states to nullify the acts of the Federal Government came from a more northern latitude as a consequence of the purchase of Louisiana. This act alarmed the New England States. The Federalists feared lest the acquisition of this vast domain should give the South a perpetual preponderance and control of the Government. Since there was no clause in the Constitution providing for the acquisition of new territory (as President Jefferson himself conceded), they affirmed that the Union was a partnership and that a new partner could not be taken in without the consent of all the old ones, and that the taking in of a new one without such consent would release the old ones.

Controversy on this theme was superseded a few years later by more acute sources of irritation—the Embargo and War of 1812. These events fell with great severity on the commerce of the Northern States, and led to the passage by the Massachusetts legislature of anti-Embargo resolutions, declaring that "when the national compact is violated and the citizens are oppressed by cruel and unauthorized law, this legislature is bound to interpose its power and wrest from the oppressor his victim." In this doctrine Daniel Webster concurred. In a speech in the House of Representatives, December 9, 1814, on the Conscription Bill, he said:

The operation of measures thus unconstitutional and illegal ought to be prevented by a resort to other measures which are both constitutional and legal. It will be the solemn duty of the State Governments to protect their own authority over their own militia and to interpose between their own citizens and arbitrary power.... With the same earnestness with which I now exhort you to forbear from these measures I shall exhort them to exercise their unquestionable right of providing for the security of their own liberties.<sup>2</sup>

The anti-Embargo resolutions were followed by the refusal of both Massachusetts and Connecticut to allow federal officers to take command of their militia and by the call for the Hartford Convention. The latter body recommended to the states represented in it the adoption of measures to protect their citizens against forcible drafts, conscriptions, or impressments not authorized by the Constitution—a phrase which certainly meant that the states were to judge of the constitutionality of the measures referred to. The conclusion of peace with Great Britain put an end to this crisis before it came to blows.

On February 26, 1833, Mr. Calhoun, following the Resolutions of '98, affirmed in the Senate the doctrine that the Government of the United States was a compact, by which the separate states delegated to it certain definite powers, reserving the rest; that whenever the general Government should assume the exercise of powers not so delegated, its acts would be void and of no effect; and that the said Government was not the sole judge of the powers delegated to it, but that, as in all other cases of compact among sovereign parties without any common judge, each had an equal right to

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<sup>2</sup> *Letters of Daniel Webster*, edited by C. W. Van Tyne, p. 67. Mr. Van Tyne says that Webster "here advocated a doctrine hardly distinguishable from nullification."

judge for itself, as well of the infraction as of the mode and measures of redress. This was the stand which South Carolina took in opposition to the Force Bill of President Jackson's administration.<sup>3</sup>

A state convention of South Carolina was called which passed an ordinance nullifying the tariff law of the United States and declaring that, if any attempt were made to collect customs duties under it by force, that state would consider herself absolved from all allegiance to the Union and would proceed at once to organize a separate government. President Jackson was determined to exercise force, and would have done so had not Congress, under the lead of Henry Clay, passed a compromise tariff bill which enabled South Carolina to repeal her ordinance and say that she had gained the substantial part of her contention.

Despite the later speeches of Webster, the doctrine of nullification had a new birth in Massachusetts in 1845, the note of discord having been called forth by the proposed admission of Texas into the Union. In that year the legislature passed and the governor approved resolutions declaring that the powers of Congress did not embrace a case of the admission of a foreign state or a foreign territory into the Union by an act of legislation and "such an act would have no binding power whatever on the people of Massachusetts." This was a fresh outcropping of the bitterness which had prevailed in the New England States against the acquisition of Louisiana.

Thus it appears that, although the Constitution did create courts to decide all disputes arising under it, the particularism which previously prevailed continued to exist. Nationalism was an aftergrowth proceeding from the habit into which the people fell of finding their common centre of gravity at Washington City, and of viewing it as the place where the American name and fame were embodied and emblazoned to the world. During the first half-century the North and the South were changing coats from time to time on the subject of state sovereignty, but meanwhile the Constitution itself was working silently and imperceptibly in the North to undermine particularism and to strengthen nationalism. It had accomplished its educational work in the early thirties when it found its complete expression in Webster's reply to Hayne. But the South believed just as firmly that Hayne was the victor in that contest, as the North believed that Webster was. Hayne's speech was not generally read in the North either then or later. It was not inferior, in the essential qualities of dignity, courtesy, legal lore, and oratorical force, to that of his great antagonist. Webster here met a foeman worthy of his steel.

In the South the pecuniary interests bottomed on slavery offset and neutralized the unifying process that was ripening in the North. The slavery question entered into the debate between Webster and Calhoun in 1833 sufficiently to show that it lay underneath the other questions discussed. Calhoun, in the speech referred to, reproached Forsyth, of Georgia, for dullness in not seeing how state rights and slavery were dovetailed together and how the latter depended on the former.

That African slavery was the most direful curse that ever afflicted any civilized country may now be safely affirmed. It had its beginning in our country in the year 1619 at Jamestown, Virginia, where a Dutch warship short of provisions exchanged fourteen negroes for a supply thereof. Slavery of both Indians and negroes already existed in the West Indies and was regarded with favor by the colonists and their home governments. It began in Massachusetts in 1637 as a consequence of hostilities with the aborigines, the slaves being captives taken in war. They were looked upon by the whites as heathen and were treated according to precedents found in the Old Testament for dealing with the enemies of Jehovah. In order that they might not escape from servitude they were sent to the West Indies to be exchanged for negroes, and this slave trade was not restricted to captives taken in war, but was applied to any red men who could be safely seized and shipped away.

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<sup>3</sup> Referring to this speech of Calhoun and to Webster's reply, Mr. Lodge says: "Whatever the people of the United States understood the Constitution to mean in 1789, there can be no question that a majority in 1833 regarded it as a fundamental law and not a compact,—an opinion which has now become universal. But it was quite another thing to argue that what the Constitution had come to mean was what it meant when it was adopted." See also Pendleton's *Life of Alexander H. Stephens*, chap. XI.

From these small beginnings slavery spread over all the colonies from Massachusetts to Georgia and lasted in all of them for a century and a half, i.e., until after the close of the Revolutionary War. Then it began to lose ground in the Northern States. Public sentiment turned against it in Massachusetts, but all attempts to abolish it there by act of the legislature failed. Its death-blow was given by a judicial decision in 1783 in a case where a master was prosecuted, convicted, and fined forty shillings for beating a slave.<sup>4</sup>

Public opinion sustained this judgment, although there had been no change in the law since the time when the Pequot Indians were sent by shiploads to the Bermudas to be exchanged for negroes. If masters could not punish their slaves in their discretion,—if slaves had any rights which white men were bound to respect,—slavery was virtually dead. No law could kill it more effectually.

In one way and another the emancipation movement extended southward to and including Pennsylvania in the later years of the eighteenth century. Nearly all the statesmen of the Revolution looked upon the institution with disfavor and desired its extinction. Thomas Jefferson favored gradual emancipation in Virginia, to be coupled with deportation of the emancipated blacks, because he feared trouble if the two races were placed upon an equality in the then slaveholding states. He labored to prevent the extension of slavery into the new territories, and he very nearly succeeded. In the year 1784 he reported an ordinance in the Congress of the Confederation to organize all the unoccupied territory, both north and south of the Ohio River, in ten subdivisions, in all of which slavery should be forever prohibited, and this ordinance failed of adoption by only one vote. Six states voted in the affirmative. Seven were necessary. Only one representative of New Jersey happened to be present, whereas two was the smallest number that could cast the vote of any state. If one other member from New Jersey had been there, the Jeffersonian ordinance of 1784 would have passed; slavery would have been restricted to the seaboard states which it then occupied, and would never have drawn the sword against the Union, and the Civil War would not have taken place.<sup>5</sup>

After the emancipation movement came to a pause, at the southern border of Pennsylvania, the fact became apparent that there was a dividing line between free states and slave states, and a feeling grew up in both sections that neither of them ought to acquire a preponderance of power and mastery over the other. The slavery question was not concerned with this dispute, but a habit grew up of admitting new states to the Union in pairs, in order to maintain a balance of power in the national Senate. Thus Kentucky and Vermont offset each other, then Tennessee and Ohio, then Louisiana and Indiana, then Mississippi and Illinois.

In 1819, Alabama, a new slave state, was admitted to the Union and there was no new free state to balance it. The Territory of Missouri, in which slavery existed, was applying for admission also. While Congress was considering the Missouri bill, Mr. Tallmadge, of New York, with a view of preserving the balance of power, offered an amendment providing for the gradual emancipation of slaves in the proposed state, and prohibiting the introduction of additional slaves. This amendment was adopted by the House by a sectional vote, nearly all the Northern members voting for it and the Southern ones against it, but it was rejected by the Senate.

In the following year the Missouri question came up afresh, and Senator Thomas, of Illinois, proposed, as a compromise, that Missouri should be admitted to the Union with slavery, but that in all the remaining territory north of 36 degrees and 30 minutes north latitude, slavery should be forever prohibited. This amendment was adopted in the Senate by 24 to 20, and in the House by 90 to 87. Of the affirmative votes in the House only fourteen were from the North, and nearly all of these fourteen members became so unpopular at home that they lost their seats in the next election. The Missouri

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<sup>4</sup> G. H. Moore's *History of Slavery in Massachusetts*, p. 215.

<sup>5</sup> Jefferson was cut to the heart by this failure. Commenting on an article entitled "États Unis" in the *Encyclopédie*, written by M. de Meusnier, referring to his proposed anti-slavery ordinance, he said: "The voice of a single individual of the State which was divided, or one of those which were of the negative, would have prevented this abominable crime from spreading itself over the new country. Thus we see the fate of millions unborn hanging on the tongue of one man, and Heaven was silent in that awful moment."

Compromise was generally considered a victory for the South, but one great Southerner considered it the death-knell of the Union. Thomas Jefferson was still living, at the age of seventy-seven. He saw what this sectional rift portended, and he wrote to John Holmes, one of his correspondents, under date of April 22, 1820:

This momentous question, like a fire-bell in the night, awakened me and filled me with terror. I considered it at once as the knell of the Union. It is hushed, indeed, for the moment. But this is a reprieve only, not a final sentence. A geographical line, coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated, and every new irritation will mark it deeper and deeper.

Nearly all of the emancipationists, during the decade following the adoption of the Compromise, were in the slaveholding states, since the evil had its seat there. The Colonization Society's headquarters were in Washington City. Its president, Bushrod Washington, was a Virginian, and James Madison, Henry Clay, and John Randolph, leading Southerners, were its active supporters. The only newspaper devoted specially to the cause (the *Genius of Universal Emancipation*), edited by Benjamin Lundy and William Lloyd Garrison, was published in the city of Baltimore. This paper was started in 1829, but it was short-lived. Mr. Garrison soon perceived that colonization, depending upon voluntary emancipation alone, would never bring slavery to an end, since emancipation was doubtful and sporadic, while the natural increase of slaves was certain and vastly greater than their possible deportation. For this reason he began to advocate emancipation without regard to colonization. This policy was so unpopular in Maryland and Virginia that his subscription list fell nearly to zero, and this compelled the discontinuance of the paper and his removal to another sphere of activity. He returned to his native state, Massachusetts, and there started another newspaper, entitled the *Liberator*, in 1831. The first anti-slavery crusade in the North thus had its beginning. It did not take the form of a political party. It was an agitation, an awakening of the public conscience. Its tocsin was immediate emancipation, as opposed to emancipation conditioned upon deportation.

The slaveholders were alarmed by this new movement at the North. They thought that it aimed to incite slave insurrection. The governor of South Carolina made it the subject of a special message. The legislature of Georgia passed and the governor signed resolutions offering a reward of \$5000 to anybody who would bring Mr. Garrison to that state to be tried for sedition. The mayor of Boston was urged by prominent men in the South to suppress the *Liberator*, although the paper was then so obscure at home that the mayor had never seen a copy of it, or even heard of its existence. The fact that there was any organized expression of anti-slavery thought anywhere was first made generally known at the North by the extreme irritation of the South; and when the temper of the latter became known, the vast majority of Northern people sided with their Southern brethren. They were opposed to anything which seemed likely to lead to slave insurrection or to a disruption of the Union. The abolitionist agitation seemed to be a provocation to both. Hence arose anger and mob violence against the abolitionists everywhere. This feeling took the shape of a common understanding not to countenance any discussion of the slavery question in any manner or anywhere. The execution of this tacit agreement fell for the most part into the hands of the disorderly element of society, but disapproval of the Garrisonian crusade was expressed by men of the highest character in the New England States, such as William Ellery Channing and Dr. Francis Wayland. The latter declined to receive the *Liberator*, when it was sent to him gratuitously.

What was going on in the South during the thirties and forties of the last century? There were varying shades of opinion and mixed motives and fluctuating political currents. In the first place cotton-growing had been made profitable by the invention of the cotton-gin. This machine for separating the seeds from the fibre of the cotton plant caused an industrial revolution in the world, and its moral consequences were no less sweeping. It changed the slaveholder's point of view of the whole

slavery question. The previously prevailing idea that slavery was morally wrong, and an evil to both master and slave, gradually gave way to the belief that it was beneficial to both, that it was an agency of civilization and a means of bringing the blessings of Christianity to the benighted African. This change of sentiment in the South, which became very marked in the early thirties, has been ascribed to the bad language of the abolitionists of the North. People said that the prime cause of the trouble was that Garrison and his followers did not speak easy. They were too vociferous. They used language calculated to make Southerners angry and to stir up slave insurrection. But how could anybody draw the line between different tones of voice and different forms of expression? Thomas Jefferson was not a speak-easy. He said that one hour of slavery was fraught with more misery than ages of that which led us to take up arms against Great Britain. If Garrison ever said anything more calculated to incite slaves to insurrection than that, I cannot recall it. On the other hand, Elijah Lovejoy, at Alton, Illinois, was a speak-easy. He did not use any violent language, but he was put to death by a mob for making preparations to publish a newspaper in which slavery should be discussed in a reasonable manner, if there was such a manner.

Nevertheless, the Garrisonian movement was erroneously interpreted at the South as an attempt to incite slave insurrection with the attendant horrors of rapine and bloodshed. There were no John Browns then, and Garrison himself was a non-resistant, but since insurrection was a possible consequence of agitation, the Southern people demanded that the agitation should be put down by force. As that could not be done in any lawful way, and since unlawful means were ineffective, they considered themselves under a constant threat of social upheaval and destruction. The repeated declaration of Northern statesmen that there never would be any outside interference with slavery in the states where it existed, did not have any quieting effect upon them. The fight over the Missouri Compromise had convinced them that the North would prevent, if possible, the extension of slavery to the new territories, and that this meant confining the institution to a given space, where it would be eventually smothered. It might last a long time in its then boundaries, but it would finally reach a limit where its existence would depend upon the forbearance of its enemies. Then the question which perplexed Thomas Jefferson would come up afresh: "What shall be done with the blacks?" Mr. Garrott Brown, of Alabama, a present-day writer of ability and candor, thinks that the underlying question in the minds of the Southern people in the forties and fifties of the last century was not chiefly slavery, but the presence of Africans in large numbers, whether bond or free. This included the slavery question as a dollar-and-cent proposition and something more. Mrs. Fanny Kemble Butler, who lived on a Georgia plantation in the thirties, said that the chief obstacle to emancipation was the fact that every able-bodied negro could be sold for a thousand dollars in the Charleston market. Both fear and cupidity were actively at work in the Southern mind.

In short, there was already an irrepressible conflict in our land, although nobody had yet used those words. There was a fixed opinion in the North that slavery was an evil which ought not to be extended and enlarged; that the same reasons existed for curtailing it as for stopping the African slave trade. There was a growing opinion in the South that such extension was a vital necessity and that the South in contending for it was contending for existence. The prevailing thought in that quarter was that the Southern people were on the defensive, that they were resisting aggression. In this feeling they were sincere and they gave expression to it in very hot temper.

General W. T. Sherman, who was at the head of an institution of learning for boys in Louisiana in 1859, felt that he was treading on underground fires. In December of that year he wrote to Thomas Ewing, Jr.:

Negroes in the great numbers that exist here must of necessity be slaves. Theoretical notions of humanity and religion cannot shake the commercial fact that their labor is of great value and cannot be dispensed with. Still, of course, I wish it never had existed, for it does make mischief. No power on earth can restrain opinion elsewhere and these opinions expressed beget a vindictive feeling. The mere dread of

revolt, sedition, or external interference makes men, ordinarily calm, almost mad. I, of course, do not debate the question, and moderate as my views are, I feel that I am suspected, and if I do not actually join in the praises of slavery I may be denounced as an abolitionist.<sup>6</sup>

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<sup>6</sup> *General W. T. Sherman as College President*, p. 88.

## CHAPTER I

### ANCESTRY AND EARLY LIFE

The subject of this memoir was born in Colchester, Connecticut, October 12, 1813. The Trumbull family was the most illustrious in the state, embracing three governors and other distinguished men. All were descendants of John Trumbull (or rather "Trumble"<sup>7</sup>), a cooper by trade, and his wife, Ellenor Chandler, of Newcastle, England, who migrated to Massachusetts in 1639, and settled first in Roxbury and removed to Rowley in the following year. Two sons were born to them in Newcastle-on-Tyne: Beriah, 1637 (died in infancy), and John, 1639.

The latter at the age of thirty-one removed to Suffield, Connecticut. He married and had four sons: John, Joseph, Ammi, and Benoni.

Captain Benoni Trumbull, married to Sarah Drake and settled in Lebanon, Connecticut, had a son, Benjamin, born May 11, 1712.

This Benjamin, married to Mary Brown of Hebron, Connecticut, had a son, Benjamin, born December 19, 1735.

This son was graduated at Yale College in 1759, and studied for the ministry; he was ordained in 1760 at North Haven, Connecticut, where he officiated nearly sixty years, his preaching being interrupted only by the Revolutionary War, in which he served both as soldier and as chaplain. He was the author of the standard colonial history of Connecticut. He was married to Miss Martha Phelps in 1760. They had two sons and five daughters.

The elder son, Benjamin, born in North Haven, September 24, 1769, became a lawyer and married Elizabeth Mather, of Saybrook, Connecticut, March 15, 1800, and settled in Colchester, Connecticut. The wife was a descendant of Rev. Richard Mather, who migrated from Liverpool, England, to Massachusetts in 1635, and was the father of Increase Mather and grandfather of Cotton Mather, both celebrated in the church history of New England. Eleven children were born to these parents, of whom Lyman was the seventh. This Benjamin Trumbull was a graduate of Yale College, representative in the legislature, judge for the probate districts of East Haddam and Colchester, and died in Henrietta, Jackson County, Michigan, June 14, 1850, aged eighty-one. His wife died October 20, 1828, in her forty-seventh year. Lyman Trumbull was thus in the seventh generation of the Trumbulls in America.<sup>8</sup>

Five brothers and two sisters of Lyman reached maturity. A family of this size could not be supported by the fees earned by a country lawyer in the early part of the nineteenth century. The only other resource available was agriculture. Thus the Trumbull children began life on a farm and drew their nourishment from the soil cultivated by their own labor. It is recorded that, although the father and the grandfather of Lyman were graduates of Yale College, chill penury prevented him from having similar advantages of education. His schooling was obtained at Bacon Academy, in Colchester, which was of high grade, and second only to Yale among the educational institutions of the state. Here the boy Lyman took the lessons in mathematics that were customary in the academies of that period, and became conversant with Virgil and Cicero in Latin and with Xenophon, Homer, and the New Testament in Greek.

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<sup>7</sup> Stuart's *Life of Jonathan Trumbull* says that the family name was spelled "Trumble" until 1766, when the second syllable was changed to "bull."

<sup>8</sup> Joseph, the second son of the John above mentioned, who had settled in Suffield, Connecticut, in 1670, removed to Lebanon. He was the father of Jonathan Trumbull (1710-1785), who was governor of Connecticut during the Revolutionary War, and who was the original "Brother Jonathan," to whom General Washington gave that endearing title, which afterwards came to personify the United States as "John Bull" personifies England. (Stuart's *Jonathan Trumbull*, p. 697.) His son Jonathan (1740-1809) was a Representative in Congress, Speaker of the House, Senator of the United States, and Governor of Connecticut. John Trumbull (1756-1843), another son of "Brother Jonathan," was a distinguished painter of historical scenes and of portraits.

