

**ROOSEVELT
THEODORE**

THOMAS HART
BENTON

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CHAPTER I

THE YOUNG WEST

Even before the end of the Revolutionary War the movement had begun which was to change in form a straggling chain of sea-board republics into a mighty continental nation, the great bulk of whose people would live to the westward of the Appalachian Mountains. The hardy and restless backwoodsmen, dwelling along the eastern slopes of the Alleghanies, were already crossing the mountain-crests and hewing their way into the vast, sombre forests of the Mississippi basin; and for the first time English-speaking communities were growing up along waters whose outlet was into the Gulf of Mexico and not into the Atlantic Ocean. Among these communities Kentucky and Tennessee were the earliest to form themselves into states; and around them, as a nucleus, other states of the woodland and the prairie were rapidly developed, until, by the close of the second decade in the present century, the region between the Great Lakes and the Gulf was almost solidly filled in, and finally, in 1820, by the admission of Missouri, the Union held within its borders a political body

whose whole territory lay to the west of the Mississippi.

All the men who founded these states were of much the same type; they were rough frontiersmen, of strong will and adventurous temper, accustomed to the hard, barren, and yet strangely fascinating life of those who dwell as pioneers in the wilderness. Moreover, they were nearly all of the same blood. The people of New York and New England were as yet filling out their own territory; it was not till many years afterwards that their stock became the predominant one in the northwestern country. Most of the men who founded the new states north of the Ohio came originally from the old states south of the Potomac; Virginia and North Carolina were the first of the original thirteen to thrust forth their children in masses, that they might shift for themselves in the then untrodden West.

But though these early Western pioneers were for the most part of Southern stock, they were by no means of the same stamp as the men who then and thereafter formed the ruling caste in the old slave-holding states. They were the mountaineers, the men of the foot-hills and uplands, who lived in what were called the backwater counties. Many of them were themselves of northern origin. In striking contrast to the somewhat sluggish and peaceful elements going to make up the rest of its heterogeneous population, Pennsylvania also originally held within its boundaries many members of that most fiery and restless race, the Scotch-Irish. These naturally drew towards the wilder, western parts of the state, settling along the slopes of the

numerous inland mountain ridges running parallel to the Atlantic coast; and from thence they drifted southward through the long valleys, until they met and mingled with their kinsfolk of Virginia and the Carolinas, when the movement again trended towards the West. In a generation or two, all, whether their forefathers were English, Scotch, Irish, or, as was often the case, German and Huguenot, were welded into one people; and in a very short time the stern and hard surroundings of their life had hammered this people into a peculiar and characteristically American type, which to this day remains almost unchanged. In their old haunts we still see the same tall, gaunt men, with strongly marked faces and saturnine, resolute eyes; men who may pass half their days in listless idleness, but who are also able to show on occasion the fiercest intensity of purpose and the most sustained energy of action. We see them, moreover, in many places, even across to the Pacific coast and down to the Rio Grande. For after thronging through the gaps and passes of the Appalachians, and penetrating the forest region to the outskirts of the treeless country beyond, the whilom mountaineers and woodsmen, the wielders of the axe and rifle, then streamed off far to the West and South and even to the Northwest, their lumbering, white-topped wagons being, even to the present moment, a familiar sight to those who travel over the prairies and the great plains; while it is their descendants who, in the saddle instead of afoot, and with rope and revolver instead of axe and rifle, now form the bulk of the reckless horsemen who spend their lives in guarding the wandering cattle

herds that graze over the vast, arid plains of the "Far West."

The method of settlement of these states of the Mississippi valley had nothing whatever in common with the way in which California and the Australian colonies were suddenly filled up by the promiscuous overflow of a civilized population, which had practically no fear of any resistance from the stunted and scanty native races. It was far more closely akin to the tribe movements of the Germanic peoples in time past; to that movement, for example, by which the Juttish and Low Dutch sea-thieves on the coast of Britain worked their way inland at the cost of the Cymric Celts. The early settlers of the territory lying immediately west of the Alleghanies were all of the same kind; they were in search of homes, not of riches, and their actions were planned accordingly, except in so far as they were influenced by mere restless love of adventure and excitement. Individuals and single families, of course, often started off by themselves; but for the most part the men moved in bands, with their wives and their children, their cattle and their few household goods; each settler being from the necessity of the case also a fighter, ready, and often forced, to do desperate battle in defense of himself and his family. Where such a band or little party settled, there would gradually grow up a village or small town; for instance, where those renowned pioneers and heroes of the backwoods, Boone and Harrod, first formed permanent settlements after they had moved into Kentucky, now stand the towns of Boonsboro and Harrodsburg.