The opportunities to put an end to one's existence are so common to American youth that it is cause for wonder that so many of them reach mature years. Young Trumbull was not lacking in such facilities. The following incident is well authenticated, being narrated in part in his own handwriting:

When about thirteen years old he was playing ball one cold day in the family yard. The well had a low curbing around it and was covered by a round flat stone with a round hole in the top of it. He ran towards the well for the ball, which he picked up and threw quickly. As he did so his foot slipped on the ice and he went head first down the well. His recollection of the immediate details is vague, but he did not break his neck or stun himself on the rocky sides, but appears to have gone down like a diver, and somehow managed to turn in the narrow space and come up head first. The well had an old-fashioned sweep with a bucket on it, which his brothers promptly lowered and he was hoisted out, drenched and cold, but apparently not otherwise injured.

He attended school and worked on the farm until he was eighteen years of age when he earned some money by teaching the district school one year at Portland, Connecticut. At the age of nineteen he taught school one winter in New Jersey, returning to Colchester the following summer. He had established a character for rectitude, industry, modesty, sobriety, and good manners, so that when, in his twentieth year (1833), he decided to go to the state of Georgia to seek employment as a school-teacher, nearly all the people in the village assembled to wish him godspeed on that long journey, which was made by schooner, sailing from the Connecticut River to Charleston, South Carolina. The voyage was tempestuous but safe, and he arrived at Charleston with one hundred dollars in his pocket which his father had given him as a start in life. This money he speedily returned out of his earnings because he thought his father needed it more than himself.

A memorandum made by himself records that "on the evening of the day when he arrived at Charleston a nullification meeting was held in a large warehouse. The building was crowded, so he climbed up on a beam overhead and from that elevated position overlooked a Southern audience and heard two of the most noted orators in the South, Governor Hayne, and John C. Calhoun, then a United States Senator. He remembers little of the impression they made upon a youth of twenty, except that he thought Hayne an eloquent speaker."

From Charleston he went by railroad (the first one he had ever seen and one of the earliest put in operation in the United States) to a point on the Savannah River opposite Augusta, Georgia, and thence by stage to Milledgeville, which was then the capital of Georgia. From Milledgeville he walked seventy-five miles to Pike County, where he had some hope of finding employment. Being disappointed there he continued his journey on foot to Greenville, Meriwether County, where he had more success even than he had expected, for he obtained a position as principal of the Greenville Academy at a salary of two hundred dollars per year in addition to the fees paid by the pupils. This position he occupied for three years.

While at Greenville he employed his leisure hours reading law in the office of Hiram Warner, judge of the superior court of Georgia, afterwards judge of the supreme court of the state and member of Congress. In this way he acquired the rudiments of the profession. As soon as he had gained sufficient capital to make a start in life elsewhere, he bought a horse, and, in March, 1837, took the trail through the "Cherokee Tract" toward the Northwest. This trail was a pathway formed by driving cattle and swine through the forest from Kentucky and Tennessee to Georgia. Dr. Parks, of Greenville, accompanied Trumbull during a portion of the journey. They traveled unarmed but safely, although Trumbull carried a thousand dollars on his person, the surplus earnings of his three years in Georgia. For a young man of twenty-four years without a family this was affluence in those days.

Through Kentucky, Trumbull continued his journey without any companion and made his entrance into Illinois at Shawneetown, on the Ohio River, where he presented letters of introduction

from his friends in Georgia and was cordially welcomed. After a brief stay at that place he continued his journey to Belleville, St. Clair County, bearing letters of introduction from his Shawneetown friends to Adam W. Snyder and Alfred Cowles, prominent members of the bar at Belleville. Both received him with kindness and encouraged him to make his home there. This he decided to do, but he first made a visit to his parental home in Colchester, going on horseback by way of Jackson, Michigan, near which town three of his older brothers, David, Erastus, and John, had settled as farmers.

Returning to Belleville in August, 1837, he entered the law office of Hon. John Reynolds, ex-governor of the state, who was then a Representative in Congress and was familiarly known as the "Old Ranger." Reynolds held, at one time and another, almost every office that the people of Illinois could bestow, but his fame rests on historical writings composed after he had withdrawn from public life.<sup>9</sup>

For how long a time Trumbull's connection with Governor Reynolds continued, our records do not say, but we know that he had an office of his own in Belleville three years later, and that his younger brother George had joined him as a student and subsequently became his partner.

The practice of the legal profession in those days was accomplished by "riding on the circuit," usually on horseback, from one county seat to another, following the circuit judge, and trying such cases as could be picked up by practitioners en route, or might be assigned to them by the judge. Court week always brought together a crowd of litigants and spectators, who came in from the surrounding country with their teams and provisions, and often with their wives and children, and who lived in their own covered wagons. The trial of causes was the principal excitement of the year, and the opposing lawyers were "sized up" by juries and audience with a pretty close approach to accuracy. After adjournment for the day, the lawyers, judges, plaintiffs, defendants, and leading citizens mingled together in the country tavern, talked politics, made speeches or listened to them, cracked jokes and told stories till bedtime, and took up the unfinished lawsuit, or a new one, the next day. In short, court week was circus, theatre, concert, and lyceum to the farming population, but still more was it a school of politics, where they formed opinions on public affairs and on the mental calibre of the principal actors therein.

Two letters written by Trumbull in 1837 to his father in Colchester have escaped the ravages of time. Neither envelopes nor stamps existed then. Each letter consisted of four pages folded in such a manner that the central part of the fourth page, which was left blank, received the address on one side and a wafer or a daub of sealing wax on the other. The rate of postage was twenty-five cents per letter, and the writers generally sought to get their money's worth by taking a large sheet of paper and filling all the available space. Prepayment of postage was optional, but the privilege of paying in advance was seldom availed of, the writers not incurring the risk of losing both letters and money. Irregularity in the mails is noted by Trumbull, who mentions that a letter from Colchester was fifteen days en route, while a newspaper made the same distance in ten.

In a letter dated October 9, 1837, he tells his father that he is already engaged in a law case involving the ownership of a house. If he finds that he can earn his living in the practice of law, he shall like Belleville very much. In the same missive he tells his sister Julia that balls and cotillions are frequent in Belleville, and that he had attended one, but did not dance. It was the first time he had attended a social gathering since he left home in 1833. He adds, "There are more girls here than

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<sup>9</sup> Reynolds wrote a *Pioneer History of Illinois from 1637 to 1818*, and also a larger volume entitled *My Own Times*. The latter is the more important of the two. Although crabbed in style, it is an admirable compendium of the social, political, and personal affairs of Illinois from 1800 to 1850. Taking events at random, in short chapters, without connection, circumlocution, or ornament, he says the first thing that comes into his mind in the fewest possible words, makes mistakes of syntax, but never goes back to correct anything, puts down small things and great, tells about murders and lynchings, about footraces in which he took part, and a hundred other things that are usually omitted in histories, but which throw light on man in the social state, all interspersed with sound and shrewd judgments on public men and events.

I was aware of. At the private party I attended, there were about fifteen, all residing in town." The writer was then at the susceptible age of twenty-four.

The other letter gives an account of the Alton riot and the killing of Rev. Elijah P. Lovejoy. This is one of the few contemporary accounts we have of that shocking event. Although he was not an eye-witness of the riot, the facts as stated are substantially correct, and the comments give us a view of the opinions of the writer at the age of twenty-four, touching a subject in which he was destined to play an important part. The letter is subjoined:

Belleville, Sunday, Nov. 12, 1837.

Dear Father: Since my last to you there has been a mob to put down Abolitionism, in Alton, thirty-five miles northwest of this place, in which two persons were killed and six or seven badly wounded. The immediate cause of the riot was the attempt by a Mr. Lovejoy to establish at Alton a religious newspaper in which the principles of slavery were sometimes discussed. Mr. Lovejoy was a Presbyterian minister and formerly edited a newspaper in St. Louis, but having published articles in his paper in relation to slavery which were offensive to the people of St. Louis, a mob collected, broke open his office, destroyed his press and type and scattered it through the streets. Immediately after this transaction, which was about a year since, Mr. Lovejoy left St. Louis, and removed to Alton, where he attempted to re-establish his press, but he had not been there long before a mob assembled there also, broke into his office and destroyed his press. In a short time Mr. Lovejoy ordered another press which, soon after its arrival in Alton, was taken from the warehouse (where it was deposited), by a mob, and in like manner destroyed. Again he ordered still another press, which arrived in Alton on the night of the 7th inst., and was safely deposited in a large stone warehouse four or five storeys high.

Previous to the arrival of this press, the citizens of Alton held several public meetings and requested Mr. L. to desist from attempting to establish his press there, but he refused to do so. Heretofore no resistance had ever been offered to the mob, but on the night of the 8th inst., as it was supposed that another attempt might possibly be made to destroy the press, Mr. L. and some 18 or 20 of his friends armed themselves and remained in the warehouse, where Mr. Gilman, one of the owners of the house, addressed the mob from a window, and urged them to desist, told them that there were several armed men in the house and that they were determined to defend their property. The mob demanded the press, which not being given them, they commenced throwing stones at the house and attempted to get into it. Those from within then fired and killed a man of the name of Bishop. The mob then procured arms, but were unable to get into the house. At last they determined on firing it, to which end, as it was stone, they had to get on the roof, which they did by means of a ladder. The firing during all this time, said to be about an hour, was continued on both sides. Mr. Lovejoy having made his appearance near one of the doors was instantly shot down, receiving four balls at the same moment. Those within agreed to surrender if their lives would be protected, and soon threw open the doors and fled. Several shots were afterward fired, but no one was seriously injured. The fire was then extinguished and the press taken and destroyed.

So ended this awful catastrophe which, as you may well suppose, has created great excitement through this section of the country. Mr. Lovejoy is said to have been a very worthy man, and both friends and foes bear testimony to the excellence of his private character. Here, the course of the mob is almost universally reprobated, for whatever may have been the sentiments of Mr. Lovejoy, they certainly did not justify the mob taking his life. It is understood here that Mr. L. was never in the

habit of publishing articles of an insurrectionary character, but he reasoned against slavery as being sinful, as a moral and political evil.

His death and the manner in which he was slain will make thousands of Abolitionists, and far more than his writings would have made had he published his paper an hundred years. This transaction is looked on here, as not only a disgrace to Alton, but to the whole State. As much as I am opposed to the immediate emancipation of the slaves and to the doctrine of Abolitionism, yet I am more opposed to mob violence and outrage, and had I been in Alton, I would have cheerfully marched to the rescue of Mr. Lovejoy and his property.

Yours very affectionately,  
Lyman Trumbull.

After three years of riding on the circuit, Trumbull was elected, in 1840, a member of the lower house of the state legislature from St. Clair County. In politics he was a Democrat as was his father before him. This was the twelfth general assembly of the state. Among his fellow members were Abraham Lincoln, E. D. Baker, William A. Richardson, John J. Hardin, John. A. McClernand, William H. Bissell, Thomas Drummond, and Joseph Gillespie, all of whom were destined to higher positions.

Trumbull was now twenty-seven years of age. He soon attracted notice as a debater. His style of speaking was devoid of ornament, but logical, clear-cut, and dignified, and it bore the stamp of sincerity. He had a well-furnished mind, and was never at loss for words. Nor was he ever intimidated by the number or the prestige of his opponents. He possessed calm intellectual courage, and he never declined a challenge to debate; but his manner toward his opponents was always that of a high-bred gentleman.

On the 27th of February, 1841, Stephen A. Douglas, who was Trumbull's senior by six months, resigned the office of secretary of state of Illinois to take a seat on the supreme bench, and Trumbull was appointed to the vacancy. There had been a great commotion in state politics over this office before Trumbull was appointed to it. Under the constitution of the state, the governor had the right to appoint the secretary, but nothing was said in that instrument about the power of removal. Alexander P. Field had been appointed secretary by Governor Edwards in 1828, and had remained in office under Governors Reynolds and Duncan. Originally a strong Jackson man, he was now a Whig. When Governor Carlin (Democrat) was elected in 1838 he decided to make a new appointment, but Field refused to resign and denied the governor's right to remove him. The State Senate sided with Field by refusing to confirm the new appointee, John A. McClernand. After the adjournment of the legislature, the governor reappointed McClernand, who sued out a writ of *quo warranto* to oust Field. The supreme court, consisting of four members, three of whom were Whigs, decided in favor of Field. The Democrats then determined to reform the judiciary. They passed a bill in the legislature adding five new judges to the supreme bench. "It was," says historian Ford, "confessedly a violent and somewhat revolutionary measure and could never have succeeded except in times of great party excitement." In the mean time Field had retired and the governor had appointed Douglas secretary of state, and Douglas was himself appointed one of the five new members of the supreme court. Accordingly he resigned, after holding the office only two months, and Trumbull was appointed to the vacancy without his own solicitation or desire.

Two letters written by Trumbull in 1842 acquaint us with the fact that his brother Benjamin had removed with his family from Colchester to Springfield and was performing routine duties in the office of the secretary of state, while Trumbull occupied his own time for the most part in the practice of law before the supreme court. He adds: "I make use of one of the committee rooms in the State House as a sleeping-room, so you see I almost live in the State House, and am the only person who sleeps in it. The court meets here and all the business I do is within the building." Not quite all, for in another letter (November 27, 1842) he confides to his sister Julia that a certain young lady in

Springfield was as charming as ever, but that he had not offered her his hand in marriage, and that even if he should do so, it was not certain that she would accept it.

Trumbull had held the office of secretary of state two years when his resignation was requested by Governor Carlin's successor in office, Thomas Ford, author of a *History of Illinois from 1814 to 1847*. In his book Ford tells his reasons for asking Trumbull's resignation. They had formed different opinions respecting an important question of public policy, and Trumbull, although holding a subordinate office, had made a public speech in opposition to the governor's views.<sup>10</sup> Of course he did this on his own responsibility as a citizen and a member of the same party as the governor. He acknowledged the governor's right to remove him, and he made no complaint against the exercise of it.

The question of public policy at issue between Ford and Trumbull related to the State Bank, which had failed in February, 1842, and whose circulating notes, amounting to nearly \$3,000,000, had fallen to a discount of fifty cents on the dollar. Acts legalizing the bank's suspension had been passed from time to time and things had gone from bad to worse. At this juncture a new bill legalizing the suspension for six months longer was prepared by the governor and at his instance was reported favorably by the finance committee of the House. Trumbull opposed this measure, and made a public speech against it. He maintained that it was disgraceful and futile to prolong the life of this bankrupt concern. He demanded that the bank be put in liquidation without further delay.

When Trumbull's resignation as secretary became known, the Democratic party at the state capital was rent in twain. Thirty-two of its most prominent members, including Virgil Hickox, Samuel H. Treat, Ebenezer Peck, Mason Brayman, and Robert Allen, took this occasion to tender him a public dinner in a letter expressing their deep regret at his removal and their desire to show the respect in which they held him for his conduct of the office, and for his social and gentlemanly qualities. A copy of this invitation was sent to the *State Register*, the party organ, for publication. The publishers refused to insert it, on the ground that it "would lead to a controversy out of which no good could possibly arise, and probably much evil to *the cause*." Thereupon the signers of the invitation started a new paper under the watchword "Fiat Justitia, Ruat Cœlum," entitled the *Independent Democrat*, of which Number 1, Volume 1, was a broadside containing the correspondence between Trumbull and the intending diners, together with sarcastic reflections on the time-serving publishers of the *State Register*. Trumbull's reply to the invitation, however, expressed his sincere regret that he had made arrangements, which could not be changed, to depart from Springfield before the time fixed for the dinner. He returned to Belleville and resumed the practice of his profession.

Charles Dickens was then making his first visit to the United States, and he happened to pass through Belleville while making an excursion from St. Louis to Looking Glass Prairie. His party had arranged beforehand for a noonday meal at Belleville, of which place, as it presented itself to the eye of a stranger in 1842, he gives the following glimpse:

Belleville was a small collection of wooden houses huddled together in the very heart of the bush and swamp. Many of them had singularly bright doors of red and yellow, for the place had lately been visited by a traveling painter "who got along," as I was told, "by eating his way." The criminal court was sitting and was at that moment trying some criminals for horse-stealing, with whom it would most likely go hard; for live stock of all kinds, being necessarily much exposed in the woods, is held by the community in rather higher value than human life; and for this reason juries generally make a point of finding all men indicted for cattle-stealing, guilty, whether or no. The horses belonging to the bar, the judge and witnesses, were

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<sup>10</sup> The following correspondence passed between them: Springfield, March 4, 1843. Lyman Trumbull, Esq., Dear Sir: It is my desire, in pursuance of the expressed wish of the Democracy, to make a nomination of Secretary of State, and I hope you will enable me to do so without embarrassing myself. I am most respectfully, Your obedient servant, Thomas Ford. Springfield, March 4, 1843. To His Excellency, Thomas Ford: Sir,—In reply to your note of this date this moment handed me, I have only to state that I recognize fully your right, at any time, to make a nomination of Secretary of State. Yours respectfully, Lyman Trumbull.

tied to temporary racks set roughly in the road, by which is to be understood a forest path nearly knee-deep in mud and slime.

There was an hotel in this place which, like all hotels in America, had its large dining-room for a public table. It was an odd, shambling, low-roofed outhouse, half cow-shed and half kitchen, with a coarse brown canvas tablecloth, and tin sconces stuck against the walls, to hold candles at supper-time. The horseman had gone forward to have coffee and some eatables prepared and they were by this time nearly ready. He had ordered "wheat bread and chicken fixings" in preference to "corn bread and common doings." The latter kind of refectation includes only pork and bacon. The former comprehends broiled ham, sausages, veal cutlets, steaks, and such other viands of that nature as may be supposed by a tolerably wide poetical construction "to fix" a chicken comfortably in the digestive organs of any lady or gentleman.<sup>11</sup>

A few months later, Trumbull made another journey to Springfield to be joined in marriage to Miss Julia M. Jayne, a daughter of Dr. Gershom Jayne, a physician of that city—a young lady who had received her education at Monticello Seminary, with whom he passed twenty-five years of unalloyed happiness. The marriage took place on the 21st of June, 1843, and Norman B. Judd served as groomsman. Miss Jayne had served in the capacity of bridesmaid to Mary Todd at her marriage to Abraham Lincoln on the 4th of November preceding. There was a wedding journey to Trumbull's old home in Connecticut, by steamboat from St. Louis to Wheeling, Virginia, by stage over the mountains to Cumberland, Maryland, and thence by rail via Baltimore, Philadelphia, and New York. After visiting his own family, a journey was made to Mrs. Trumbull's relatives at Stockbridge, Massachusetts, including her great-grandfather, a marvel of industry and longevity, ninety-two years of age, a cooper by trade, who was still making barrels with his own hands. This fact is mentioned in a letter from Trumbull to his father, dated Barry, Michigan, August 20, 1843, at which place he had stopped on his homeward journey to visit his brothers. One page of this letter is given up to glowing accounts of the infant children of these brothers. And here it is fitting to say that all these faded and time-stained epistles to his father and his brothers and sisters, from first to last, are marked by tender consideration and unvarying love and generosity. Not a shadow passed between them.

The return journey from Michigan to Belleville was made by stage-coach. October 12, 1843, Mrs. Trumbull writes to her husband's sisters in Colchester that she has arrived in her new home. "We are boarding in a private family," she says, "have two rooms which Mrs. Blackwell, the landlady, has furnished neatly, and for my part, I am anticipating a very delightful winter. Lyman is now at court, which keeps him very much engaged, and I am left to enjoy myself as best I may until G. comes around this afternoon to play chess with me."

May 4, 1844, the first child was born to Lyman and Julia Trumbull, a son, who took the name of his father, but died in infancy. July 2, 1844, Trumbull writes to his father that the most disastrous flood ever known, since the settlement of the country by the whites, has devastated the bottom lands of the Mississippi, Missouri, and Illinois Rivers. He also gives an account of the killing of Joseph Smith, the Mormon prophet, who was murdered by a mob in the jail at Carthage, Hancock County, after he had surrendered himself to the civil authorities on promise of a fair trial and protection against violence; and says that he has rented a house which he shall occupy soon, and invites his sister Julia to come to Belleville and make her home in his family.

In 1845, Benjamin Trumbull, Sr., sold his place in Colchester and removed with his two daughters to Henrietta, Michigan, where three of his sons were already settled as farmers. It appears from letters that passed between the families that none of the brothers in Michigan kept horses, the

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<sup>11</sup> *American Notes*, chap. xiii. The reason why horses were more precious than human life was that when the frontier farmer lost his work-team, he faced starvation. Both murder and horse-stealing were then capital offenses, the latter by the court of Judge Lynch.

farm work being done by oxen exclusively. The nearest church was in the town of Jackson, but the sisters were not able to attend the services for want of a conveyance. They were prevented by the same difficulty from forming acquaintances in their new habitat. In a letter to his father, dated October 26, Trumbull delicately alludes to the defect in the housekeeping arrangements in Michigan, and says that anything needed to make his father and sisters comfortable and contented, that he can supply, will never be withheld. His brother George writes a few days later offering a contribution of fifty dollars to buy a horse, saying that good ones can be bought in Illinois at that price. George adds: "Our papers say considerable about running Lyman for governor. No time is fixed for the convention yet, and I don't think he has made up his mind whether to be a candidate or not."

The greatest drawback of the Trumbull family at this time, and, indeed, of all the inhabitants roundabout, was sickness. Almost every letter opened tells either of a recovery from a fever, or of sufferings during a recent one, or apprehensions of a new one and from these harassing visitations no one was exempt. In a letter of October 26 we read:

We have all been sick this fall and this whole region of country has been more sickly than ever before known. George and myself both had attacks of bilious fever early in September which lasted about ten days. Since then Julia has had two attacks, the last of which was quite severe and confined her to the room nearly two weeks. I also have had a severe attack about three weeks since, but it was slight. When I was sick we sent over to St. Louis for Dr. Tiffany, and by some means the news of our sending there, accompanied by a report that I was much worse than was really the case, reached Springfield, and Dr. and Mrs. Jayne came down post haste in about a day and a half. When they got here, I was downstairs. They only staid overnight and started back the next morning. They had heard that I was not expected to live.

In February, 1846, when Trumbull was in his thirty-third year, his friends presented his name to the Democratic State Convention for the office of governor of the state. A letter to his father gives the details of the balloting in the convention. Six candidates were voted for. On the first ballot he received 56 votes; the next highest candidate, Augustus C. French, had 47; and the third, John Calhoun, had 44. The historian, John Moses, says that "the choice, in accordance with a line of precedents which seemed almost to indicate a settled policy, fell upon him who had achieved least prominence as a party leader, and whose record had been least conspicuous—Augustus C. French."

A letter from Trumbull to his father says that his defeat was due to the influence of Governor Ford, whose first choice was Calhoun, but who turned his following over to French in order to defeat Trumbull. French was elected, and made a respectable governor. Calhoun subsequently went, in an official capacity, to Kansas, where he became noted as the chief ballot-box stuffer of the pro-slavery party in the exciting events of 1856-58.

A letter from Mrs. Trumbull to her father-in-law, May 4, 1846, mentions the birth of a second son (Walter), then two and a half months old. It informs him also that her husband has been nominated for Congress by the Democrats of the First District, the vote in the convention being, Lyman Trumbull, 24; John Dougherty, 5; Robert Smith, 8. The political issues in this campaign are obscure, but the result of the election was again adverse. The supporters of Robert Smith nominated him as a bolting candidate; the Whigs made no nomination, but supported Smith, who was elected.

A letter written by Mrs. Trumbull at Springfield, December 16, 1846, mentions the first election of Stephen A. Douglas as United States Senator. "A party is to be given in his name," she says, "at the State House on Friday evening under the direction of Messrs. Webster and Hickox. The tickets come in beautiful envelopes, and I understand that Douglas has authorized the gentlemen to expend \$50 in music, and directed the most splendid entertainment that was ever prepared in Springfield."

A letter to Benjamin Trumbull, Sr., from his son of the same name, who was cultivating a small farm near Springfield, gives another glimpse of the family health record, saying that "both Lyman

and George have had chills and fever two or three days this spring"; also, that "Lyman's child was feeble in consequence of the same malady; and that he [Benjamin] has been sick so much of the time that he could not do his Spring planting without hired help, for which Lyman had generously contributed \$20, and offered more."

May 13, 1847, Trumbull writes to his father that he intends to go with his family and make the latter a visit for the purpose of seeing the members of the family in Michigan; also in the hope of escaping the periodical sickness which has afflicted himself and wife and little boy, and almost every one in Belleville, during several seasons past. As this periodical sickness was chills and fever, we may assume that it was due to the prevalence of mosquitoes, of the variety *anopheles*. Half a century was still to pass ere medical science made this discovery, and delivered civilized society from the scourge called "malaria."

The journey to Michigan was made. An account (dated Springfield, August 1, 1847) of the return journey is interesting by way of contrast with the facilities for traveling existing at the present time.

We left Cassopolis Monday about ten o'clock and came the first 48 miles, which brought us to within five miles of La Porte. The second night we passed at Battstown 45 miles on the road from La Porte towards Joliet. The third night we passed at Joliet, distance 40 miles. The fourth night we passed at Pontiac, having traveled 60 miles to get to a stopping place, and finding but a poor one at that. The fifth night we were at Bloomington, distance 40 miles. The sixth day we traveled 43 miles and to within 18 miles of this place; the route we came from Cassopolis to Springfield is 294 miles, and from Brother David's about 386 miles. Our expenses for tavern bills from David's to this place were \$17.75. Pretty cheap, I think.

Among other items of interest it may be noted that the rate of postage had been reduced to ten cents per letter, but stamps had not yet come into use. The earnings of the Trumbull law firm (Lyman and George) for the year 1847 were \$2300.

In 1847, a new constitution was adopted by the state of Illinois which reduced the number of judges of the supreme court from nine to three. The state was divided into three grand divisions, or districts, each to select one member of the court. After the first election one of the judges was to serve three years, one six years, and one nine years, at a compensation of \$1200 per year each. These terms were to be decided by lot, and thereafter the term of each judge should be nine years. Trumbull was elected judge for the first or southern division in 1848. His colleagues, chosen at the same time, were Samuel H. Treat and John D. Caton. He drew the three years' term.

In the year 1849, Trumbull bought a brick house and three acres of ground, with an orchard of fruit-bearing trees, in the town of Alton, Madison County, and removed thither with his family. In announcing this fact to his father the only reason he assigns for his change of residence is that the inhabitants of Alton are mostly from the Eastern States. Its population at that time was about 3000; that of Upper Alton, three miles distant, was 1000. The cost of house and ground, with some additions and improvements, was \$2500, all of which was paid in cash out of his savings. Incidentally he remarks that he has never borrowed money, never been in debt, never signed a promissory note, and that he hopes to pass through life without incurring pecuniary liabilities.<sup>12</sup>

From the tone of the letter in which his change of residence is announced, the inference is drawn that Trumbull had abandoned his law practice at Belleville with the expectation of remaining on the bench for an indefinite period. He accepted a reelection as judge in 1852 for a term of nine

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<sup>12</sup> Mr. Morris St. P. Thomas, a close friend of Trumbull in his latter years, a member of his law office, and administrator of his estate, made the following statement in an interview given at 107 Dearborn Street, Chicago, June 13, 1910: "Judge Trumbull once told me that he had never in his life given a promissory note. 'But you do not mean,' said I, 'that in every purchase of real estate you ever made you paid cash down!' 'I do mean just that,' the Judge replied. 'I never in my life gave a promissory note.'"

years, yet he resigned a year and a half later because the salary was insufficient to support his family. Walter B. Scates was chosen as his successor on the supreme bench. Nearly forty-five years later, Chief Justice Magruder, of the Illinois supreme court, answering John M. Palmer's address presenting the memorial of the Chicago Bar Association on the life and services of Trumbull, recently deceased, said that no lawyer could read the opinions handed down by the dead statesman when on the bench, "without being satisfied that the writer of them was an able, industrious, and fair-minded judge. All his judicial utterances ... are characterized by clearness of expression, accuracy of statement, and strength of reasoning. They breathe a spirit of reverence for the standard authorities and abound in copious reference to those authorities.... The decisions of the court, when he spoke as its organ, are to-day regarded as among the most reliable of its established precedents."

## CHAPTER II

### SLAVERY IN ILLINOIS

When the territory comprising the state of Illinois passed under control of the United States, negro slavery existed in the French villages situated on the so-called American Bottom, a strip of fertile land extending along the east bank of the Mississippi River from Cahokia on the north to Kaskaskia on the south, embracing the present counties of St. Clair, Monroe, and Randolph. The first European settlements had been made here about 1718, by colonists coming up the great river from Louisiana, under the auspices of John Law's Company of the Indies.

The earlier occupation of the country by French explorers and Jesuit priests from Canada had been in the nature of fur-trading and religious propagandism, rather than permanent colonies, although marriages had been solemnized in due form between French men and Indian women, and a considerable number of half-breed children had been born. Five hundred negro slaves from Santo Domingo were sent up the river in 1718, to work any gold and silver mines that might be found in the Illinois country. In fact, slavery of red men existed there to some extent, before the Africans arrived, the slaves being captives taken in war.

In 1784-85, Thomas Jefferson induced Rev. James Lemen, of Harper's Ferry, Virginia, to migrate to Illinois in order to organize opposition to slavery in the Northwest Territory and supplied him with money for that purpose. Mr. Lemen came to Illinois in 1786 and settled in what is now Monroe County. He was the founder of the first eight Baptist churches in Illinois, all of which were pledged to oppose the doctrine and practice of slavery. Governor William H. Harrison having forwarded petitions to Congress to allow slavery in the Northwest Territory, Jefferson wrote to Lemen to go, or send an agent, to Indiana, to get petitions signed in opposition to Harrison. Lemen did so. A letter of Lemen, dated Harper's Ferry, December 11, 1782, says that Jefferson then had the purpose to dedicate the Northwest Territory to freedom.<sup>13</sup>

In 1787, Congress passed an ordinance for the government of the territory northwest of the river Ohio which had been ceded to the United States by Virginia. The sixth article of this ordinance prohibited slavery in said territory. Inasmuch as the rights of persons and property had been guaranteed by treaties when this region had passed from France to Great Britain and later to the United States, this article was generally construed as meaning that no more slaves should be introduced, and that all children born after the passage of the ordinance should be free, but that slaves held there prior to 1787 should continue in bondage.

Immigration was mainly from the Southern States. Some of the immigrants brought slaves with them, and the territorial legislature passed an act in 1812 authorizing the relation of master and slave under other names. It declared that it should be lawful for owners of negroes above fifteen years of age to take them before the clerk of the court of common pleas, and if a negro should agree to serve for a specified term of years, the clerk should record him or her as an "indentured servant." If the negro was under the age of fifteen, the owner might hold him without an agreement till the age of thirty-five if male, or thirty-two if female. Children born of negroes owing service by indenture should serve till the age of thirty if male, and till twenty-eight if female. This was a plain violation of the Ordinance of 1787 and was a glaring fraud in other respects. The negroes generally did not understand what they were agreeing to, and in cases where they did not agree the probable alternative was a sale to somebody in an adjoining slave state, so that they really had no choice. The state constitution, adopted in 1818, prohibited slavery, but recognized the indenture system by providing that male children born

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<sup>13</sup> These facts are detailed in a paper contributed to the Illinois State Historical Society in 1908 by Joseph B. Lemen, of O'Fallon, Illinois.

of indentured servants should be free at the age of twenty-one and females at the age of eighteen. The upshot of the matter was that there was just enough of the virus of slavery left to keep the caldron bubbling there for two generations after 1787, although the Congress of the Confederation supposed that they had then made an end of it.

This arrangement did not satisfy either the incoming slave-owners or those already domiciled there. Persistent attempts were made while the country was still under territorial government, to procure from Congress a repeal of the sixth article of the Ordinance, but they were defeated chiefly by the opposition of John Randolph, of Roanoke, Virginia. After the state was admitted to the Union, the pro-slavery faction renewed their efforts. They insisted that Illinois had all the rights of the other states, and could lawfully introduce slavery by changing the constitution. They proposed, therefore, to call a new convention for this purpose. To do so would require a two-thirds vote of both branches of the legislature, and a majority vote of the people at the next regular election. A bill for this purpose was passed in the Senate by the requisite majority, but it lacked one vote in the House. To obtain this vote a member who had been elected and confirmed in his seat after a contest, and had occupied it for ten weeks, was unseated, and the contestant previously rejected was put in his place and gave the necessary vote. Reynolds, who was himself a convention man, says that "this outrage was a death-blow to the convention." He continues:

The convention question gave rise to two years of the most furious and boisterous excitement that ever was visited on Illinois. Men, women, and children entered the arena of party warfare and strife, and families and neighborhoods were so divided and furious and bitter against one another that it seemed a regular civil war might be the result. Many personal combats were indulged in on the question, and the whole country seemed to be, at times, ready and willing to resort to physical force to decide the contest. All the means known to man to convey ideas to one another were resorted to and practiced with energy. The press teemed with publications on the subject. The stump orators were invoked, and the pulpit thundered with anathemas against the introduction of slavery. The religious community coupled freedom and Christianity together, which was one of the most powerful levers used in the contest.

At this time all the frontier communities were anxious to gain additions to their population. Immigration was eagerly sought. The arrivals were mostly from the Southern States, the main channels of communication being the converging rivers Ohio, Mississippi, Cumberland, and Tennessee. Many of these brought slaves, and since there was no security for such property in Illinois, they went onward to Missouri. One of the strongest arguments used by the convention party was, that if slavery were permitted, this tide of immigration would pour a stream of wealth into Illinois.

Most of the political leaders and office-holders were convention men, but there were some notable exceptions, among whom were Edward Coles, governor of the state, and Daniel P. Cook, Representative in Congress, the former a native of Virginia, and the latter of Kentucky. Governor Coles was one of the Virginia abolitionists of early days, who had emancipated his own slaves and given them lands on which to earn their living. The governor gave the entire salary of his term of office (\$4000) for the expenses of the anti-convention contest, and his unceasing personal efforts as a speaker and organizer. Mr. Cook was a brilliant lawyer and orator, and the sole Representative of Illinois in Congress, where he was chairman of the Committee on Ways and Means, and where he cast the vote of Illinois for J. Q. Adams for President in 1824. Cook County, which contains the city of Chicago, takes its name from him. He was indefatigable on the side of freedom in this campaign. Another powerful reinforcement was found in the person of Rev. John M. Peck, a Baptist preacher who went through the state like John the Baptist crying in the wilderness. He made impassioned speeches, formed anti-slavery societies, distributed tracts, raised money, held prayer-meetings, addressed Sunday Schools, and organized the religious sentiment of the state for freedom.

He was ably seconded by Hooper Warren, editor of the Edwardsville *Spectator*. The election took place August 2, 1824, and the vote was 4972 for the convention, and 6640 against it. In the counties of St. Clair and Randolph, which embraced the bulk of the French population, the vote was almost equally divided—765 for; 790 against.

In 1850, both Henry Clay and Daniel Webster contended that Nature had interposed a law stronger than any law of Congress against the introduction of slavery into the territory north of Texas which we had lately acquired from Mexico. From the foregoing facts, however, it is clear that no law of Nature prevented Illinois from becoming a slaveholding state, but only the fiercest kind of political fighting and internal resistance. John Reynolds (and there was no better judge) said in 1854: "I never had any doubt that slavery would now exist in Illinois if it had not been prevented by the famous Ordinance" of 1787. The law of human greed would have overcome every other law, including that of Congress, but for the magnificent work of Edward Coles, Daniel P. Cook, John Mason Peck, Hooper Warren, and their coadjutors in 1824.

The snake was scotched, not killed, by this election. There were no more attempts to legalize slavery by political agency, but persevering efforts were made to perpetuate it by judicial decisions resting upon old French law and the Territorial Indenture Act of 1812. Frequent law suits were brought by negroes, who claimed the right of freedom on the ground that their period of indenture had expired, or that they had never signed an indenture, or that they had been born free, or that their masters had brought them into Illinois after the state constitution, which prohibited slavery, had been adopted. In this litigation Trumbull was frequently engaged on the side of the colored people.

In 1842, a colored woman named Sarah Borders, with three children, who was held under the indenture law by one Andrew Borders in Randolph County, escaped and made her way north as far as Peoria County. She and her children were there arrested and confined in a jail as fugitive slaves. They were brought before a justice of the peace, who decided that they were illegally detained and were entitled to their freedom. An appeal was taken by Borders to the county court, which reversed the action of the justice. The case eventually went to the supreme court, where Lyman Trumbull and Gustave Koerner appeared for the negro woman in December, 1843, and argued that slavery was unlawful in Illinois and had been so ever since the enactment of the Ordinance of 1787. The court decided against them.<sup>14</sup>

Trumbull was not discouraged by the decision in this case. Shortly afterward he appeared before the supreme court again in the case of Jarrot vs. Jarrot, in which he won a victory which practically put an end to slavery in the state. Joseph Jarrot, a negro, sued his mistress, Julia Jarrot, for wages, alleging that he had been held in servitude contrary to law. The plaintiff's grandmother had been the slave of a Frenchman in the Illinois country before it passed under the jurisdiction of the United States. His mother and himself had passed by descent to Julia Jarrot, nobody objecting. Fifty-seven years had elapsed since the passage of the Ordinance of 1787 and twenty-six since the adoption of the state constitution, both of which had prohibited slavery in Illinois. The previous decisions in the court of last resort had generally sustained the claims of the owners of slaves held under the French régime and their descendants, and also those held under the so-called indenture system. Now, however, the court swept away the whole basis of slavery in the state, of whatever kind or description, declaring, as Trumbull had previously contended, that the Congress of the Confederation had full power to pass the Ordinance of 1787, that no person born since that date could be held as a slave in Illinois, and that any slave brought into the state by his master, or with the master's consent, since that date became at once free. It followed that such persons could sue and recover wages for labor performed under compulsion, as Joseph Jarrot did.

This decision, which abolished slavery in Illinois *de facto*, was received with great satisfaction by the substantial and sober-minded citizens. Although the number of aggressive anti-slavery men in

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<sup>14</sup> *Negro Servitude in Illinois*, by N. Dwight Harris, p. 108.

the state was small and of out-and-out abolitionists still smaller, there was a widespread belief that the lingering snaky presence of the institution was a menace to the public peace and a blot upon the fair fame of the state, and that it ought to be expunged once for all. The growth of public opinion was undoubtedly potent in the minds of the judges, but the untiring activity of the leading advocates in the cases of *Borders*, *Jarrot*, etc., should not be overlooked. On this subject Mr. Dwight Harris, in the book already cited, says:

The period of greatest struggle and of greatest triumph for the anti-slavery advocates was that from 1840 to 1845. The contest during these five years was serious and stubbornly carried on. It involved talent, ingenuity, determination, and perseverance on both sides. The abolitionists are to be accredited with stirring up considerable interest over the state in some of the cases. Southern sympathizers and the holders of indentured servants in the southern portion of the state were naturally considerably concerned in the decisions of the supreme court. Still there seems to have been no widespread interest or universal agitation in the state over this contest in the courts. It was carried on chiefly through the benevolence of a comparatively small number of citizens who were actuated by a firm belief in the evils of slavery; while the brunt of the fray fell to a few able and devoted lawyers.

Among these were G. T. M. Davis, of Alton, Nathaniel Niles, of Belleville, Gustave Koerner, of Belleville, and Lyman Trumbull. James H. Collins, a noted abolition lawyer of Chicago, should also be highly praised for his work in the *Lovejoy* and *Willard* cases, but to the other men the real victory is to be ascribed. They were the most powerful friends of the negro, and lived where their assistance could be readily secured. They told the negroes repeatedly that they were free, urged them to leave their masters, and fought their cases in the lower courts time and time again, often without fees or remuneration. Chief among them was Lyman Trumbull, whose name should be written large in anti-slavery annals.

He was a lawyer of rare intellectual endowments, and of great ability. He had few equals before the bar in his day. In politics he was an old-time Democrat, with no leanings toward abolitionism, but possessing an honest desire to see justice done the negro in Illinois. It was a thankless task, in those days of prejudice and bitter partisan feelings, to assume the rôle of defender of the indentured slaves. It was not often unattended with great risk to one's person, as well as to one's reputation and business. But Trumbull did not hesitate to undertake the task, thankless, discouraging, unremunerative as it was, and to his zeal, courage, and perseverance, as well as to his ability, is to be ascribed the ultimate success of the appeal to the supreme court.

This disinterested and able effort, made in all sincerity of purpose, and void of all appearance of self-elevation, rendered him justly popular throughout the State, as well as in the region of his home. The people of his district showed their approval of his work and their confidence in his integrity by electing him judge of the supreme court in 1848, and Congressman from the Eighth District of Illinois by a handsome majority in 1854, when it was well known that he was opposed to the Kansas-Nebraska Bill.