The country whither these settlers went was not one into which timid men would willingly venture, and the founders of the West were perforce men of stern stuff, who from the very beginning formed a most warlike race. It is impossible to understand aright the social and political life of the section, unless we keep prominently before our minds that it derived its distinguishing traits largely from the extremely militant character acquired by all the early settlers during the long drawn out warfare in which the first two generations were engaged. The land was already held by powerful Indian tribes and confederacies, who waged war after war, of the most ferocious and bloody character, against the men of the border, in the effort to avert their inevitable doom, or at least to stem for the time being the invasion of the swelling tide of white settlement. At the present time, when an Indian uprising is a matter chiefly of annoyance, and dangerous only to scattered, outlying settlers, it is difficult to realize the formidable nature of the savage Indian wars waged at the end of the last and the beginning of the present centuries. The red nations were then really redoubtable enemies, able to send into the field thousands of well-armed warriors, whose ferocious bravery and skill rendered them quite as formidable antagonists as trained European soldiers would have been. Warfare with them did not affect merely outlying farms or hamlets; it meant a complete stoppage of the white movement westward, and great and imminent danger even to the large communities already in existence; a state of things which would have to continue until

the armies raised among the pioneers were able, in fair shock of battle, to shatter the strength of their red foes. The victories of Wayne and Harrison were conditions precedent to the opening of the Ohio valley; Kentucky was won by a hundred nameless and bloody fights, whose heroes, like Shelby and Sevier, afterwards rose to prominent rank in civil life; and it was only after a hard-fought campaign and slaughtering victories that the Tennesseans were able to break the power of the great Creek confederacy, which was thrust in between them and what were at that time the French and Spanish lands lying to the south and southwest.

The founders of our Western States were valiant warriors as well as hardy pioneers, and from the very first their fighting was not confined to uncivilized foes. It was they who at King's Mountain slew gallant Ferguson, and completely destroyed his little army; it was from their ranks that most of Morgan's men were recruited, when that grizzled old bush-fighter smote Tarleton so roughly at the battle of the Cowpens. These two blows crippled Cornwallis, and were among the chief causes of his final overthrow. At last, during the War of 1812, there was played out the final act in the military drama of which the West had been the stage during the lifetime of a generation. For this war had a twofold aspect: on the sea-board it was regarded as a contest for the rights of our sailors and as a revolt against Great Britain's domineering insolence; west of the mountains, on the other hand, it was simply a renewal on a large scale of the Indian struggles, all the red-skinned peoples joining together in a great

and last effort to keep the lands which were being wrested from them; and there Great Britain's part was chiefly that of ally to the savages, helping them with her gold and with her well-drilled mercenary troops. The battle of the Thames is memorable rather because of the defeat and death of Tecumseh, than because of the flight of Proctor and the capture of his British regulars; and for the opening of the Southwest the ferocious fight at the Horseshoe Bend was almost as important as the far more famous conflict of New Orleans.

The War of 1812 brought out conspicuously the solidarity of interest in the West. The people there were then all pretty much of the same blood; and they made common cause against outsiders in the military field exactly as afterwards they for some time acted together politically. Further eastward, on the Niagara frontier, the fighting was done by the troops of New York and New England, unassisted by the Southern States; and in turn the latter had to shift for themselves when Washington was burned and Baltimore menaced. It was far otherwise in the regions lying beyond the Appalachians. Throughout all the fighting in the Northwest, where Ohio was the state most menaced, the troops of Kentucky formed the bulk of the American army, and it was the charge of their mounted riflemen which at a blow won the battle of the Thames. Again, on that famous January morning, when it seemed as if the fair Creole city was already in Pakenham's grasp, it was the wild soldiery of Tennessee who, lolling behind their mud breastworks, peered out through the

lifting fog at the scarlet array of the English veterans, as the latter, fresh from their long and unbroken series of victories over the best troops of Europe, advanced, for the first time, to meet defeat.