## CHAPTER III

### FIRST ELECTION AS SENATOR

The repeal of the Missouri Compromise was the cause of Trumbull's return to an active participation in politics. The prime mover in that disastrous adventure was Stephen A. Douglas, who had been Trumbull's predecessor in the office of secretary of state and also one of his predecessors on the supreme bench. He was now a Senator of the United States, and a man of world-wide celebrity. Born at Brandon, Vermont, in 1813, he had lost his father before he was a year old. His mother removed with him to Canandaigua, New York, where he attended an academy and read law to some extent in the office of a local practitioner. At the age of twenty, he set out for the West to seek his fortune, and he found the beginnings of it at Winchester, Illinois, where he taught school for a living and continued to study law, as Trumbull was doing at the same time at Greenville, Georgia. He was admitted to the bar in 1834. In 1835, he was elected state's attorney. Two years later he was elected a member of the legislature by the Democrats of Morgan County, and resigned the office he then held in order to take the new one. In 1837, he was appointed by President Van Buren register of the land office at Springfield. In the same year he was nominated for Congress in the Springfield district before he had reached the legal age, but was defeated by the Whig candidate, John T. Stuart, by 35 votes in a total poll of 36,742.<sup>15</sup> In 1840, he was appointed secretary of state, and in 1841, elected a judge of the supreme court under the circumstances already mentioned. In 1843, he was elected to the lower house of Congress and was reelected twice, but before taking his seat the third time he was chosen by the legislature, in 1846, Senator of the United States for the term beginning March 4, 1847, and was reelected in 1852. In Congress he had taken an active part in the annexation of Texas, in the war with Mexico, in the Oregon Boundary dispute, and in the Land Grant for the Illinois Central Railway. In the Senate he held the position of Chairman of the Committee on Territories.

In the Democratic party he had forged to the front by virtue of boldness in leadership, untiring industry, boundless ambition, and self-confidence, and horse-power. He had a large head surmounted by an abundant mane, which gave him the appearance of a lion prepared to roar or to crush his prey, and not seldom the resemblance was confirmed when he opened his mouth on the hustings or in the Senate Chamber. As stump orator, senatorial debater, and party manager he never had a superior in this country. Added to these gifts, he had a very attractive personality and a wonderful gift for divining and anticipating the drift of public opinion. The one thing lacking to make him a man "not for an age but for all time," was a moral substratum. He was essentially an opportunist. Although his private life was unstained, he had no conception of morals in politics, and this defect was his undoing as a statesman.

On the 4th of January, 1854, Douglas reported from the Senate Committee on Territories a bill to organize the territory of Nebraska. It provided that said territory, or any portion of it, when admitted as a state or states, should be received into the Union with or without slavery, as their constitution might prescribe at the time of their admission. The Missouri Compromise Act of 1820, which applied to this territory, was not repealed by this provision, and it must have been plain to everybody that if slavery were excluded from the *territory* it would not be there when the people should come together to form a *state*.

Douglas did not at first propose to repeal the Missouri Compromise. He intended to leave the question of slavery untouched. He did not want to reopen the agitation, which had been mostly quieted by the Compromise of 1850; but it soon became evident that if he were willing to leave the question

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<sup>15</sup> The Journal of the Illinois State Historical Society for October, 1912, contains an autobiography of Stephen A. Douglas, of fifteen pages, dated September, 1838, which was recently found in his own handwriting by his son, Hon. Robert M. Douglas, of North Carolina. It terminates just before his first campaign for Congress.

in doubt, others were not. Dixon, of Kentucky, successor of Henry Clay in the Senate and a Whig in politics, offered an amendment to the bill proposing to repeal the Missouri Compromise outright. Douglas was rather startled when this motion was made. He went to Dixon's seat and begged him to withdraw his amendment, urging that it would reopen the controversies settled by the Compromise of 1850 and delay, if not prevent, the passage of any bill to organize the new territory. Dixon was stubborn. He contended that the Southern people had a right to go into the new territory equally with those of the North, and to take with them anything that was recognized and protected as property in the Southern States. Dixon's motion received immediate and warm support in the South.

Two or three days later, Douglas decided to embody Dixon's amendment in his bill and take the consequences. His amended bill divided the territory in two parts, Kansas and Nebraska. The apparent object of this change was to give the Missourians a chance to make the southernmost one a slave state; but this intention has been controverted by Douglas's friends in recent years, who have brought forward a mass of evidence to show that he had other sufficient reasons for thus dividing the territory and hence that it must not be assumed that he intended that one of them should be a slave state. The evidence consists of a record of efforts put forth by citizens of western Iowa in 1853-54 to secure a future state on the opposite side of the Missouri River homogeneous with themselves, and to promote the building of a Pacific railway from some point near Council Bluffs along the line of the Platte River. These efforts were heartily seconded by Senators Dodge and Jones and Representative Henn, of Iowa. They labored with Douglas and secured his coöperation. So Douglas himself said when he announced the change in the bill dividing the territory into two parts.

Most people at the present day, including myself, would be glad to concur with this view, but we must interpret Douglas's acts not merely by what he said in 1854, but also by what he said and did afterwards. In 1856 he made an unjustifiable assault upon the New England Emigrant Aid Company, for sending settlers to Kansas, as they had a perfect right to do under the terms of the bill; and he apologized for, if he did not actually defend, the Missourian invaders who marched over the border in military array, took possession of the ballot boxes, elected a pro-slavery legislature, and then marched back boasting of their victory. Troubles multiplied in Douglas's pathway rapidly after he introduced his Nebraska Bill, and it is very likely that an equal division of the territory between the North and South seemed to him the safest way out of his difficulties. That was the customary way of settling disputes of this kind. We need not assume, however, that he intended to do more than give the Missourians a chance to make Kansas a slave state if they could, for Douglas was not a pro-slavery man at heart.

Senator Thompson, of Kentucky, once alluded to the division of the territory embraced in the original Nebraska Bill into two territories, Kansas and Nebraska, showing that his understanding was that one should be a free state and the other a slave state, if the South could make it such. He said:

When the bill was first introduced in 1854 it provided for the organization of but one territory. Whence it came or how it came scarcely anybody knows, but the senator from Illinois (Mr. Douglas) has always had the credit of its paternity. I believe he acted patriotically for what he thought best and right. In a short time, however, we found a provision for a division—for two territories—Nebraska, the larger one, to be a free state, and as to Kansas, the smaller one, repealing the Missouri Compromise, we of the South taking our chance for it. That was certainly a beneficial arrangement to the North and the bill was passed in that way.<sup>16</sup>

What were Douglas's reasons for repealing the Missouri Compromise? It was generally assumed that he did it in order to gain the support of the South in the next national convention of the Democratic party. In the absence of any other sufficient motive, this will probably be the verdict

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<sup>16</sup> *Cong. Globe*, July, 1856, Appendix, p. 712.

of posterity, although he always repelled that charge with heat and indignation. A more important question is whether there would have been any attempt to repeal it if Douglas had not led the way. This may be safely answered in the negative. The Southern Senators did not show any haste to follow Douglas at first. They generally spoke of the measure as a free-will offering of the North, both Douglas and Pierce being Northern men, and both being indispensable to secure its passage. Francis P. Blair, of Missouri, a competent witness, expressed the opinion that a majority of the Southern senators were opposed to the measure at first and were coerced into it by the fear that they would not be sustained at home if they refused an advantage offered to them by the North.<sup>17</sup>

The Nebraska Bill passed the Senate by a majority of 22, and the House by a majority of 13. The Democratic party of the North was cleft in twain, as was shown by the division of their votes in the House: 44 to 43. The bill would have been defeated had not the administration plied the party lash unmercifully, using the official patronage to coerce unwilling members. In this way did President Pierce redeem his pledge to prevent any revival of the slavery agitation during his term of office.

When the bill actually passed there was an explosion in every Northern State. The old parties were rent asunder and a new one began to crystallize around the nucleus which had supported Birney, Van Buren, and Hale in the elections of 1844, 1848, and 1852. Both Abraham Lincoln and Lyman Trumbull were stirred to new activities. Both took the stump in opposition to the Nebraska Bill.

Trumbull was now forty-one years of age. He had gained the confidence of the people among whom he lived to such a degree that his reëlection to the supreme bench in 1852 had been unanimous. He now joined with Gustave Koerner and other Democrats in organizing the Eighth Congressional District in opposition to Douglas and his Nebraska Bill. Although this district had been originally a slaveholding region, it contained a large infusion of German immigration, which had poured into it in the years following the European uprising of 1848. Of the thirty thousand Germans in Illinois in 1850, Reynolds estimated that fully eighteen thousand had settled in St. Clair County. These immigrants had at first attached themselves to the Democratic party, because its name signified government by the people. When, however, it became apparent to them that the Democratic party was the ally of slavery, they went over to the opposition in shoals, under the lead of Koerner and Hecker. Koerner was at that time lieutenant-governor of the state, and his separation from the party which had elected him made a profound impression on his fellow countrymen. Hecker was a fervid orator and political leader, and later a valiant soldier in the Union army.

The Eighth Congressional District then embraced the counties of Bond, Clinton, Jefferson, Madison, Marion, Monroe, Randolph, St. Clair, and Washington. It was the strongest Democratic district in the state, but political parties had been thrown into such disorder by the Nebraska Bill that no regular nominations for Congress were made by either Whigs or Democrats. Trumbull announced himself as an anti-Nebraska Democratic candidate. He had just recovered from the most severe and protracted illness of his life and was in an enfeebled condition in consequence, but he made a speaking campaign throughout the district, and was elected by 7917 votes against 5306 cast for Philip B. Fouke, who ran independently as a Douglas Democrat. This victory defeated so many of the followers of Douglas who were candidates for the legislature that it became possible to elect a Senator of the United States in opposition to the regular Democracy.

If political honors were awarded according to the rules of *quantum meruit*, Abraham Lincoln would have been chosen Senator as the successor of James Shields at this juncture, since he had contributed more than any other person to the anti-Nebraska victory in the state. He had been out of public life since his retirement from the lower house of Congress in 1848. Since then he had been a country lawyer with a not very lucrative practice, but a very popular story-teller. He belonged to the Whig party, and had followed Clay and Webster in supporting the Compromise measures of 1850, including the new Fugitive Slave Law, for, although a hater of slavery himself, he believed

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<sup>17</sup> Letter to the *Missouri Democrat*, dated March 1, 1856, quoted in P. Ormon Ray's *Repeal of the Missouri Compromise*, p. 232.

that the Constitution required the rendition of slaves escaping into the free states. He was startled by the repeal of the Missouri Compromise. Without that awakening, he would doubtless have remained in comparative obscurity. He would have continued riding the circuit in central Illinois, making a scanty living as a lawyer, entertaining tavern loungers with funny stories, and would have passed away unhonored and unsung. He was now aroused to new activity, and when Douglas came to Springfield at the beginning of October to defend his Nebraska Bill on the hustings, Lincoln replied to him in a great speech, one of the world's masterpieces of argumentative power and moral grandeur, which left Douglas's edifice of "Popular Sovereignty" a heap of ruins. This was the first speech made by him that gave a true measure of his qualities. It was the first public occasion that laid a strong hold upon his conscience and stirred the depths of his nature. It was also the first speech of his that the writer of this book, then twenty years of age, ever listened to. The impression made by it has lost nothing by the lapse of time. In Lincoln's complete writings it is styled the Peoria speech of October 16, 1854, as it was delivered at Peoria, after the Springfield debate, and subsequently written out by Lincoln himself for publication in the *Sangamon Journal*. The Peoria speech contained a few passages of rejoinder to Douglas's reply to his Springfield speech. In other respects they were the same.<sup>18</sup>

It was this speech that drew upon Lincoln the eyes of the scattered elements of opposition to Douglas. These elements were heterogeneous and in part discordant. The dividing line between Whigs and Democrats still ran through every county in the state, but there was a third element, unorganized as yet, known as "Free-Soilers," who traced their lineage back to James G. Birney and the campaign of 1844. These were numerous and active in the northern counties, but south of the latitude of Springfield they dwindled away rapidly. The Free-Soilers served as a nucleus for the crystallization of the Republican party two years later, but in 1854 the older organizations, although much demoralized, were still unbroken. Probably three fourths of the Whigs were opposed to the Nebraska Bill in principle, and half of the remainder were glad to avail themselves of any rift in the Democratic party to get possession of the offices. There was still a substantial fraction of the party, however, which feared any taint of abolitionism and was likely to side with Douglas in the new alignment.

The legislature consisted of one hundred members—twenty-five senators and seventy-five representatives. Twelve of the senators had been elected in 1852 for a four years' term, and thirteen were elected in 1854. Among the former were N. B. Judd, of Chicago, John M. Palmer, of Carlinville, and Burton C. Cook, of Ottawa, three Democrats who had early declared their opposition to the Nebraska Bill. The full Senate was composed of nine Whigs, thirteen regular Democrats, and three anti-Nebraska Democrats. A fourth holding-over senator (Osgood, Democrat) represented a district which had given an anti-Nebraska majority in this election. One of the Whig members (J. L. D. Morrison) of St. Clair County was elected simultaneously with Trumbull, but he was a man of Southern affiliations and his vote on the senatorial question was doubtful.

At this time there was no law compelling the two branches of a state legislature to unite in an election to fill a vacancy in the Senate of the United States. Accordingly, when one party controlled

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<sup>18</sup> Some testimony as to the effect produced upon Douglas himself by this speech was supplied to me long afterwards from a trustworthy quarter in the following letter:—New York, Dec. 7, 1908. My dear Mr. White: In 1891, at his office in Chicago, Mr. W. C. Gowdy told me that Judge Douglas spent the night with him at his house preceding his debate with Mr. Lincoln; that after the evening meal Judge Douglas exhibited considerable restlessness, pacing back and forth upon the floor of the room, evidently with mental preoccupation. The attitude of Judge Douglas was so unusual that Mr. Gowdy felt impelled to address him, and said: "Judge Douglas, you appear to be ill at ease and under some mental agitation; it cannot be that you have any anxiety with reference to the outcome of the debate you are to have with Mr. Lincoln; you cannot have any doubt of your ability to dispose of him." Whereupon Judge Douglas, stopping abruptly, turned to Mr. Gowdy and said, with great emphasis: "Yes, Gowdy, I am troubled over the progress and outcome of this debate. I have known Lincoln for many years, and I have continually met him in debate. I regard him as the most difficult and dangerous opponent that I have ever met and I have serious misgivings as to what may be the result of this joint debate." These in substance, and almost in exact phraseology, are the words repeated to me by Mr. Gowdy. Faithfully yours, Francis Lynde Stetson. Mr. Gowdy was a state senator in 1854 and his home was at or near Peoria. There was no joint debate between Lincoln and Douglas at or near Gowdy's residence, except that of 1854.

one branch of the legislature and the opposite party controlled the other, it was not uncommon for the minority to refuse to go into joint convention. This was the case now. In order to secure a joint meeting, it was necessary for at least one Democrat to vote with the anti-Nebraska members. Mr. Osgood did so.

In the House were forty-six anti-Nebraska men of all descriptions and twenty-eight Democrats. One member, Randolph Heath, of the Lawrence and Crawford District, did not vote in the election for Senator at any time. Two members from Madison County, Henry L. Baker and G. T. Allen, had been elected on the anti-Nebraska ticket with Trumbull.

In the chaotic condition of parties it was not to be expected that all the opponents of Douglas would coalesce at once. The Whig party was held together by the hope of reaping large gains from the division of the Democrats on the Nebraska Bill. This was a vain hope, because the Whigs were divided also; but while it existed it fanned the flame of old enmities. Moreover, the anti-Nebraska Democrats in the campaign had claimed that they were the true Democracy and that they were purifying the party in order to preserve and strengthen it. They could not instantly abandon that claim by voting for a Whig for the highest office to be filled.

The two houses met in the Hall of Representatives on February 8, 1855, to choose a Senator. Every inch of space on the floor and lobby was occupied by members and their political friends, and the gallery was adorned by well-dressed women, including Mrs. Lincoln and Mrs. Matteson, the governor's wife, and her fair daughters. The senatorial election had been the topic of chief concern throughout the state for many months, and now the interest was centred in a single room not more than one hundred feet square. The excitement was intense, for everybody knew the event was fraught with consequences of great pith and moment, far transcending the fate of any individual.

Mr. Lincoln had been designated as the choice of a caucus of about forty-five members, including all the Whigs and most of the Free-Soilers, with their leader, Rev. Owen Lovejoy, brother of the Alton martyr.

When the joint convention had been called to order, General James Shields was nominated by Senator Benjamin Graham, Abraham Lincoln by Representative Stephen T. Logan, and Lyman Trumbull by Senator John M. Palmer. The first vote resulted as follows:

Lincoln	45
Shields	41
Trumbull	5
Scattering	8
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Total	99

Several members of the House who had been elected as anti-Nebraska Democrats voted for Lincoln and a few for Shields. The vote for Trumbull consisted of Senators Palmer, Judd, and Cook and Representatives Baker and Allen.

On the second vote, Lincoln had 43 and Trumbull 6, and there were no other changes. A third roll-call resulted like the second. Thereupon Judge Logan moved an adjournment, but this was voted down by 42 to 56. On the fourth call, Lincoln's vote fell to 38 and Trumbull's rose to 11. On the sixth, Lincoln lost two more, and Trumbull dropped to 8.

It now became apparent by the commotion on the Democratic side of the chamber that a flank movement was taking place. There had been a rumor on the streets that if the reelection of Shields was found to be impossible, the Democrats would change to Governor Matteson, under the belief that since he had never committed himself to the Nebraska Bill he would be able, by reason of personal and social attachments, to win the votes of several anti-Nebraska Democrats who had not voted for Shields. This scheme was developed on the seventh call, which resulted as follows:

Matteson	44
Lincoln	38
Trumbull	9
Scattering	7
	—
Total	98

On the eighth call, Matteson gained two votes, Lincoln fell to 27, and Trumbull received 18. On the ninth and tenth, Matteson had 47, Lincoln dropped to 15, and Trumbull rose to 35.

The excitement deepened, for it was believed that the next vote would be decisive. Matteson wanted only three of a majority, and the only way to prevent it was to turn Lincoln's fifteen to Trumbull, or Trumbull's thirty-five to Lincoln. Obviously the former was the only safe move, for none of Lincoln's men would go to Matteson in any kind of shuffle, whereas three of Trumbull's men might easily be lost if an attempt were made to transfer them to the Whig leader. Lincoln was the first to see the imminent danger and the first to apply the remedy. In fact he was the only one who could have done so, since the fifteen supporters who still clung to him would never have left him except at his own request. He now besought his friends to vote for Trumbull. Some natural tears were shed by Judge Logan when he yielded to the appeal. He said that the demands of principle were superior to those of personal attachment, and he transferred his vote to Trumbull. All of the remaining fourteen followed his example, and there was a gain of one vote that had been previously cast for Archibald Williams. So the tenth and final roll-call gave Trumbull fifty-one votes, and Matteson forty-seven. One member still voted for Williams and one did not vote at all. Thus the one hundred members of the joint convention were accounted for, and Trumbull became Senator by a majority of one.

This result astounded the Democrats. They were more disappointed by it than they would have been by the election of Lincoln. They regarded Trumbull as an arch traitor. That he and his fellow traitors Palmer, Judd, and Cook should have carried off the great prize was an unexpected dose; but they did not know how bitter it was until Trumbull took his seat in the Senate and opened fire on the Nebraska Bill.

Lincoln took his defeat in good part. Later in the evening there was a reception given at the house of Mr. Ninian Edwards, whose wife was a sister of Mrs. Lincoln. He had been much interested in Lincoln's success and was greatly surprised to hear, just before the guests began to arrive, that Trumbull had been elected. He and his family were easily reconciled to the result, however, since Mrs. Trumbull had been from girlhood a favorite among them. When she and Trumbull arrived, they were naturally the centre of attraction. Mr. and Mrs. Lincoln came in a little later. The hostess and her daughters greeted them most cordially, saying that they had wished for his success, and that while he must be disappointed, yet he should bear in mind that his principles had won. Mr. Lincoln smiled, moved toward the newly elected Senator, and saying, "Not *too* disappointed to congratulate my friend Trumbull," warmly shook his hand.

Lincoln's account of this election, in a letter to Hon. E. B. Washburne, concludes by saying:

I regret my defeat moderately, but I am not nervous about it. I could have headed off every combination and been elected had it not been for Matteson's double game—and his defeat now gives me more pleasure than my own gives me pain. On the whole, it was perhaps as well for our general cause that Trumbull is elected. The Nebraska men confess that they hate it worse than anything that could have happened. It is a great consolation to see them worse whipped than I am. I tell them it is their own fault—that they had abundant opportunity to choose between him and me, which they declined, and instead forced it on me to decide between him and Matteson.

There is no evidence that Trumbull took any steps whatever to secure his own election in this contest.<sup>19</sup>

If Lincoln had been chosen at this time, his campaign against Douglas for the Senate in 1858 would not have taken place. Consequently he would not have been the cynosure of all eyes in that spectacular contest. It was Douglas's prestige and prowess that drew him into the limelight at that important juncture, and made his nomination as President possible in 1860.

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<sup>19</sup> The following manuscript, written by one of Lincoln's supporters who was himself a member of the legislature, was found among the papers of William H. Herndon: "In the contest for the United States Senate in the winter of 1854-55 in the Illinois Legislature, nearly all the Whigs and some of the '*anti-Nebraska Democrats*' preferred Mr. Lincoln to any other man. Some of them (and myself among the number) had been candidates and had been elected by the people for the express purpose of doing all in their power for his election, and a great deal of their time during the session was taken up, both in caucus and out of it, in laboring to unite the anti-Nebraska party on their favorite, but there was from the first, as the result proved, an insuperable obstacle to their success. Four of the anti-Nebraska Democrats had been elected in part by Democrats, and they not only personally preferred Mr. Trumbull, but considered his election necessary to consolidate the union between all those who were opposed to repeal of the Missouri Compromise and to the new policy upon the subject of slavery which Mr. Douglas and his friends were laboring so hard to inaugurate. They insisted that the election of Mr. Trumbull to the Senate would secure thousands of Democratic votes to the anti-Nebraska party who would be driven off by the election of Mr. Lincoln—that the Whig party were nearly a unit in opposition to Mr. Douglas, so that the election of the favorite candidate of the majority would give no particular strength in that quarter, and they manifested a fixed purpose to vote steadily for Mr. Trumbull and not at all for Mr. Lincoln, and thus compel the friends of Mr. Lincoln to vote for their man to prevent the election of Governor Matteson, who, as was ascertained, could, after the first few ballots, carry enough anti-Nebraska men to elect him. These four men were Judd, of Cook, Palmer, of Macoupin, Cook, of LaSalle, and Baker, of Madison. Allen, of Madison, went with them, but was not inflexible, and would have voted for Lincoln cheerfully, but did not want to separate from his Democratic friends. These men kept aloof from the caucus of both parties during the winter. They would not act with the Democrats from principle, and would not act with the Whigs from policy." "When the election came off, it was evident, after the first two or three ballots, that Mr. Lincoln could not be elected, and it was feared that if the balloting continued long, Governor Matteson would be elected. Mr. Lincoln then advised his friends to vote for Mr. Trumbull; they did so, and elected him." "Mr. Lincoln was very much disappointed, for I think that at that time it was the height of his ambition to get into the United States Senate. He manifested, however, no bitterness towards Mr. Judd or the other anti-Nebraska Democrats, by whom practically he was beaten, but evidently thought that their motives were right. *He told me several times afterwards that the election of Trumbull was the best thing that could have happened.*" "There was a great deal of dissatisfaction throughout the state at the result of the election. The Whigs constituted a vast majority of the anti-Nebraska party. They thought they were entitled to the Senator and that Mr. Lincoln by his contest with Mr. Douglas had caused the victory. Mr. Lincoln, however, generously exonerated Mr. Trumbull and his friends from all blame in the matter. Trumbull's first encounter with Douglas in the Senate filled the people of Illinois with admiration for his abilities, and the ill-feeling caused by his election gradually faded away." "Sam C. Parks."

## CHAPTER IV

### THE KANSAS WAR

Trumbull took his seat in the Senate at the first session of the Thirty-fourth Congress, December 3, 1855. His credentials were presented by Senator Crittenden, of Kentucky. Senator Cass, of Michigan, presented a protest from certain members of the legislature of Illinois reciting that the constitution of that state made the judges of the supreme and circuit courts ineligible to any other office in the state, or in the United States, during the terms for which they were elected and one year thereafter; affirming that Trumbull was elected judge of the supreme court June 7, 1852, for the term of nine years and entered upon the duties of that office June 24, 1852; that the said term of office would not expire until 1861; and that, therefore, he was not legally elected a Senator of the United States. The papers were eventually referred to the Committee on the Judiciary, but in the mean time Trumbull was sworn in. Before the question of reference was disposed of, however, Senator Seward contended that no state could fix or define the qualifications of a Senator of the United States. He instanced the case of N. P. Tallmadge, who had been elected a Senator from New York while serving as a member of the legislature of that state, although the constitution of New York disqualified him and all other members from such election. Tallmadge was nevertheless admitted to the Senate and served his full term. Trumbull's right to his seat was decided in accordance with that precedent by a vote of 35 to 8, on the 5th of March, 1856. Senator Douglas did not vote on this question, nor did he take part in the argument on it.

The subject of burning interest in Congress was the condition of affairs in Kansas Territory. When the bill repealing the Missouri Compromise was pending, the opinion had been generally expressed by its supporters that slavery never would or could go into that region. Several Southern Senators and most of the Northern Democrats had held this view. Hunter, of Virginia, considered it utterly hopeless to expect that either Kansas or Nebraska would ever be a slaveholding state. Badger, of North Carolina, said that he had no more idea of seeing a slave population in either of them than he had of seeing it in Massachusetts. Dixon, of Kentucky, held a similar view. Nor is there any reason to doubt the sincerity of these men. Apparently the only Southern Senator who then cherished a different belief was Atchison, of Missouri, whose home was on the border of Kansas and whose opinions were based upon personal knowledge and backed by self-interest.

President Pierce appointed Andrew H. Reeder, of Pennsylvania, governor of Kansas Territory. Reeder was not unwilling to coöperate with the South in establishing slavery in an orderly way, but was quite unprepared for the tactics which had been planned by others to expedite his movements. He called an election for a delegate in Congress to be held on the 29th of November, 1854. An organized army of Missourians marched over the Kansas border, seized the polling-places, and cast 1749 fraudulent votes for a pro-slavery man named Whitfield. This was a gratuitous and unnecessary act of violence, since the bona-fide settlers from Missouri outnumbered the Free State men and the latter were, as yet, unorganized and unprepared. Governor Reeder confirmed the election and thus gave encouragement to the invaders for their next attempt.

A few immigrants had already gone into the territory from the New England States, moved by the desire of bettering their condition in life. Some of them had been assisted by the Emigrant Aid Company of Worcester, Massachusetts, a society started by Eli Thayer for the purpose of furnishing capital, by loans, to such persons for traveling expenses and for the building of hotels, sawmills, private dwellings, etc. These settlers from the East were as little prepared as Reeder himself for the sudden swoop of Missourians, and although they wrote letters to Northern Congressmen and newspapers protesting against the election of Whitfield as an act of invasion and a barefaced fraud, nothing was done to prevent him from taking his seat.

The next election (for members of the territorial legislature) was fixed for the 30th of March, 1855. What kind of preparations for it had been made in the mean time in Missouri was plainly indicated by the following letter, dated Brunswick, Missouri, April 20, 1855, published in the *New York Herald*:

From five to seven thousand men started from Missouri to attend the election, some to remove, but most to return to their families with an intention, if they liked the territory, to make it their permanent home at the earliest moment practicable. But they intended to vote. The Missourians were many of them Douglas men. There were one hundred and fifty voters from this county, one hundred and seventy-five from Howard, one hundred from Cooper. Indeed, every county furnished its quota, and when they set out it looked like an army. They were armed. And as there were no houses in the territory they carried tents. Their mission was a peaceable one—to vote, and to drive down stakes for their future homes.

After the election some 1500 of the voters sent a committee to Mr. Reeder to ascertain if it was his purpose to ratify the election. He answered that it was, and said that the majority at an election must carry the day. But it is not to be denied that the 1500, apprehending that the governor might attempt to play the tyrant, since his conduct had already been insidious and unjust, wore on their hats bunches of hemp. They were resolved, if a tyrant attempted to trample on the rights of the sovereign people, to hang him.

It was not conscious brigandage that prompted this movement, but the simplicity of minds tutored on the frontier and fashioned in the environment of slavery. The fifteen hundred Missourians, who gave Governor Reeder to understand that they would hang him on the nearest tree if he did not ratify their invasion of Kansas, had homes, farms, and families. They supported churches and schools of a certain kind and considered themselves qualified to civilize Africans. They were types of the best society that they had any conception of. Far from concealing anything that they had done, they boasted of it openly in their newspaper organ, the *Squatter Sovereign*, which published the following under the date of April 1:

Independence, Mo., March 31, 1855.—Several hundred emigrants from Kansas have just entered our city. They were preceded by the Westport and Independence brass bands. They came in at the west side of the public square and proceeded entirely around it, the bands cheering us with fine music, and the emigrants with good news. Immediately following the bands were about two hundred horsemen in regular order. Following these were one hundred and fifty wagons, carriages, etc. They gave repeated cheers for Kansas and Missouri. They report that not an anti-slavery man will be in the Legislature of Kansas. We have made a clean sweep.<sup>20</sup>

This invasion was as needless as the former one, since the Free State men were still in the minority, counting actual settlers only; but the pro-slavery party were determined to leave nothing to chance. Senator Atchison, in a speech at Weston, Missouri, on the 9th of November, 1854, had told his constituents how to secure the prize:

When you reside in one day's journey of the territory, and when your peace, your quiet, and your property depend upon your action, you can, without an exertion, send five hundred of your young men who will vote in favor of your institution. Should each county in the state of Missouri only do its duty, the question will be

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<sup>20</sup> Edited by B. F. Stringfellow, author of *African Slavery no Evil*, St. Louis, 1854.

decided quietly and peaceably at the ballot-box. If you are defeated, then Missouri and the other Southern States will have shown themselves to be recreant to their interests, and will deserve their fate.<sup>21</sup>

A little later we find him writing letters like the following to a friend in Atlanta, Georgia:

Let your young men come forth to Missouri and Kansas. Let them come well armed, with money enough to support them for twelve months and determined to see this thing out! I do not see how we are to avoid a civil war;—come it will. Twelve months will not elapse before war—civil war of the fiercest kind—will be upon us. We are arming and preparing for it.

Atchison was constantly spurring others to deeds of lawlessness and violence, but he always stopped short of committing any himself. He was probably restrained by the fear of losing influence at Washington. It was by no means certain that President Pierce would tolerate everything. The sad fate of one of the companies recruited in the South for immigration to Kansas is narrated in the following letter, addressed to Senator Trumbull by John C. Underwood, of Culpeper Court House, Virginia:

Soon after the repeal of the Missouri Compromise in 1854, in the neighborhood of Winchester and Harper's Ferry the project of sending a company of young men to Kansas to make it a slave state was much agitated. Subscriptions for that purpose were asked, and the duty of strengthening our sectional interest of slavery by adding two friendly Senators to your honorable body, was urged with great zeal upon my neighbors. This was long before I had heard of any movement of the New England Aid Co., or of anybody on the part of freedom. It was my understanding at the time that Senator Mason was the main adviser in the project. This may not have been the case. The history of this company will not be soon forgotten. Its taking the train on the Baltimore and Ohio R. R. at Harper's Ferry, its exploits in Kansas up to the fall of its leader (Sharrard) at the hands of Jones, the friend of the Democratic Gov. Geary, are all still well remembered. The return of the company with the dead body of their leader, and the blasted hopes of its sanguine originators, was a gloomy day in our beautiful valley, and created a sensation throughout the country.

Another letter among the Trumbull papers deserves a place here, the author of which was Isaac T. Dement, who (writing from Hudson, Illinois, January 10, 1857) says that he was living in Kansas the previous year and had filed his intention on one hundred and sixty acres of land where he had a small store and a dwelling-house:

On the 3d of September last [he continues] a band of armed men from Missouri came to my place, and after taking what they wanted from the store, burned it and the house, and said that if they could find me they would hang me. They said that they had broken open a post-office and found a letter that I wrote to Lane and Brown asking them to come and help us with a company of Sharpe's rifles (this is a lie); and also that I had furnished Lane and Brown's men with provisions (a lie), and that I was a Free State man (that is so).

Mr. Dement hoped that Congress would do something to compensate him for his losses.

Governor Reeder ought to have been prepared for the second invasion. He had had sufficient warning. Unless he was ready to go all lengths with Atchison and Stringfellow, he ought to have declared the entire election invalid and reported the facts to President Pierce. But he did nothing of the kind. He merely rejected the votes of seven election districts where the most notorious frauds

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<sup>21</sup> Cited in Villard's *John Brown*, p. 94.

had been committed, and declared "duly elected" the persons voted for in others. Eventually the members holding certificates organized as a legislature and admitted the seven who had been rejected by Reeder. The latter took an early opportunity to go to Washington City to make a report to the President in person. He stopped en route at his home in Easton, Pennsylvania, where he made a public speech exposing the frauds in the election and confirming the reports of the Free State settlers. Stringfellow warned him not to come back. In the *Squatter Sovereign* of May 29, 1855, he said:

From reports received of Reeder he never intends returning to our borders. Should he do so we, without hesitation, say that our people ought to hang him by the neck like a traitorous dog, as he is, so soon as he puts his unhallowed feet upon our shores. Vindicate your characters and the territory; and should the ungrateful dog dare to come among us again, hang him to the first rotten tree. A military force to protect the ballot-box! Let President Pierce or Governor Reeder, or any other power, attempt such a course in this, or any portion of the Union, and that day will never be forgotten.

The "Border Ruffian" legislature proceeded to enact the entire slave code of Missouri as laws of Kansas. It was made a criminal offense for anybody to deny that slavery existed in Kansas, or to print anything, or to introduce any printed matter, making such denial. Nobody could hold any office, even that of notary public, who should make such denial. The crime of enticing any slave to leave his master was made punishable with death, or imprisonment for ten years. That of advising slaves, by speaking, writing, or printing, to rebel, was punishable with death.

Reeder was removed from office by President Pierce on the 15th of August, and Wilson Shannon, a former governor of Ohio, was appointed as his successor.

The Free State men held a convention at Topeka in October, 1855, and framed a state constitution, to be submitted to a popular vote, looking to admission to the Union. This was equivalent merely to a petition to Congress, but it was stigmatized as an act of rebellion by the pro-slavery party.

On the 24th of January, 1856, President Pierce sent a special message to Congress on the subject of the disturbance in Kansas. He alluded to the "angry accusations that illegal votes had been polled," and to the "imputations of fraud and violence"; but he relied upon the fact that the governor had admitted some members and rejected others and that each legislative assembly had undoubted authority to determine, in the last resort, the election and qualification of its own members. Thus a principle intended to apply to a few exceptional cases of dispute was stretched to cover a case where all the seats had been obtained by fraud and usurpation. "For all present purposes," he added feebly, the "legislative body thus constituted and elected was the legitimate assembly of the Territory."

This message was referred to the Senate Committee on Territories. On the 12th of March, Senator Douglas submitted a report from the committee, and Senator Collamer, of Vermont, submitted a minority report. This was the occasion of the first passage-at-arms between Douglas and his new colleague. The report was not merely a general endorsement of President Pierce's contention that it was impossible to go behind the returns of the Kansas election, as certified by Governor Reeder, but it went much further in the same direction, putting all the blame for the disorders on the New England Emigrant Aid Company, and practically justifying the Missourians as a people "protecting their own firesides from the apprehended horrors of servile insurrection and intestine war." Logically, from Douglas's new standpoint, the New Englanders had no right to settle in Kansas at all, if they had the purpose to make it a free state. To this complexion had the doctrine of "popular sovereignty" come in the short space of two years.

Two days after the presentation of this report, Mr. Trumbull made a three hours' speech upon it without other preparation than a perusal of it in a newspaper; it had not yet been printed by the Senate. This speech was a part of one of the most exciting debates in the annals of Congress. He began with a calm but searching review of the Kansas-Nebraska Act, dwelling first on the failure

of the measure to fix any time when the people of a territory should exercise the right of deciding whether they would have slavery or not. He illustrated his point by citing some resolutions adopted by a handful of squatters in Kansas as early as September, 1854, many months before any legislature had been organized or elected, in which it was declared that the squatters aforesaid "would exercise the right of expelling from the territory, or otherwise punishing any individual, or individuals, who may come among us and by act, conspiracy, or other illegal means, entice away our slaves or clandestinely attempt in any way or form to affect our rights of property in the same." These resolutions were passed before any persons had arrived under the auspices, or by the aid, of the New England Emigrant Aid Company; showing that, so far from being aroused to violence by the threatening attitude of that organization, the Missourians were giving notice beforehand that violence would be used upon any intending settlers who might be opposed to the introduction of slavery.

Douglas had wonderful skill in introducing sophisms into a discussion so deftly that his opponent would not be likely to notice them, or would think them not worth answering, and then enlarging upon them and leading the debate away upon a false scent, thus convincing the hearers that, as his opponent was weak in this particular, he was probably weak everywhere. It was Trumbull's forte that he never failed to detect these tricks and turns and never neglected them, but exposed them instantly, before proceeding on the main line of his argument. It was this faculty that made his coming into the Senate a welcome reinforcement to the Republican side of the chamber.

The report under consideration abounded in these characteristic Douglas pitfalls. It said, for example:

Although the act of incorporation [of the Emigrant Aid Company] does not distinctly declare that it was formed for the purpose of controlling the domestic institutions of Kansas and forcing it into the Union with a prohibition of slavery in her constitution, *regardless of the rights and wishes of the people as guaranteed by the Constitution of the United States and secured by their organic law*, yet the whole history of the movement, the circumstances in which it had its origin, and the professions and avowals of all engaged in it rendered it certain and undeniable that such was its object.

Here was a double sophistry: First, the implication that, if the Emigrant Aid Company had boldly avowed that its purpose was to control the domestic institutions of Kansas and bring it into the Union as a free state, its heinousness would have been plain to all; second, that the Constitution of the United States, and the organic act of the territory itself, guaranteed the people against such an outrage. But the declared object of the Nebraska Bill was to allow the people to do this very thing by a majority vote. Mr. Trumbull brought his flail down upon this pair of sophisms with resounding force. In debate with Senator Hale, a few days earlier, Toombs, of Georgia, had had the manliness to say:

With reference to that portion of the Senator's argument justifying the Emigrant Aid Societies,—whatever may be their policy, whatever may be the tendency of that policy to produce strife,—if they simply aid emigrants from Massachusetts to go to Kansas and to become citizens of that territory, I am prepared to say that they violate no law; and they had a right to do it; and every attempt to prevent them from doing so violated the law and ought not to be sustained.<sup>22</sup>

By way of justifying the Border Ruffians the report said that when the emigrants from New England were going through Missouri, the violence of their language and behavior excited apprehensions that their object was to "abolitionize Kansas as a means of prosecuting a relentless warfare on the institution of slavery within the limits of Missouri."

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<sup>22</sup> *Cong. Globe*, Appendix, 1856. p. 118.

What! [said Trumbull,] abolitionize Kansas! It was said on all sides of the Senate Chamber (when the Nebraska bill was pending) that it was never meant to have slavery go into Kansas. What is meant, then, by abolitionizing Kansas? Is it abolitionizing a territory already free, and which was never meant to be anything but free, for Free State men to settle in it? I cannot understand the force of such language. But they were to abolitionize Kansas, according to this report, and for what purpose? As a means for prosecuting a relentless warfare on the institution of slavery within the limits of Missouri. Where is the evidence of such a design? I would like to see it. It is not in this report, and if it exists I will go as far as the gentleman to put it down. I will neither tolerate nor countenance by my action here or elsewhere any society which is resorting to means for prosecuting a relentless warfare upon the institution of slavery within the limits of Missouri or any other state. But there is not a particle of evidence of any such intention in the document which professes to set forth the acts of the Emigrant Aid Society, and which is incorporated in this report.<sup>23</sup>

Trumbull next took up the contention of the report that since Governor Reeder had recognized the usurping legislature, he and all other governmental authorities were estopped from inquiring into its validity. No great effort of a trained legal mind was required to overthrow that pretension. Trumbull demolished it thoroughly. After giving a calm and lucid sketch of the existing condition of affairs in the territory, Trumbull brought his speech to a conclusion. It fills six pages of the *Congressional Globe*.<sup>24</sup>

This was the prelude to a hot debate with Douglas, who immediately took the floor. Trumbull had remarked in the course of his speech that the only political party with which he had ever had any affiliations was the Democratic. Douglas said that he should make a reply to his colleague's speech as soon as it should be printed in the *Globe*, but that he wished to take notice now of the statement that Trumbull claimed to be a Democrat. This, he said, would be considered by every Democrat in Illinois as a libel upon the party.