This solidarity of interest and feeling on the part of the trans-Appalachian communities is a factor often not taken into account in relating the political history of the early part of this century; most modern writers (who keep forgetting that the question of slavery was then not one tenth as absorbing as it afterwards became) apparently deeming that the line of demarkation between North and South was at that period, as it has since in reality become, as strongly defined west of the mountains as east of them. That such was not the case was due to several different causes. The first comers into Tennessee and Kentucky belonged to the class of so-called poor whites, who owned few or no slaves, and who were far less sectionally southern in their feelings than were the rich planters of the low, alluvial plains towards the coast of the Atlantic; and though a slave-owning population quickly followed the first pioneers, yet the latter had imprinted a stamp on the character of the two states which was never wholly effaced,—as witness the tens of thousands of soldiers which both, even the more southern of the two, furnished to the Union army in the Civil War.

If this immigration made Kentucky and Tennessee, and afterwards Missouri, less distinctively Southern in character than the South Atlantic States, it at the same time, by furnishing

the first and for some time the most numerous element in the population of the states north of the Ohio, made the latter less characteristically Northern than was the case with those lying east of them. Up to 1810 Indiana kept petitioning Congress to allow slavery within her borders; Illinois, in the early days, felt as hostile towards Massachusetts as did Missouri. Moreover, at first the Southern States west of the mountains greatly outweighed the Northern, both in numbers and importance.

Thus several things came about. In the first place, all the communities across the Alleghanies originally felt themselves to be closely knit together by ties of blood, sentiment, and interest; they felt that they were, taking them altogether, Western as opposed to Eastern. In the next place, they were at first Southern rather than Northern in their feeling. But, in the third place, they were by no means so extremely Southern as were the Southern Atlantic States. This was the way in which they looked at themselves; and this was the way in which at that time others looked at them. In our day Kentucky is regarded politically as being simply an integral portion of the solid South; but the greatest of her sons, Clay, was known to his own generation, not as a Southern statesman, but as "Harry of the West." Of the two presidents, Harrison and Taylor, whom the Whigs elected, one lived in Ohio and one in Louisiana; but both were chosen simply as Western men, and, as a matter of fact, both were born in Virginia. Andrew Jackson's victory over Adams was in some slight sense a triumph of the South over the North, but it was

far more a triumph of the West over the East. Webster's famous sneer at old Zachary Taylor was aimed at him as a "frontier colonel;" in other words, though Taylor had a large plantation in Louisiana, Webster, and many others besides, looked upon him as the champion of the rough democracy of the West rather than as the representative of the polished slave-holders of the South.

Thus, during the first part of this century, the term "Western" was as applicable to the states lying south of the Ohio as to those lying north of it. Moreover, at first the Central, or, as they were more usually termed, the Border States, were more populous and influential than were those on either side of them, and so largely shaped the general tone of Western feeling. While the voters in these states, whether Whigs or Democrats, accepted as their leaders men like Clay in Kentucky, Benton in Missouri, and Andrew Jackson in Tennessee, it could be taken for granted that on the whole they felt for the South against the North, but much more for the West against the East, and most strongly of all for the Union as against any section whatsoever. Many influences came together to start and keep alive this feeling; but one, more potent than all the others combined, was working steadily, and with ever-increasing power, against it; and when slavery finally brought about a break between the Northern and Southern States of the West as complete as that in the East, then the Democrats of the stamp of Jackson and Benton disappeared as completely from public life as did the Whigs of the stamp of Clay.

Benton's long political career can never be thoroughly

understood unless it is kept in mind that he was primarily a Western and not a Southern statesman; and it owes its especial interest to the fact that during its continuance the West first rose to power, acting as a unit, and to the further fact that it was brought to a close by the same causes which soon afterwards broke up the West exactly as the East was already broken. Benton was not one of the few statesmen who have left the indelible marks of their own individuality upon our history; but he was, perhaps, the most typical representative of the statesmanship of the Middle West at the time when the latter gave the tone to the political thought of the entire Mississippi valley. The political school which he represented came to its fullest development in the so-called Border States of Kentucky, Tennessee, and Missouri, and swayed the destinies of the West so long as the states to the north as well as the states to the south were content to accept the leadership of those that lay between them. It came to an end and disappeared from sight when people north of the Ohio at last set up their own standard, and when, after some hesitation, the Border States threw in their lot with the other side and concluded to follow the Southern communities, which they had hitherto led. Benton was one of those public men who formulate and express, rather than shape, the thought of the people who stand behind them and whom they represent. A man of strong intellect and keen energy, he was for many years the foremost representative of at least one phase of that thought; being, also, a man of high principle and determined courage,

when a younger generation had grown up and the bent of the thought had changed, he declined to change with it, bravely accepting political defeat as the alternative, and going down without flinching a hair's breadth from the ground on which he had always stood.