Senator Crittenden called Douglas to order for using the word "libel," which he said was unparliamentary, being equivalent to the word "lie." Douglas insisted that he had not imputed untruth to his colleague, but had only said that all the Democrats in Illinois would impute it to him when they should read his speech. He then went into a general tirade about "Black Republicans," "Know-Nothings," and "Abolitionists," who, he said, had joined in making Trumbull a Senator, from which it was evident that he was one of the same tribe, and not a Democrat. So far as the people of Illinois were concerned, he said that his colleague did not dare to go before them and take his chances in a general election, for he (Douglas) had met him at Salem, Marion County, in the summer of 1855, and had told him in the presence of thousands of people that, differing as they did, they ought not both to represent the State at the same time. Therefore, he proposed that they should both sign a paper resigning their seats and appeal to the people, "and if I did not beat him now with his Know-Nothingism, Abolitionism, and all other isms by a majority of twenty thousand votes, he should take the seat without the trouble of a contest."

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<sup>23</sup> The writer of this book was intimately acquainted with the doings of the Emigrant Aid Societies of the country, having been connected with the National Kansas Committee at Chicago. The emigrants usually went up the Missouri River by rail from St. Louis to Jefferson City and thence by steamboat to Kansas City, Wyandotte, or Leavenworth. They were cautioned to conceal as much as possible their identity and destination, in order to avoid trouble. Such caution was not necessary, however, since the emigrants knew that their own success depended largely upon keeping that avenue of approach to Kansas open. Later, in the summer of 1856, it was closed, not in consequence of any threatening language or action on the part of the emigrants, but because the Border Ruffians were determined to cut off reinforcements to the Free State men in Kansas. The tide of travel then took the road through Iowa and Nebraska, a longer, more circuitous, and more expensive route.

<sup>24</sup> Appendix, p. 200.

Neither Trumbull nor Douglas was gifted with the sense of humor, but Trumbull turned the laugh on his antagonist by his comments on the coolness of the proposal that both Senators should resign their seats, which Governor Matteson would have the right to fill immediately, and which the people could in no event fill by a majority vote, since the people did not elect Senators under our system of government. The reason why he did not answer the challenge at Salem was that his colleague did not stay to hear the answer. After he had finished his speech it was very convenient for him to be absent. "He cut immediately for his tavern without waiting to hear me." Trumbull denominated the challenge "a bald clap-trap declamation and nothing else."

Douglas's charges about Know-Nothings and Abolitionists were well calculated to make an impression in southern Illinois; hence Trumbull did not choose to let them go unanswered. His reply was pitched upon a higher plane, however, than his antagonist's tirade. He said:

In my part of the state there are no Know-Nothing organizations of whose members I have any knowledge. If they exist, they exist secretly. There are no open avowed ones among us. These general charges, as to matters of opinion, amount to but very little. It is altogether probable that the gentleman and myself will differ in opinion not only upon this slavery question, but also as to the sentiments of the people of Illinois. The views which I entertain are honest ones; they are the sincere sentiments of my heart. I will not say that the views which he entertains in reference to those matters are not equally honest. I impute no such thing as insincerity to any Senator. Claiming for myself to be honest and sincere, I am willing to award to others the same sincerity that I claim for myself. As to what views other men in Illinois may entertain we may honestly differ. The views of the members of the legislature may be ascertained from their votes on resolutions before them. I do not know how to ascertain them in any other way. As for Abolitionists I do not know one in our state—one who wishes to interfere with slavery in the states. I have not the acquaintance of any of that class. There are thousands who oppose the breaking-down of a compromise set up by our fathers to prevent the extension of slavery, and I know that the gentleman himself once uttered on this floor the sentiment that he did not know a man who wished to extend slavery to a free territory.

Douglas replied at length to Trumbull on the 20th of March, in his most slippery and misleading style. If it were possible to admire the kind of argument which makes the worse appear the better reason, this speech would take high rank. It may be worth while to give a single sample. Trumbull had said that in his opinion the words of the Missouri Compromise, prohibiting slavery in certain territories "forever," meant until the territory should be admitted into the Union as a state on terms of equality with the other states. Douglas seized upon this as a fatal admission, and asked why, if "forever" meant only a few years, Trumbull and all his allies had been abusing him for repealing the sacred compact.

If so [he continued], what is meant by all the leaders of that great party, of which he (Trumbull) has become so prominent a member, when they charge me with violating a solemn compact—a compact which they say consecrated that territory to freedom forever? *They* say it was a compact binding forever. *He* says that it was an unfounded assumption, for it was only a law which would become void without even being repealed; it was a mere legislative enactment like any other territorial law, and the word "forever" meant no more than the word "hereafter"—that it would expire by its own limitation. If this assumption be true, it necessarily follows that what he

calls the Missouri Compromise was no compact—was not a contract—not even a compromise, the repeal of which would involve a breach of faith.<sup>25</sup>

And he continued, ringing the changes on this alleged inconsistency through two entire columns of the *Globe*, as though a compact could not be made respecting a territory as well as for a state, and ignoring the fact that if slaves were prevented from coming into the territory, the material for forming a slave state would not exist when the people should apply for admission to the Union. If the word "forever" had, as Trumbull believed, applied only to the territory, it nevertheless answered all practical purposes forever, by moulding the future state, as the potter moulds the clay.<sup>26</sup>

The remainder of Douglas's speech was founded upon the doings of Governor Reeder, whom he first used to buttress and sustain the bogus legislature in its acts, and then turned upon and rent in pitiable fragments, calling him "your Governor," as though the Republicans and not their opponents had appointed him.

June 9, 1856, the two Senators drifted into debate on the Kansas question again, and Trumbull put to Douglas the question which Lincoln put to him with such momentous consequences in the Freeport debate two years later: whether the people of a territory could lawfully exclude slavery prior to the formation of a state constitution. Trumbull said that the Democratic party was not harmonious on this point. He had heard Brown, of Mississippi, argue on the floor of the Senate that slavery could not be excluded from the territories, while in the formative condition, by the territorial legislature, and he had heard Cass, of Michigan, maintain exactly the opposite doctrine. He would like to know what his colleague's views were upon that point:

My colleague [he said] has no sort of difficulty in deciding the constitutional question as to the right of the people of a territory, when they form their constitution, to establish or prohibit slavery. Now will he tell me whether they have the right *before* they form a state constitution?<sup>27</sup>

Douglas did not answer this interrogatory. He insisted that it was purely a judicial question, and that he and all good Democrats were in harmony and would sustain the decision of the highest tribunal when it should be rendered. The Dred Scott case was pending in the Supreme Court, but that fact was not mentioned in the debate. The right of the people of a territory to exclude slavery before arriving at statehood was already the crux of the political situation, but its significance was not generally perceived at that time. That Trumbull had grasped the fact was shown by his concluding remarks in this debate, to wit:

My colleague says that the persons with whom he is acting are perfectly agreed on the questions at issue. Why, sir, all of them in the South say that they have a right to take their slaves into a territory and to hold them there as such, while all in the North deny it. If that is an agreement, then I do not know what Bedlam would be.

Bedlam came at Charleston four years later. It is worthy of remark that in this debate Douglas held that a negro could bring an action for personal freedom in a territory and have it presented to the Supreme Court of the United States for decision. In the Dred Scott case, subsequently decided, the court held that a negro could not bring an action in a court of the United States.

The Senate debate on Kansas affairs in the first session of the Thirty-fourth Congress was participated in by nearly all the members of the body. The best speech on the Republican side

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<sup>25</sup> *Cong. Globe*, 34th Congress, Appendix, p. 281.

<sup>26</sup> In this debate Clayton, of Delaware, contended that the word "forever" was meant to apply to any future political body, whether territory or state, occupying the ground embraced in the defined limits. Hence he considered the Missouri Compromise unconstitutional, but he had opposed the Nebraska Bill because he was not willing to reopen the slavery agitation. *Cong. Globe*, 34th Congress, Appendix, p. 777.

<sup>27</sup> *Cong. Globe*, 1856, p. 1371.

was made by Seward. This was a carefully prepared, farseeing philosophical oration, in which the South was warned that the stars in their courses were fighting against slavery and that the institution took a step toward perdition when it appealed to lawless violence. Sumner's speech, which in its consequences became more celebrated, was sophomorical and vituperative and was not calculated to help the cause that its author espoused; but the assault made upon him by Preston S. Brooks maddened the North and drew attention away from its defects of taste and judgment. Collamer, of Vermont, made a notable speech in addition to his notable minority report from the Committee on Territories. Wilson, of Massachusetts, and Hale, of New Hampshire, received well-earned plaudits for the thoroughness with which they exposed the frauds and violence of the Border Ruffians, and commented on the vacillation and stammering of President Pierce. That Trumbull had the advantage of his wily antagonist must be the conclusion of impartial readers at the present day.

If a newcomer in the Senate to-day should plunge *in medias res* and deliver a three-hours' speech as soon as he could get the floor, he would probably be made aware of the opinion of his elders that he had been over-hasty. It was not so in the exciting times of the decade before the Civil War. All help was eagerly welcomed. Moreover, Trumbull's constituents would not have tolerated any delay on his part in getting into the thickest of the fight. Any signs of hanging back would have been construed as timidity. The anti-Nebraska Democrats of Illinois required early proof that their Senator was not afraid of the Little Giant, but was his match at cut-and-thrust debate as well as his superior in dignity and moral power. The North rang with the praises of Trumbull, and some persons, whose admiration of Lincoln was unbounded and unchangeable, were heard to say that perhaps Providence had selected the right man for Senator from Illinois. Although Lincoln's personality was more magnetic, Trumbull's intellect was more alert, his diction the more incisive, and his temper was the more combative of the two.

From a mass of letters and newspapers commending Mr. Trumbull on his first appearance on the floor of the Senate, a few are selected for notice.

The New York *Tribune*, March 15, 1856, Washington letter signed "H. G.," p. 4, col. 5:

Mr. Trumbull's review of Senator Douglas's pro-slavery Kansas report is hailed with enthusiasm, as calculated to do honor to the palmiest days of the Senate. Though three hours long, it commanded full galleries, and the most fixed attention to the close. It was searching as well as able, and was at once dignified and convincing.

When Mr. Trumbull closed, Mr. Douglas rose, in bad temper, to complain that the attack had been commenced in his absence, and to ask the Senate to fix a day for his reply. He said Mr. Trumbull had claimed to be a Democrat; but that claim would be considered a libel by the Democracy of Illinois. Here Mr. Crittenden rose to a question of order, and a most exciting passage ensued; the flash of the Kentuckian's eye and the sternness of his bearing were such as are rarely seen in the Senate.

The New York *Daily Times*, Washington letter, dated June 9:

Douglas was much disconcerted to-day by Senator Trumbull's keen exposure of his Nebraska sophism. He was directly asked if he believed that the people of the territories have the right to exclude slavery before forming a state government, but he refused to give his opinion, saying that it was a question to be determined by the Supreme Court. Trumbull then exposed with great force Douglas's equivocal platform of popular sovereignty, which means one thing at the South and another at the North. The "Little Giant" was fairly smoked out.

Charles Sumner writes to E. L. Pierce, March 21:

Trumbull is a hero, and more than a match for Douglas. Illinois, in sending him, has done much to make me forget that she sent Douglas. You will read the main

speech which is able; but you can hardly appreciate the ready courage and power with which he grappled with his colleague and throttled him. We are all proud of his work.

S. P. Chase, Executive Office, Columbus, Ohio, April 14, 1856, writes:

I have read your speech with great interest. It was timely—exactly at the right moment and its logic and statement are irresistible. How I rejoice that Illinois has sent you to the Senate.

John Johnson, Mount Vernon, Illinois, writes:

I wish I could express the pleasure that I and many other of your friends feel when we remember that we have such a man as yourself in Congress, who loves liberty and truth and is not ashamed or afraid to speak. Let me say that I thank the Ruler of the Universe that we have got such a man into the Senate of the United States.... Your influence will tell on the interests of the nation in years to come.

John H. Bryant, Princeton, writes:

The expectations of those who elected Mr. Trumbull to the Senate have been fully met by his course in that body, those of Democratic antecedents being satisfied and the Whigs very happily disappointed. For Mr. Lincoln the people have great respect, and great confidence in his ability and integrity. Still the feeling here is that you have filled the place at this particular time better than he could have done.<sup>28</sup>

At this time Trumbull received a letter from one of the Ohio River counties which, by reason of the singularity of its contents as well as of the subsequent distinction of the writer, merits preservation:

Green B. Raum, Golconda, Pope Co., Feb. 9, '57, wishes Trumbull to find out why he cannot get his pay for taking depositions at the instance of the Secretary of the Interior in a lawsuit involving the freedom of sixty negroes legally manumitted, but still held in slavery in Crawford County, Arkansas. The witnesses whose depositions were taken were living in Pope Co., Ill. Raum advanced \$43.25 for witness fees and costs and was engaged one month in the work, for which he charged \$300. This was done in May, 1855, but he had never been paid even the amount that he advanced out of his own pocket.<sup>29</sup>

In April, 1857, Trumbull received an urgent appeal from Cyrus Aldrich, George A. Nourse, and others in Minnesota asking him to come to that territory and make speeches for one month to help the Republicans carry the convention which had been called to frame a state constitution. He responded to this call and took an active part in the campaign, which resulted favorably to the Republican party.

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<sup>28</sup> John H. Bryant, a man of large influence in central Illinois, brother of William Cullen Bryant.

<sup>29</sup> Green B. Raum, Lawyer, Democrat, brigadier-general in the Union army in the Civil War.

## CHAPTER V

### THE LECOMPTON FIGHT

In June, 1856, Lincoln wrote to Trumbull urging him to attend the Republican National Convention which had been called to meet in Philadelphia to nominate candidates for President and Vice-President and suggesting that he labor for the nomination of a conservative man for President. Trumbull went accordingly and coöperated with N. B. Judd, Leonard Swett, William B. Archer, and other delegates from Illinois in the proceedings which led up to the futile nominations of Frémont and Dayton. The only part of these proceedings which interests us now is the fact that Abraham Lincoln, who was not a candidate for any place, received one hundred and ten votes for Vice-President. This result was brought about by Mr. William B. Archer, an Illinois Congressman, who conceived the idea of proposing his name only a short time before the voting began, and secured the coöperation of Mr. Allison, of Pennsylvania, to nominate him. Archer wrote to Lincoln that if this bright idea had occurred to him a little earlier he could have obtained a majority of the convention for him. When the news first reached Lincoln at Urbana, Illinois, where he was attending court, he thought that the one hundred and ten votes were cast for Mr. Lincoln, of Massachusetts.

He wrote to Trumbull on the 27th saying, "It would have been easier for us, I think, had we got McLean" (instead of Frémont), but he was not without high hopes of carrying the state. He was confident of electing Bissell for governor at all events. In August, Lincoln wrote again saying that he had just returned from a speaking tour in Edgar, Coles, and Shelby counties, and that he had found the chief embarrassment in the way of Republican success was the Fillmore ticket. "The great difficulty," he says, "with anti-slavery-extension Fillmore men is that they suppose Fillmore as good as Frémont on that question; and it is a delicate point to argue them out of it, they are so ready to think you are abusing Mr. Fillmore." The Fillmore vote in Illinois was 37,444.

The Republican state ticket, headed by William H. Bissell for governor, was elected, but Buchanan and Breckinridge, the Democratic nominees, received the electoral vote of the state and were successful in the country at large. The defeat of Frémont caused intense disappointment to the Republicans at the time, but it was fortunate for the party and for the country that he was beaten. He was not the man to deal with the grave crisis impending. Disunion was a club already held in reserve to greet any Republican President. Senator Mason, of Virginia, frankly said so to Trumbull in a Senate debate (December 2, 1856), after the election:

Mr. Mason: What I said was this, that if that [Republican] party came into power avowing the purpose that it did avow, it would necessarily result in the dissolution of the Union, whether they desired it or not. It was utterly immaterial who was their President; he might have been a man of straw. I allude to the purposes of the party.

Mr. Trumbull: Why, sir, neither Colonel Frémont nor any other person can be elected President of the United States except in the constitutional mode, and if any individual is elected in the mode prescribed in the Constitution, is that cause for dissolution of the Union? Assuredly not. If it be, the Constitution contains within itself the elements of its own destruction.<sup>30</sup>

Four years passed ere Mr. Mason's prediction was put to the test, and the intervening time was mainly occupied by a continuation of the Kansas strife. The prevailing gloom in the Northern mind

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<sup>30</sup> *Cong. Globe*, vol. 42, p. 16.

was reflected in a letter written by Trumbull to Professor J. B. Turner, of Jacksonville, Illinois, dated Alton, October 19, 1857, from which the following is an extract:

Our free institutions are undergoing a fearful trial, nothing less, as I can conceive, than a struggle with those now in power, who are attempting to subvert the very basis upon which they rest. Things are now being done in the name of the Constitution which the framers of that instrument took special pains to guard against, and which they did provide against as plainly as human language could do it. The recent use of the army in Kansas, to say nothing of the complicity of the administration with the frauds and outrages which have been committed in that territory, presents as clear a case of usurpation as could well be imagined. Whether the people can be waked up to the change which their government is undergoing in time to prevent it, is the question. I believe they can. I will not believe that the free people of this great country will quietly suffer their government, established for the protection of life and liberty, to be changed into a slaveholding oligarchy whose chief object is the spread and perpetuation of negro slavery and the degradation of free white labor.

Soon after the inauguration of Buchanan, Robert J. Walker, of Mississippi, was appointed by him governor of Kansas Territory. Walker was a native of Pennsylvania and a man of good repute. He had been Secretary of the Treasury under President Polk, and was the author of the Tariff of 1846. When he arrived in Kansas steps had already been taken by the territorial legislature for electing members of a constitutional convention with a view to admission to the Union as a state. Governor Walker urged the Free State men to participate in this election, promising them fair treatment and an honest count of votes; but they still feared treachery and violence and fraud in the election returns. Moreover, voters were required to take a test oath that they would support the Constitution as framed. As Walker had assured them that the Constitution would be submitted to a vote of the people, they decided to take no part in framing it, but to vote it down when it should be submitted.

The convention met in the territorial capital, Lecompton. While it was in session a regular election of members of the territorial legislature took place, and Governor Walker had so far won the confidence of the Free State men that they took part in it and elected a majority of the members of both branches. About one month later news came that the constitutional convention had completed its labors and had decided not to submit the constitution itself to a vote of the people, but only the slavery clause. People could vote "For the constitution with slavery," or "For the constitution with no slavery," but in no case should the right of property in slaves already in the territory be questioned, nor should the constitution itself be amended until 1864, and no amendment should be made affecting the rights of property in such slaves.

Senator Douglas was in Chicago when this news arrived. He at once declared to his friends that this scheme had its origin in Buchanan's Cabinet. Governor James W. Geary, Walker's predecessor in office, had vetoed the bill calling the convention, because it contained no clause requiring submission of the constitution to the people; but it had been passed over his veto. He subsequently said, in a published letter, that the committees of the legislature having the matter in charge informed him that their friends in the South did not desire a submission clause. It was proved later that a conspiracy with this aim existed in Buchanan's Cabinet without his knowledge, and that the guiding spirit was Jacob Thompson, of Mississippi, Secretary of the Interior. The chief manager in Kansas was John Calhoun, the president of the convention, who had been designated also as the canvassing officer of the election returns under the submission clause.

Buchanan was not admitted to the secret of the conspiracy until the deed was done. He had committed himself both verbally and in writing to the submission of the whole constitution to the people for ratification or rejection. He had pledged himself in this behalf to Governor Walker,

who had pledged himself to the people of Kansas. Walker kept his pledge, but Buchanan broke his. He surrendered to the Cabinet cabal and made the admission of Kansas under the Lecompton Constitution the policy of his administration. It proved to be his ruin, as an earlier breach of promise had been the ruin of Pierce.

Walker exposed and denounced the whole conspiracy and resigned the governorship, the duties of which devolved upon F. P. Stanton, the secretary of the territory, a man of ability and integrity, who had been a member of Congress from Tennessee. Stanton called the legislature in special session. The legislature declared for a clause for or against the constitution as a whole, to be voted on at an election to be held January 4, 1858. Stanton was forthwith removed from office by Buchanan, and John A. Denver was appointed governor to fill Walker's place.

The stand taken by Douglas in reference to the Lecompton Constitution before the meeting of Congress, and the doubts and fears excited thereby in the minds of the leading Republicans of Illinois, are indicated in private letters received by Trumbull in that interval, a few of which are here cited:

E. Peck, Chicago, November 23, 1857, says: Judge Douglas takes the ground openly that the *whole* of the Kansas constitution must be submitted to the people for approval.

C. H. Ray, chief editor of the *Chicago Tribune*, writes that Douglas is just starting for Washington; he says that he sent a man to the *Tribune* office to remonstrate against its course toward him "while he is doing what we all want him to do." Dr. Ray had no faith in him.

N. B. Judd, Chicago, November 24, says that Douglas took pains to get leading Republicans into his room to tell them that he intended to fight the administration on the Kansas issue.

Judd, November 26, writes that Douglas tells his friends that "the whole proceedings in Kansas were concocted by certain members of the Cabinet to ruin him." He does not think that the President desires this, but he cannot well help himself, and the conspirators intend to use Buchanan's name again (for the Presidency).

Lincoln wrote under date, Chicago, Nov. 30, 1857: ... What think you of the probable "rumpus" among the Democracy over the Kansas constitution? I think the Republicans should stand clear of it. In their view both the President and Douglas are wrong; and they should not espouse the cause of either because they may consider the other a little farther wrong of the two. From what I am told here, Douglas tried before leaving to draw off some Republicans on the dodge, and even succeeded in making some impression on one or two.

A. Jonas, Quincy, December 5, is unable to say whether Douglas is sincere in the position he has lately taken. "Should he act right for once on this question, it will be with some selfish motive."

William H. Bissell, governor, Springfield, December 12, thinks Douglas's course is dictated solely by his fears connected with the next senatorial election.

S. A. Hurlbut, Belvidere, December 14, thinks that as between Douglas and the Southern politicians the latter have the advantage in point of logic. "If the Lecompton Constitution prevails, no amount of party discipline will hold more than one third of the Democratic voters in Illinois." He predicts that the next Democratic National Convention will endorse John C. Calhoun's doctrine that slavery exists in the territories by virtue of the Constitution.

Sam Galloway, Columbus, Ohio, December 12, asks: "What means the movement of Douglas? Is it a ruse or a bona-fide patriotic effort? We don't know whether to commend or censure, and we are without any knowledge of the workings of his heart except as indicated in his speeches."

W. H. Herndon, Springfield, December 16, says: "Douglas is more of a man than I took him to be. He has some nerve at least. I do not think he is honest in any particular, yet in this difficulty he is right."

C. H. Ray, Chicago, December 18, asks for Trumbull's views of Douglas's real purposes: "We are almost confounded here by his anomalous position and do not know how to treat him and his overtures to the Republican party. Personally, I am inclined to give him the lash, but I want to do nothing that will damage our cause or hinder the emancipation of Kansas."

John G. Nicolay, Springfield, December 20, has been canvassing the state to procure subscribers for the *St. Louis Democrat*. He had very good success until the "hard times" came. Then he found it necessary to suspend operations. He says everybody is watching the political developments in Washington, and he thinks that Douglas will be sustained by nearly all his party in Illinois. "The Federal office-holders keep mum and will not of course declare themselves until they are forced to do so."

Samuel C. Parks, Lincoln, Logan County, December 26, says: Douglas is no better now than when he was the undisputed leader of the pro-slavery party. He has done more to undermine the principles upon which this Government was founded than any other man that ever lived.

D. L. Phillips, Anna, Union County, March 2, 1858: "You need not pay any attention to the silly statements of the *Missouri Republican* and other sheets respecting this part of the state being attached to Buchanan. It is simply false. The Democracy here are led by the Allens, Marshall, Logan, Parrish, Kuykendall, Simons, and others, and these are all for Douglas. John Logan is bitter against Buchanan. I think we ought all to be satisfied with the course of things. Let the worst come now. Better far than defer it, for come it will and must."

The first session of the Thirty-fifth Congress began on the 7th of December, 1857. President Buchanan's first message was largely concerned with the affairs of Kansas. He spoke of the framers of the Topeka Constitution as a "revolutionary organization," and said that the Lecompton Constitution was the work of the lawfully constituted authorities. He conceded that the submission clause of the Lecompton instrument fell short of his own intentions and expectations, but insisted that the slavery question was the only matter of dispute and that that was actually submitted to the popular vote.

Trumbull was the first Senator to expose these unfounded assumptions, and this he did in a brief argument as soon as the reading of the message was finished. He showed, in the first place, that the Topeka Constitution was no whit more "revolutionary" or irregular than the Lecompton one, and one of the authorities whom he cited to sustain his contention was Buchanan himself, who, in a parallel case, had contended that the territorial legislature of Michigan had no authority to call a convention to frame a state constitution, and that any such proceeding was "an act of usurpation." This was not necessarily conclusive as to anybody but Buchanan. Yet in another case cited, that of Arkansas, where a territorial legislature was considering an act for the calling of a convention to frame a state constitution and where the governor had asked instructions from President Jackson as to his duty in the premises, the Attorney-General had held that such an act of the Legislature would be without authority and absolutely void. (This case had been cited by Douglas the previous year, in an argument against the Topeka Constitution.) The only regular proceeding was for Congress to pass an enabling act, on such terms and conditions as it might prescribe, under which the people might form a constitution preparatory to admission to the Union. Any other mode of accomplishing the same result, whether initiated by a popular assembly, as at Topeka, or by the legislature, as at Lecompton, was in the nature of a petition which Congress might respond to favorably, and thus legalize, or not. Neither of these modes of beginning had any higher authority than the other. Therefore, the underpinning of President Buchanan's first argument was knocked out by two citations of authority which he could not controvert.

His second argument, that the slavery clause in the Lecompton Constitution, the only thing in controversy, was submitted to the popular vote, was easily demolished. The submission clause, said Mr. Trumbull, "amounts simply to giving the free white people of Kansas a right to determine the condition of a few negroes hereafter to be brought into the state, and nothing more; the condition of those now there cannot be touched."

On the following day, Senator Douglas made his speech against the Lecompton Constitution. It had been eagerly expected, and the galleries and floor were crowded. From his own standpoint it was a very strong argument, and was received with vociferous applause, contrary to the rules of the Senate. It left Buchanan with not a rag to cover him. It was the first public speech Douglas had ever

made which went counter to the wishes of the Southern people. So when he said,—“I will go as far as any of you to save the party. I have as much heart in the great cause that binds us together as a party as any man living; I will sacrifice anything short of principle and honor for the peace of the party; but if the party will not stand by its principles, its faith, its pledges, I will stand there and abide whatever consequences may result from the position,”—we must believe that he was sincere and must respect him for his courage. But his standpoint was that of one who “did not care whether slavery was voted down or voted up.” It represented no high principle; the only right he contended for was the right of the people to decide for themselves whether they would have a particular banking system, or none at all; a Maine liquor law; or a railroad running this way or that way; and finally whether they would have a slave code or not. Great speeches are not kindled with such short stubble.

One thing hinted at in this speech was that Buchanan had been so frightened by the revolt in the party against the Lecompton Constitution that he had taken steps to have the pro-slavery clause rejected at the coming election, by the very people who had framed it. “I think I have seen enough in the last three days,” he said, “to make it certain that it will be *returned out*, no matter how the vote may stand.” In a later debate, February 4, Douglas said:

I made my objection [against the Lecompton Constitution] at a time when the President of the United States told all his friends that he was perfectly sure the pro-slavery clause would be voted down. I did it at a time when all or nearly all the Senators on this floor supposed the pro-slavery clause would be stricken out. I assumed in my speech that it was to be returned out, and that the constitution was to come here with that article rejected.<sup>31</sup>

If Buchanan had that intention he was not able to carry it into effect.

Douglas at this time contemplated an alliance with the Republicans. His state of mind is pictured in a letter written by Henry Wilson to Rev. Theodore Parker, dated Washington, February 28, 1858, of which the following is an extract:<sup>32</sup>

I say to you in confidence that you are mistaken in regard to Douglas. He is as sure to be with us in the future as Chase, Seward, or Sumner. I leave motives to God, but he is to be with us, and he is to-day of more weight to our cause than any ten men in the country. I know men and I know their power, and I know that Douglas will go for crushing the Slave Power to atoms. To use his own words to several of our friends *this day* in a three-hours' consultation: “We must grind this administration to powder; we must punish every man who supports this crime, and *we must prostrate forever the Slave Power*, which uses Presidents and dishonors and disgraces them.”

Similar testimony is found in the Trumbull correspondence, to wit:

Jesse K. Dubois, state Auditor, Springfield, March 22, 1858, says he has a letter from Ray, of the *Chicago Tribune*, who says that Sheahan, of the *Times*, who has just returned to Washington, says that (1) Lecompton will be defeated; (2) that the Republicans shall have all the majority they like in the next Illinois legislature, to favor which he wants to unite with us in all doubtful counties or rather help us by running Douglas legislative tickets “(N. B. I do not see the point of this)”; (3) he concedes us the Senator, and says Douglas is willing to go into private life for a brief period, but protests that we must not sacrifice their Congressmen who run again on the Lecompton issue, if any one of them desires to go back; (4) they will run candidates for Congress in every district, but without hope of electing one in the

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<sup>31</sup> *Cong. Globe*, 85th Cong., 1st Sess., p. 571.

<sup>32</sup> Lincoln and Herndon, by Joseph Fort Newton, p. 148.

four northern districts "(N. B. I should think this is an easy matter)"; (5) Douglas is willing to retire, and if he beats Lecompton, to take his chances by and by; (6) Douglas and his friends have had a caucus in Washington and they agree so to shape matters, if possible, with Republican aid, as to return to the next Congress an unbroken phalanx of anti-Lecompton men, and break down the administration by making it harmless at home and abroad; (7) the fight is to the death, *à l'outrance*, and cannot be discontinued, no matter what comes up. Ray seems to think Sheahan is honest in what he says, and has no doubt that he speaks for Douglas.

A. Jonas, Quincy, April 11, says that letters have been received from Chicago and Springfield implying that a coalition is forming between a portion of the Republican party on the one hand and Douglas and his followers on the other. He protests strongly against any such coalition and declares it can never be carried into effect. "To suppose that the Republicans of this District can under any circumstances be induced to support such a political demagogue and trickster as Isaac N. Morris is to believe them capable of worshiping Satan or submitting to the dictation of the slave oligarchy."

W. H. Herndon, Springfield, April 12, has just returned from the East. He speaks of Greeley's "puffs" of Douglas, which he regards as demoralizing to the Republicans of Illinois. "I heard Greeley handled quite roughly by the candidate for lieutenant-governor of Wisconsin, a very intelligent German. He spoke to Greeley in my presence and said that Wisconsin stood by Illinois and was not for sale."

E. Peck, Chicago, April 15: "Dr. Brainard has had a talk with Dr. Ray, the substance of which was that we should consent to run Douglas as our candidate for the House of Representatives from this district. What does this mean? Can Brainard have any authority to make such a proposition? Ray has been advising with me, and we are both in the clouds. I requested permission to write to you for your opinion before any opinions were expressed here. Mr. Colfax may be able to tell you something of the opinions of Douglas. I am shy in believing, and more shy in confiding, ... yet Ray believes that Brainard was authorized by Douglas to make the proposition."

N. B. Judd, Chicago, April 19, says that if the Lecompton Bill is passed, Douglas is laid on the shelf. The Buchanan party in Chicago is of no consequence, "great cry and little wool." We shall have to fight the Democratic party as a unit. "How Douglas is to be the Democratic party in Illinois and the ally of the Republicans outside of the state is a problem which those, who are arranging with him, ought to know how to work out."

Overtures to the Republicans of Illinois did not come from Douglas only. Here is one of a different hue:

George T. Brown, Alton, February 24, urges the appointment of J. E. Starr (Buchanan Democrat) as postmaster at Alton. "Slidell opened the way for you to talk to him and you can easily do so. The Administration is very desirous that you should not oppose their appointments, and will give you anything."

The foregoing letter betokens a sudden change of mind in administration circles at Washington, as is evidenced by the following communication which Trumbull had received from one of his constituents a few weeks earlier:

B. Werner, Caseyville, January 4, refers to a former letter enclosing a petition for the establishment of a post-office at Caseyville. Hearing nothing of the matter, he went to see Mr. Armstrong, the postmaster at St. Louis, narrated the facts, and

asked whether any order had been received by him respecting it. "He asked me to whom I had sent the petition. I told him to you. He replied if I had sent the petition to Robert Smith (Dem. M.C.) the matter would have been attended to, but as Mr. Trumbull was a Black Republican, the department would not pay any attention to it."

On the 2d of February, 1858, President Buchanan sent a special message to Congress with a copy of the Lecompton Constitution, and recommended that Kansas be admitted to the Union as a state under it. In this message he made reference to the Dred Scott decision, which had been pronounced by the Supreme Court in the previous March. On this point the message said:

It has been solemnly adjudged by the highest tribunal known to our laws that slavery exists in Kansas by virtue of the Constitution of the United States. Kansas is, therefore, at this moment as much a slave state as Georgia, or South Carolina.

Trumbull made a speech on the special message as soon as the reading of it was finished by the secretary. He reviewed the action of Governor Walker, which, in the beginning, had been avowedly taken with the view of creating and promoting a Free State Democratic party in Kansas, to which end he had made use of the soldiers placed at his disposal by the President. That this was an act of usurpation was conclusively shown by Trumbull, although Walker claimed that it had served the desirable purpose of preventing an armed collision between the contending factions. Trumbull then touched upon the Dred Scott case and maintained that the Supreme Court had likewise usurped authority by pronouncing an opinion on a case not before it. The court had virtually dismissed the case for want of jurisdiction. It had decided that Dred Scott was not a citizen and had no right to bring this action. There was no longer any case before the judges who so held. "Their opinions," said Trumbull, "are worth just as much as, and no more than, the opinions of any other gentlemen equally respectable in the country." Consequently, President Buchanan's assertion that Kansas was then as much a slave state as Georgia or South Carolina was unfounded and preposterous. Seward, Fessenden, and the Republican Senators generally held to this doctrine, but Senator Benjamin, of Louisiana, replied with considerable force that it was competent for the court to decide on what grounds it would give its decision, and that it did, in so many words, elect to decide the question of slavery in the territories, which was the principal question raised by the counsel of Dred Scott. That the decision had an aim different from the settlement of Dred Scott's claim, and that this aim was political, is now sufficiently established. It is also established that Dred Scott never took any steps consciously to secure freedom, but that the action was brought in his name by some speculating lawyers in St. Louis to secure damages or wages from the widow of Scott's master, Dr. Emerson.<sup>33</sup> One additional fact is supplied by a letter in the Trumbull correspondence, showing how the money was collected to pay the plaintiff's court costs.

G. Bailey, Washington, May 12, 1857, writes, that when the case of Dred Scott was first brought to the notice of Montgomery Blair, he applied to him (Bailey) to know what to do. Blair said he would freely give his services without charge if Bailey would see to the necessary expenses of the case. Not having an opportunity to confer with friends, Bailey replied that he would become responsible. He had no doubt the necessary money could be raised. On this assurance he proceeded, the case was tried, and the result was before the country. Mr. Blair had just rendered the bill of costs: \$63.18 for writ of error and \$91.50 for printing briefs; total, \$154.68. "May I be so bold, my dear sir, as to ask you to contribute two dollars toward the payment of this bill. I am now writing to seventy-five of the Rep. Members of the late Congress, and if they will answer me promptly, each enclosing the quota named, I can discharge the bill by myself paying a double share."

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<sup>33</sup> Frederick Trevor Hill in *Harper's Magazine*, July, 1907.

*Mem.*: \$2 sent by Trumbull June 20th, '57.

The debate in the Senate on the Lecompton Bill continued till March 23. The best speech on the Republican side was made by Fessenden, of Maine, than whom a more consummate debater or more knightly character and presence has not graced the Senate chamber in my time, if ever. On the administration side the laboring oar was taken by Toombs, who spoke with more truculence than he had shown in the Thirty-fourth Congress. Jefferson Davis, who had been returned to the Senate after serving as Secretary of War under Pierce, bore himself in this debate with decorum and moderation.

The Lecompton Bill passed the Senate, but was disagreed to by the House, and a conference committee was appointed which adopted a bill proposed by Congressman English, of Indiana, which offered a large bonus of lands to Kansas, for schools, for a university, and for public buildings, if she would vote to come into the Union under the Lecompton Constitution now. If she would not so vote, she should not have the lands and should not come into the Union until she should have a population sufficient to elect one member of Congress on the ratio prescribed by law. The form of submission to a popular vote was to be: "Proposition accepted," or "Proposition rejected." If there was a majority of acceptances, the territory should be admitted as a state at once. Senator Seward and Representative Howard, Republican members of the conference committee, dissented from the report. This bill passed the House.

Douglas made a dignified speech against the English Bill, showing that it was in the nature of a bribe to the people to vote in a particular way. Although he did not think that the bribe would prevail, he could not accept the principle. The bill nevertheless passed on the last day of April, and on the 2d of August the English proposition was voted down by the people of Kansas by an overwhelming majority. The Lecompton Constitution thus disappeared from sublunary affairs, and John Calhoun disappeared from Kansas as soon as steps were taken to look into the returns of previous elections canvassed by him.

The opinion of a man of high position on the attitude of President Buchanan toward Lecomptonism is found in another letter to Trumbull:

J. D. Caton, chief justice of the supreme court of Illinois, Ottawa, March 6, 1858, does not think all the Presidents and all the Cabinets and all the Congresses and all the supreme courts and all the slaveholders on earth, with all the constitutions that could be drawn, could ever make Kansas a slave state. "No, there has been no such expectation, and I do not believe desire on the part of the present administration to make it a slave state, but as he [Buchanan] had already been pestered to death with it, he resolved to make it a state as soon as possible, and thus being rid of it, let them fight it out as they liked. In this mood the Southern members of the Cabinet found him when the news came of that Lecompton Constitution being framed, and he committed himself, thinking, no doubt, that Douglas would be hot for it and that there would be no general opposition in his own party to it.... You say that the slave trade will be established in every state in the Union in five years if the Democratic party retains power! As Butterfield told the Universalist preacher, who was proving that all men would be saved, 'We hope for better things.'"

## CHAPTER VI

# THE CAMPAIGN OF 1858 AND THE JOHN BROWN RAID

The events described in the preceding chapter left Senator Douglas still the towering figure in national politics. Although he had contributed but a small part of the votes in the Senate and House by which the Lecompton Bill had been defeated, he had furnished an indispensable part. He had humbled the Buchanan administration. He had delivered Kansas from the grasp of the Border Ruffians. What he might do for freedom in the future, if properly encouraged, loomed large in the imagination of the Eastern Republicans. Greeley, Seward, Banks, Bowles, Burlingame, Henry Wilson, and scores of lesser lights were quoted as desiring to see him returned to the Senate by Republican votes. Some were even willing to support him for the Presidency.

The Republicans of Illinois did not share this enthusiasm. Not only had they fixed upon Lincoln as their choice for Senator, but they felt that they could not trust Douglas. He still said that he cared not whether slavery was voted down or voted up. That was the very thing they did care about. Could they assume that, after being reëlected by their votes and made their standard-bearer, he would be a new man, different from the one he had been before? And if he remained of the same opinions as before, what would become of the Republican party? Who could answer for the demoralizing effects of taking him for a leader? The views of the party leaders in Illinois are set forth at considerable length in letters received by Senator Trumbull, the first one from Lincoln himself:

Bloomington, December 28, 1857.

Hon. Lyman Trumbull,

Dear Sir: What does the New York *Tribune* mean by its constant eulogizing and admiring and magnifying Douglas? Does it, in this, speak the sentiments of the Republicans at Washington? Have they concluded that the Republican cause generally can be best promoted by sacrificing us here in Illinois? If so, we would like to know it soon; it will save us a great deal of labor to surrender at once.

As yet I have heard of no Republican here going over to Douglas, but if the *Tribune* continues to din his praises into the ears of its five or ten thousand readers in Illinois, it is more than can be hoped that all will stand firm. I am not complaining, I only wish for a fair understanding. Please write me at Springfield.