To understand his public actions as well as his political ideas and principles it is, of course, necessary to know at least a little of the men among whom he lived and from whom he sprang: the men who were the first of our people to press out beyond the limits of the thirteen old states; who filled Kentucky, Tennessee, Arkansas, and Missouri, and who for so long a time were the dominant class all through the West, until, at last, the flood of Northeastern immigration completely swamped their influence north of the Ohio, while along the Gulf coast the political control slipped from their hands into the grasp of the great planter class.

The wood-choppers, game-hunters, and Indian-fighters, who first came over the mountains, were only the forerunners of the more regular settlers who followed them; but these last had much the same attributes as their predecessors. For many years after the settlements were firmly rooted, the life of the settlers was still subject to all the perils of the wilderness. Above all, the constant warfare in which they were engaged for nearly thirty-five years, and which culminated in the battle of New Orleans, left a deep and lasting imprint on their character. Their incessant wars were waged almost wholly by the settlers themselves, with comparatively little help from the federal government, and

with hardly any regular troops as allies. A backwoods levy, whether raised to meet an Indian inroad or to march against the disciplined armies of the British, was merely a force of volunteers, made up from among the full-grown male settlers, who were induced to join either from motives of patriotism, or from love of adventure, or because they felt that their homes and belongings were in danger from which they could only extricate them by their own prowess. Every settler thus became more or less of a soldier, was always expert with the rifle, and was taught to rely upon his own skill and courage for his protection. But the military service in which he was from time to time engaged was of such a lawless kind, and was carried on with such utter absence of discipline, that it did not accustom him in the least to habits of self-command, or render him inclined to brook the exercise of authority by an outsider; so that the Western people grew up with warlike traditions and habits of thought, accustomed to give free rein to their passions, and to take into their own hands the avenging of real or supposed wrongs, but without any of the love for order and for acting in concert with their fellows which characterize those who have seen service in regular armies. On the contrary, the chief effect of this long-continued and harassing Border warfare was to make more marked the sullen and almost defiant self-reliance of the pioneer, and to develop his peculiarly American spirit of individual self-sufficiency, his impatience of outside interference or control, to a degree not known elsewhere, even on this continent. It also gave a distinct military cast to his

way of looking at territory which did not belong to him. He stood where he was because he was a conqueror; he had wrested his land by force from its rightful Indian lords; he fully intended to repeat the same feat as soon as he should reach the Spanish lands lying to the west and southwest; he would have done so in the case of French Louisiana if it had not been that the latter was purchased, and was thus saved from being taken by force of arms. This belligerent, or, more properly speaking, piratical way of looking at neighboring territory, was very characteristic of the West, and was at the root of the doctrine of "manifest destiny."

All the early settlers, and most of those who came after them, were poor, living narrow lives fraught with great hardship, and varying between toil and half-aimless roving; even when the conditions of their life became easier it was some time before the influence of their old existence ceased to make itself felt in their way of looking at things. The first pioneers were, it is true, soon followed by great slave-owners; and by degrees there grew up a clan of large landed proprietors and stock-raisers, akin to the planter caste which was so all-powerful along the coast; but it was never relatively either so large or so influential as the latter, and was not separated from the rest of the white population by anything like so wide a gap as that which, in the Southern Atlantic and Gulf States, marked the difference between the rich growers of cotton, rice, and sugar, and the squalid "poor whites" or "crackers."