Your obt. servant,

A. Lincoln.

C. H. Ray, Chicago, March 9, 1858, protests against any trading with Douglas on the basis of reëlecting him to the Senate by Republican votes. The Republicans of Illinois are unanimous for Lincoln and will not swerve from that purpose. Thinks that Douglas is coming to the Republican camp and that the disposal of him will be a difficult problem unless he will be content with a place in the Cabinet of the next Republican President.

J. K. Dubois, Springfield, April 8, says that Hatch (secretary of state) and himself were in Chicago a few days since. Found every man there firm and true—Judd, Peck, Ray, Scripps, W. H. Brown, etc. Herndon has just come home; says that Wilson, Banks, Greeley, etc., are for returning Douglas to the Senate. "God forbid! Are our friends crazy?"

J. M. Palmer, Carlinville, May 25:

We feel here that we have fought a strenuous and well-maintained battle with Douglas, backed up by the whole strength of the Federal patronage, and have won some prospect of overthrowing him and placing Illinois permanently in the ranks of

the party of progress, whether called Republican or by some other name, and now, by a "Wall street operation," Lincoln, to whom we are all under great obligations, and all our men who have borne the heat and burden of the day, are to be kicked to one side and we are to throw up our caps for Judge Douglas, and he very coolly tells us all the time that we are Abolitionists and negro worshipers and that he accepts our votes as a favor to us! Messrs. Greeley, Seward, Burlingame, etc., are presumed to be able to estimate themselves properly, and if they fix only that value on themselves, no one has a right to complain, but if I vote for Douglas under such circumstances, may I be —. I don't swear, but you may fill this blank as you please. Yet I have no personal feelings against Douglas.... Lincoln and his friends were under no obligation to us in that controversy [of 1855]. We had, though but five, refused to vote for him under circumstances that we thought, at the time, furnished good reason for our refusal. We elected an anti-Nebraska Democrat to the Senate, by his aid most magnanimously rendered, and that result placed us, through you, on the highest possible ground in the new party. If you had not been elected, we should have been a baffled faction at the tail of an alien organization. We have, as a consequence, an anti-Nebraska Democrat for governor, and our men are the bone and sinew of the new organization, though we are in a minority. In all these results Lincoln has contributed his efforts and the Whig element have coöperated. For myself, therefore, I am unalterably determined to do all that I can to elect Lincoln to the Senate. *I cannot elect him, but I can give him and all his friends conclusive proof that I am animated by honor and good faith, and will stand up for his election until the Republican party, including himself and his personal friends, say we have done enough. Hence no arrangement that looks to the election of Douglas by Republican votes, that does not meet the approval of Lincoln and his friends, can meet my approval.*

The chief difficulty was that Douglas had never established for himself a character for stability. People did not know what they could depend upon in dealing with him. Other questions than Lecompton would soon come up, as to which his course would be uncertain. Who could say whether he would look northward or southward for the Presidency two years hence?

Douglas knew that he need not look in either direction unless he could first secure his reëlection to the Senate. Bear-like, tied to a stake, he must fight the course. His campaign against Lincoln for the senatorship does not properly appertain to the Life of Trumbull, although the latter took an active part in it. The author's recollections and memoranda of that campaign were contributed to another publication.<sup>34</sup> He recalls with pity the weary but undaunted look, after nearly four months of incessant travel and speaking, of the Little Giant, whose health was already much impaired. A letter from Fessenden to Trumbull, dated November 16, 1856, spoke of him as "a dying man in almost every sense, unless he mends speedily—of which, I take it, there is little hope." In the Senate debates from 1855 on, he often spoke of his bad health, and in one instance he got out of a sick-bed to vote on the Lecompton Bill. The campaign of 1858 was a severe drain on his remaining strength, but in manner and mien he gave no sign of the waste and exhaustion within.

The Trumbull papers contain some contemporary notes on the campaign of 1858. The Buchanan Democrats in Illinois gave themselves the high-sounding title of the National Democracy. By the Douglas men they were called "Danites," a name borrowed from the literature of Mormondom. Traces of this sect are found in the following letters:

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<sup>34</sup> Herndon-Weik. *Life of Lincoln*, 2d edition, vol. ii, chap. iv.

D. L. Phillips, Anna, Union County, February 16, 1858, says that Hon. John Dougherty will start in a few days for Washington to console the President and look for an office for himself. (He obtained the Marshalship of southern Illinois.)

W. H. Herndon, Springfield, July 8:

Mr. Lincoln was here a moment ago and told me that he had just seen Col. Dougherty and had a conversation with him. He told Lincoln that the National Democracy intended to run in every county and district, a National Democrat for each and every office. Lincoln replied, "If you do this the thing is settled." ... Lincoln is very certain as to Miller's and Bateman's election (on the state ticket), but is gloomy and rather uncertain about his own success.

Lincoln's own thoughts respecting the Danites are set forth incidentally in the following letter:

Springfield, June 23, 1858.

Hon. Lyman Trumbull,

My dear Sir: Your letter of the 16th reached me only yesterday. We had already seen by telegraph a report of Douglas's onslaught upon everybody but himself. I have this morning seen the *Washington Union*, in which I think the Judge is rather worsted in regard to the onslaught.

In relation to the charge of an alliance between the Republicans and the Buchanan men in the state, if being rather pleased to see a division in the ranks of Democracy, and not doing anything to prevent it, be such an alliance, then there is such an alliance. At least, that is true of me. But if it be intended to charge that there is any alliance by which there is to be any concession of principle on either side, or furnishing of sinews, or partition of offices, or swapping of votes to any extent, or the doing of anything, great or small, on the one side for a consideration expressed or implied on the other, no such thing is true so far as I know or believe.

Before this reaches you, you will have seen the proceedings of our Republican State Convention. It was really a grand affair and was in all respects all that our friends could desire.

The resolution in effect nominating me for Senator was passed more for the object of closing down upon the everlasting croaking about Wentworth than anything else. The signs look reasonably well. Our state ticket, I think, will be elected without much difficulty. But with the advantages they have of us, we shall be hard run to carry the legislature. We shall greet your return home with great pleasure.

Yours very truly,

A. Lincoln.

The only counties in the state in which the Danites showed any vitality were Union County in the south and Bureau County in the north. They polled only 5079 votes in the whole state.

The influence of the Eastern Republicans, who were inclined to support Douglas at the beginning of the campaign, and especially that of the *New York Tribune*, is noted by Judd and Herndon.

N. B. Judd, Chicago, July 16:

We have lost some Republicans in this region.... You may attribute it to the course of the *New York Tribune*, which has tended to loosen party ties and induce old Whigs to look upon D.'s return to the Senate as rather desirable. You ought to come to Illinois as soon as you can by way of New York and straighten out the newspapers there. Even the *Evening Post* compares Douglas to Silas Wright. Bah!

W. H. Herndon, Springfield, July 22:

There were some Republicans here—more than we had any idea of—who had been silently influenced by Greeley, and who intended to go for Douglas or not take sides against him. His speech here aroused the old fires and now they are his enemies. Has received a letter from Greeley in which he says: "Now, Herndon, I am going to do all I reasonably can to elect Lincoln."

N. B. Judd, Chicago, December 26 (after the election), says:

Horace Greeley has been here lecturing and doing what mischief he could. He took Tom Dyer [Democrat, ex-mayor] into his confidence and told him all the party secrets that he knew, such as that we had been East and endeavored to get money for the canvass and that we failed, etc.;—a beautiful chap he is, to be entrusted with the interests of a party. Lecturing is a mere pretense. He is running around to our small towns with that pretense, but really to head off the defection from his paper. It is being stopped by hundreds.

A. Jonas, Quincy, same date:

H. Greeley delivered a lecture before our lyceum last evening—a large crowd to hear him. John Wood, Browning, myself, and others talked to him very freely about the course of the *Tribune* in the late campaign. He acknowledged we were right.

The Douglas men elected a majority of the legislature, but did not have a majority, or even a plurality, of the popular vote. So it appears from a letter to Trumbull, the existence of which the author himself had forgotten.

Horace White, Chicago, January 10, 1859, sends a table of votes cast for members of the legislature in the election of 1858, showing a plurality of 4191 for Republican candidates for the House of Representatives.

W. H. Herndon, Springfield, says that Lincoln was defeated in the counties of Sangamon, Morgan, Madison, Logan, and Mason—a group of counties within a radius of eighty miles from the capital. They were men from Kentucky, Tennessee, and Virginia mainly, old-line Whigs, timid, but generally good men, supporters of Fillmore in the election of 1856. "These men must be reached in the coming election of 1860. Otherwise Trumbull will be beaten also."

Springfield, January 29, 1859.

Hon. Lyman Trumbull,

Dear Sir: I have just received your late speech in pamphlet form, sent me by yourself. I had seen and read it before in a newspaper and I really think it a capital one. When you can find leisure, write me your present impression of Douglas's movements.

Our friends here from different parts of the state, in and out of the legislature, are united, resolute, and determined, and I think it almost certain that we shall be far better organized in 1860 than ever before.

We shall get no just apportionment (of legislative districts) and the best we can do—if we can do that—is to prevent one being made worse than the present.

Yours as ever,

A. Lincoln.

A letter from Lincoln following the campaign of 1858, is appended as showing the cordial relations existing between himself and Trumbull. The latter had written to him from Washington under date January 29, 1859, saying that John Wentworth had written an article, intended for

publication in the *Chicago Journal* (but which the editor of that paper had refused to print), imputing bad faith toward Lincoln on the part of N. B. Judd, B. C. Cook, and others, including Trumbull, in the last senatorial campaign. Trumbull had received a copy of this article, and as its object was to create enmity between friends, and as it would probably be published somewhere, he wished to assure Lincoln that the statements and insinuations contained in it were wholly false. To this Lincoln replied as follows:

Springfield, February 3, 1859.

Hon. L. Trumbull,

My dear Sir: Yours of the 29th is received. The article mentioned by you, prepared for the *Chicago Journal*, I have not seen; nor do I wish to see it, though I heard of it a month or more ago. Any effort to put enmity between you and me is as idle as the wind. I do not for a moment doubt that you, Judd, Cook, Palmer, and the Republicans generally coming from the old Democratic ranks, were as sincerely anxious for my success in the late contest as myself, and I beg to assure you beyond all possible cavil that you can scarcely be more anxious to be sustained two years hence than I am that you shall be sustained. I cannot conceive it possible for me to be a rival of yours or to take sides against you in favor of any rival. Nor do I think there is much danger of the old Democratic and Whig elements of our party breaking into opposing factions. They certainly shall not if I can prevent it.

Yours as ever,

A. Lincoln.

Twenty days after this letter was penned, there was a debate in the Senate which was an echo of the Illinois campaign, which must have been extremely interesting to both Lincoln and Trumbull. In a debate with Douglas in 1856, as already noted, Trumbull had asked him whether, under his doctrine of popular sovereignty, the people could prohibit slavery in a territory before they came to form a state constitution. He replied that that was a judicial question to be settled by the courts, and that all good Democrats would bow to the decision of the Supreme Court whenever it should be made. At Freeport, in the campaign of 1858, Lincoln put the same question to him in a slightly different form.

On the 23d of February, 1859, there was a Senate debate on this question, in which Douglas contended that the Democratic party, by supporting General Cass in 1848, had endorsed the same opinion that he (Douglas) had maintained at Freeport, since Cass, in his so-called "Nicholson Letter," had affirmed the doctrine of squatter sovereignty as to slavery in the territories. Douglas now contended that every Southern state that gave its electoral vote to Cass, including Mississippi, was committed to the doctrine that the people of a territory could lawfully exclude slavery while still in a territorial condition. Jefferson Davis replied:

The State of Mississippi voted [in 1848] under the belief that that letter meant no more than that when the territory became a state, it had authority to decide that question.... If it had been known that the venerable candidate then of the Democratic party, and now Secretary of State, held the opinion which he so frankly avowed at a subsequent period on the floor of the Senate, I tell you, sir [addressing Douglas], he would have had no more chance to get the vote of Mississippi than you with your opinions would have to-day.<sup>35</sup>

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<sup>35</sup> When Lincoln, at the Freeport debate, asked Douglas whether the people of a territory could in any lawful way exclude slavery from their limits prior to the formation of a state constitution, Douglas replied that Lincoln had heard him answer that question "a hundred times from every stump in Illinois." He certainly had answered it more than once, and his answer had been published without attracting attention or comment either North or South. On the 16th of July, 1858, six weeks before the Freeport joint debate, he spoke at Bloomington, and there announced and affirmed the doctrine of "unfriendly legislation" as a means of excluding slavery from the territories. Lincoln was one of the persons present when this speech was delivered. On the next day, Douglas spoke at Springfield and

On the 2d of February, 1860, Davis introduced a series of resolutions in the Senate of a political character evidently intended to head off Douglas at the coming Charleston Convention; or, failing that, to pave the way for the withdrawal of the delegates of the cotton-growing states. The fourth resolution was directed against the Douglas doctrine of unfriendly legislation, thus:

*Resolved*, That neither Congress nor a territorial legislature, whether by direct legislation or legislation of indirect and unfriendly nature, possesses the power to annul or impair the constitutional right of any citizen of the United States to take his slave property into the common territories; but it is the duty of the Federal Government there to afford for that, as for other species of property, the needful protection; and if experience should at any time prove that the judiciary does not possess power to insure adequate protection, it will then become the duty of Congress to supply such deficiency.

The Senate debate between Douglas and his Southern antagonists was resumed in May, after the explosion of the Charleston Convention. Douglas made a two days' speech (May 15 and 16) occupying four hours each day, but did not mention the subject of unfriendly legislation, or show how a territorial legislature could nullify or circumvent the Dred Scott decision. He was answered by Benjamin, of Louisiana, in a speech which made a sensation throughout the country, and in which the doctrine of unfriendly legislation was mauled to tatters. Benjamin was the first Southern statesman to make his bow to the rising fame of Lincoln. After examining the Freeport debate, he said:

We accuse him [Douglas] for this, to-wit: that, having bargained with us upon a point upon which we were at issue, that it should be considered a judicial question; that he would abide the decision; that he would act under the decision and consider it a doctrine of the party; that, having said that to us here in the Senate, he went home, and under the stress of a local election his knees gave way; his whole person trembled. His adversary stood upon principle and was beaten, and lo, he is the candidate of a mighty party for Presidency of the United States. The Senator from Illinois faltered; he got the prize for which he faltered, but lo, the prize of his ambition slips from his grasp, because of the faltering which he paid as the price of the ignoble prize—ignoble under the circumstances under which he obtained it.<sup>36</sup>

There are scores of letters in Trumbull's correspondence calling for copies of Benjamin's speech, yet it had no effect in Illinois, the Danite vote being smaller in 1860 than it had been in 1858. Probably it had influence in the National Democratic Convention at Charleston, from which the delegates from ten Southern States seceded in whole or part when the Douglas platform was adopted. This split was followed by an adjournment to Baltimore, where a second split took place, Douglas being nominated by one faction and Breckinridge, of Kentucky, by the other.

Fifty years have passed since John Brown, with twenty-one men, seized the Government armory and arsenal at Harper's Ferry (October 16, 1859), in an attempt to abolish slavery in the United States. As sinews of war, he had about four thousand dollars, or dollars' worth of material of one kind and another. With such resources he expected to do something which the Government itself, with more than a million trained soldiers, five hundred warships, and three billions of dollars, accomplished with difficulty at the end of a four years' war, during which no negro insurrection, large or small, took place. One might think that the scheme itself was evidence of insanity. But to prove Brown insane on this ground alone, we must convict also the persons who plotted and coöperated with him and

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repeated what he had said at Bloomington. Both of these speeches were published in the *Illinois State Register* of July 19, yet the fact was not perceived, either by Lincoln himself, or by any of the lynx-eyed editors and astute political friends who labored to prevent him from asking Douglas the momentous question. Nor did the Southern leaders seem to be aware of Douglas's views on this question until they learned it from the Freeport debate.

<sup>36</sup> *Cong. Globe*, 36th Cong., 1st Sess., p. 2241.

who furnished him money and arms, knowing what he intended to do with them. Some of these were men of high intelligence who are still living without strait-jackets, and it is not conceivable that they aided and abetted him without first estimating, as well as they were able, the chances of success. Yet Brown refused to allow his counsel to put in a plea of insanity on his trial, saying that he was no more insane then than he had been all his life, which was probably true. If he was not insane at the time of the Pottawatomie massacre, he was a murderer who forfeited his own life five times in one night by taking that number of lives of his fellow men in cold blood.

I saw and talked with Brown perhaps half a dozen times at Chicago during his journeys to and from Kansas. He impressed me then as a religious zealot of the Old Testament type, believing in the plenary inspiration of the Scriptures and in himself as a competent interpreter thereof. But the text "Vengeance is mine, saith the Lord, I will repay," never engaged his attention. He was oppressed with no doubts about anything, least of all about his own mission in the world. His mission was to bring slavery to an end, but that was a subject that he did not talk about. He was a man of few words, and was extremely reticent about his plans, even those of ordinary movements in daily life. He had a square jaw, clean-shaven, and an air of calmness and self-confidence, which attracted weaker intellects and gave him mastery over them. He had steel-gray eyes, and steel-gray hair, close-cropped, that stood stiff on his head like wool cards, giving him an aspect of invincibility. When he applied to the National Kansas Committee for the arms in their possession after the Kansas war was ended, he was asked by Mr. H. B. Hurd, the secretary, what use he intended to make of them. He refused to answer, and his request was accordingly denied. The arms were voted back to the Massachusetts men who had contributed them originally. Brown obtained an order for them from the owners.

The Thirty-sixth Congress met on the 5th of December, 1859. The first business introduced in the Senate was a resolution from Mason, of Virginia, calling for the appointment of a committee to inquire into the facts attending John Brown's invasion and seizure of the arsenal at Harper's Ferry. Trumbull offered an amendment proposing that a similar inquiry be made in regard to the seizure in December, 1855, of the United States Arsenal at Liberty, Missouri, and the pillage thereof by a band of Missourians, who were marching to capture and control the ballot-boxes in Kansas. On the following day Trumbull made a brief speech in support of his amendment, in the course of which he commented on the Harper's Ferry affair in words which have never faded from the memory of the present writer. Nobody during the intervening half-century has summed up the moral and legal aspects of the John Brown raid more truly or more forcibly. He said:

I hope this investigation will be thorough and complete. I believe it will do good by disabusing the public mind, in that portion of the Union which feels most sensitive upon this subject, of the idea that the outbreak at Harper's Ferry received any countenance or support from any considerable number of persons in any portion of this Union. No man who is not prepared to subvert the Constitution, destroy the Government, and resolve society into its original elements, can justify such an act. No matter what evils, either real or imaginary, may exist in the body politic, if each individual, or every set of twenty individuals, out of more than twenty millions of people, is to be permitted, in his own way and in defiance of the laws of the land, to undertake to correct those evils, there is not a government on the face of the earth that could last a day. And it seems to me, sir, that those persons who reason only from abstract principles and believe themselves justifiable on all occasions, and in every form, in combating evil wherever it exists, forget that the right which they claim for themselves exists equally in every other person. All governments, the best which have been devised, encroach necessarily more or less on the individual rights of man and to that extent may be regarded as evils. Shall we, therefore, destroy Government, dissolve society, destroy regulated and constitutional liberty, and inaugurate in its stead anarchy—a condition of things in which every man shall be permitted to follow

the instincts of his own passions, or prejudices, or feelings, and where there will be no protection to the physically weak against the encroachments of the strong? Till we are prepared to inaugurate such a state as this, no man can justify the deeds done at Harper's Ferry. In regard to the misguided man who led the insurgents on that occasion, I have no remarks to make. He has already expiated upon the gallows the crime which he committed against the laws of his country; and to answer for his errors, or his virtues, whatever they may have been, he has gone fearlessly and willingly before that Judge who cannot err; there let him rest.

The debate continued several days and took a pretty wide range, the leading Senators on both sides taking part in it. Trumbull bore the brunt of it on the Republican side, and was cross-examined in courteous but searching terms by Yulee, of Florida, Chesnut, of South Carolina, and Clay, of Alabama, who conceived that the teachings of the Republican party tended to produce such characters as John Brown. Trumbull answered all their queries promptly, fully, and satisfactorily to his political friends, if not to his questioners. Nothing in his senatorial career brought him more cordial letters of approval than this debate. One such came from Lincoln:

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