The people of the Border States were thus mainly composed

of small land-owners, scattered throughout the country; they tilled their small farms for themselves, were hewers of their own wood, and drawers of their own water, and for generations remained accustomed to and skillful in the use of the rifle. The pioneers of the Middle West were not dwellers in towns, they kept to the open country, where each man could shift for himself without help or hindrance from his neighbors, scorning the irksome restraints and the lack of individual freedom of city life. They built but few cities of any size; the only two really important ones of whose inhabitants they formed any considerable part, St. Louis and New Orleans, were both founded by the French long before our people came across the mountains into the Mississippi valley. Their life was essentially a country life, alike for the rich and for the bulk of the population. The few raw frontier towns and squalid, straggling villages were neither seats of superior culture nor yet centres for the distribution of educated thought, as in the North. Large tracts of land remained always populated by a class of backwoodsmen differing but little from the first comers. Such was the district from which grand, simple old Davy Crockett went to Washington as a Whig congressman; and perhaps there was never a quainter figure in our national legislature than that of the grim old rifleman, who shares with Daniel Boone the honor of standing foremost in the list of our mighty hunters. Crockett and his kind had little in common with the men who ruled supreme in the politics of most of the Southern States; and even at this day many of their

descendants in the wooded mountain land are Republicans; for when the Middle States had lost the control of the West, and when those who had hitherto followed such leaders as Jackson, Clay, and Benton, drifted with the tide that set so strongly to the South, it was only the men of the type of dogged, stubborn old Crockett who dared to make head against it. But, indeed, one of the characteristics of the people with whom we are dealing was the slowness and suspicion with which they received a new idea, and the tenacity with which they clung to one that they had at last adopted.

They were above all a people of strong, virile character, certain to make their weight felt either for good or for evil. They had many virtues which can fairly be called great, and their faults were equally strongly marked. They were not a thrifty people, nor one given to long-sustained, drudging work; there were not then, nor are there now, to be found in this land such comfortable, prosperous homes and farms as those which dot all the country where dwell the men of Northeastern stock. They were not, as a rule, even ordinarily well educated; the public school formed no such important feature in their life as it did in the life of their fellow-citizens farther north. They had narrow, bitter prejudices and dislikes; the hard and dangerous lives they had led had run their character into a stern and almost forbidding mould. They valued personal prowess very highly, and respected no man who did not possess the strongest capacity for self-help, and who could not shift for himself in any danger. They felt an intense,

although perhaps ignorant, pride in and love for their country, and looked upon all the lands hemming in the United States as territory which they or their children should some day inherit; for they were a race of masterful spirit, and accustomed to regard with easy tolerance any but the most flagrant violations of law. They prized highly such qualities as courage, loyalty, truth, and patriotism, but they were, as a whole, poor, and not over-scrupulous of the rights of others, nor yet with the nicest sense of money obligations; so that the history of their state legislation affecting the rights of debtor and creditor, whether public or private, in hard times, is not pleasant reading for an American who is proud of his country. Their passions, once roused, were intense, and if they really wished anything they worked for it with indomitable persistency. There was little that was soft or outwardly attractive in their character: it was stern, rude, and hard, like the lives they led; but it was the character of those who were every inch men, and who were Americans through to the very heart's core.

In their private lives their lawless and arrogant freedom and lack of self-restraint produced much gross licentiousness and barbarous cruelty; and every little frontier community could tell its story of animal savagery as regards the home relations of certain of its members. Yet in spite of this they, as a whole, felt the family ties strongly, and in the main had quite a high standard of private morality. Many of them, at any rate, were, according to their lights, deeply and sincerely religious; though

even their religion showed their strong, coarse-fibred, narrow natures. Episcopalianism was the creed of the rich slave-owner, who dwelt along the sea-board; but the Western settlers belonged to some one or other of the divisions of the great Methodist and Baptist churches. They were as savagely in earnest about this as about everything else; meekness, mildness, broad liberality, and gentle tolerance of difference in religious views were not virtues they appreciated. They were always ready to do battle for their faith, and, indeed, had to do it, as it was quite a common amusement for the wilder and more lawless members of the community to try to break up by force the great camp-meetings, which formed so conspicuous a feature in the social and religious life of the country. For even irreligion took the form of active rebellion against God, rather than disbelief in his existence.

Physically they were, and are, especially in Kentucky, the finest members of our race; an examination of the statistics relating to the volunteers in the Civil War shows that the natives of no other state, and the men from no foreign country whatsoever, came up to them in bodily development.

Such a people, in choosing men to represent them in the national councils, would naturally pay small heed to refined, graceful, and cultivated statesmanship; their allegiance would be given to men of abounding vitality, of rugged intellect, and of indomitable will. No better or more characteristic possessor of these attributes could be imagined than Thomas Benton.

CHAPTER II

BENTON'S EARLY LIFE AND ENTRY INTO THE SENATE

Thomas Hart Benton was born on March 14, 1782, near Hillsborough, in Orange County, North Carolina,—the same state that fifteen years before, almost to a day, had seen the birth of the great political chief whose most prominent supporter he in after life became. Benton, however, came of good colonial stock; and his early surroundings were not characterized by the squalid poverty that marked Jackson's, though the difference in the social condition of the two families was of small consequence on the frontier, where caste was, and is, almost unknown, and social equality is not a mere figure of speech—particularly it was not so at that time in the Southwest, where there were no servants, except black slaves, and where even what in the North would be called "hired help" was almost an unknown quantity.

Benton's father, who was a lawyer in good standing at the North Carolina bar, died when the boy was very young, leaving him to be brought up by his Virginian mother. She was a woman of force, and, for her time, of much education. She herself began the training of her son's mind, studying with him history and biography, while he also, of course, had access to his father's law library. The home in which he was brought up was, for that

time and for that part of the country, straightlaced; his mother, though a Virginian, had many traits which belonged rather to the descendants of the Puritans, and possessed both their strength of character and their austere religious spirit. Although living in a roistering age, among a class peculiarly given to all the coarser kinds of pleasure, and especially to drink and every form of gambling, she nevertheless preserved the most rigid decorum and morality in her own household, frowning especially upon all intemperance, and never permitting a pack of cards to be found within her doors. She was greatly beloved and respected by the son, whose mind she did so much to mould, and she lived to see him become one of the foremost statesmen of the country.

Young Benton was always fond of reading. He began his studies at home, and continued them at a grammar school taught by a young New Englander of good ability, a very large proportion of the school-teachers of the country then coming from New England; indeed, school-teachers and peddlers were, on the whole, the chief contributions made by the Northeast to the *personnel* of the new Southwest. Benton then began a course at Chapel Hill, the University of North Carolina, but broke off before completing it, as his mother decided to move her family westward to the almost unbroken wilderness near Nashville, Tennessee, where his father had left them a large tract of land. But he was such an insatiable student and reader that he rapidly acquired a very extensive knowledge, not only of law, but of history and even of Latin and English literature, and

thus became a well-read and cultivated, indeed a learned, man; though his frequent displays of learning and knowledge were sometimes marked by a trace of that self-complacent, amusing pedantry so apt to characterize a really well-educated man who lives in a community in which he believes, and with which he has thoroughly identified himself, but whose members are for the most part below the average in mental cultivation.

The Bentons founded a little town, named after them, and in which, of course, they took their position as leaders and rich landed proprietors. It lay on the very outskirts of the Indian country; indeed, the great war trail of the Southern Indians led right through the settlement, and they at all times swarmed around it. The change from the still somewhat rude civilization of North Carolina to the wildness on the border was far less abrupt and startling than would be the case under similar circumstances now, and the Bentons soon identified themselves completely with the life and interests of the people around them. They even abandoned the Episcopalianism of their old home, and became Methodists, like their neighbors. Young Benton himself had his hands full, at first, in attending to his great backwoods farm, tilled by slaves, and in pushing the growth of the settlement by building first a rude log school-house (he himself taught school at one time, while studying law), and a meeting-house of the same primitive construction, then mills, roads, bridges, and so forth. The work hardened and developed him, and he readily enough turned into a regular frontiersman of the better and richer

sort. The neighboring town of Nashville was a raw, pretentious place, where horse-racing, cock-fighting, gambling, whiskey-drinking, and the various coarse vices which masquerade as pleasures in frontier towns, all thrived in rank luxuriance. It was somewhat of a change from Benton's early training, but he took to it kindly, and though never a vicious or debauched man, he bore his full share in the savage brawls, the shooting and stabbing affrays, which went to make up one of the leading features in the excessively unattractive social life of the place and epoch.

At that time dueling prevailed more or less throughout the United States, and in the South and West to an extent never before or since attained. On the frontier, not only did every man of spirit expect now and then to be called on to engage in a duel, but he also had to make up his mind to take occasional part in bloody street-fights. Tennessee, the state where Benton then had his home, was famous for the affrays that took place within its borders; and that they were common enough among the people at large may be gathered from the fact that they were of continual occurrence among judges, high state officials, and in the very legislature itself, where senators and assemblymen were always becoming involved in undignified rows and foolish squabbles, apparently without fear of exciting any unfavorable comment, as witness Davy Crockett's naive account of his early experiences as a backwoods member of the Tennessee assembly. Like Jackson, Benton killed his man in a duel. This was much later, in 1817, when he was a citizen of Missouri. His opponent

was a lawyer named Lucas. They fought twice, on Bloody Island, near St. Louis. On the first occasion both were wounded; on the second Lucas was killed. The latter came of a truculent family. A recent biographer of his father, Judge John R. Lucas, remarks, with refreshing unconsciousness of the grotesque humor of the chronicle: "This gentleman was one of the most remarkable men who ever settled west of the Mississippi River.... Towards the close of his life Judge Lucas became melancholy and dejected—the result of domestic affliction, for six of his sons met death by violence." One feels curious to know how the other sons died.

But the most famous of Benton's affrays was that with Jackson himself, in 1813. This rose out of a duel of laughable rather than serious character, in which Benton's brother was worsted by General Carroll, afterwards one of Jackson's lieutenants at New Orleans. The encounter itself took place between the Benton brothers on one side, and on the other, Jackson, General Coffee, also of New Orleans fame, and another friend. The place was a great rambling Nashville inn, and the details were so intricate that probably not even the participants themselves knew exactly what had taken place, while all the witnesses impartially contradicted each other and themselves. At any rate, Jackson was shot and Benton was pitched headlong down-stairs, and all the other combatants were more or less damaged; but it ended in Jackson being carried off by his friends, leaving the Bentons masters of the field, where they strutted up and down and indulged in a good deal of loud bravado. Previous to this Benton and Jackson had

been on the best of terms, and although there was naturally a temporary break in their friendship, yet it proved strong enough in the end to stand even such a violent wrench as that given by this preposterously senseless and almost fatal brawl. They not only became completely reconciled, but eventually even the closest and warmest of personal and political friends; for Benton was as generous and forgiving as he was hot-tempered, and Jackson's ruder nature was at any rate free from any small meanness or malice.

In spite of occasional interludes of this kind, which must have given a rather ferocious fillip to his otherwise monotonous life, Benton completed his legal studies, was admitted to the bar, and began to practice as a frontier lawyer at Franklin. Very soon, however, he for the first time entered the more congenial field of politics, and in 1811 served a single term in the lower house of the Tennessee legislature. Even thus early he made his mark. He had a bill passed introducing the circuit system into the state judiciary, a reform of much importance, especially to the poorer class of litigants; and he also introduced, and had enacted into a law, a bill providing that a slave should have the same right to the full benefit of a jury trial as would a white man suffering under the same accusation. This last measure is noteworthy as foreshadowing the position which Benton afterwards took in national politics, where he appeared as a slave-holder, it is true, but as one of the most enlightened and least radical of his class. Its passage also showed the tendency of Southern opinion at the

time, which was undoubtedly in the direction of bettering the condition of the blacks, though the events of the next few years produced such a violent revulsion of feeling concerning the negro race that this current of public opinion was completely reversed. Benton, however, was made of sturdy stuff, and as he grew older his views on the question did not alter as did those of most of his colleagues.

Shortly after he left the legislature the War of 1812 broke out, and its events impressed on Benton another of what soon became his cardinal principles. The war was brought on by the South and West, the Democrats all favoring it, while the Federalists, forming the then anti-Democratic party, especially in the Northeast, opposed it; and finally their more extreme members, at the famous Hartford Convention, passed resolutions supposed to tend towards the dissolution of the Union, and which brought upon the party the bitter condemnation of their antagonists. Says Benton himself: "At the time of its first appearance the right of secession was repulsed and repudiated by the Democracy generally.... The leading language in respect to it south of the Potomac was that no state had a right to withdraw from the Union, ... and that any attempt to dissolve it, or to obstruct the action of constitutional laws, was treason. If since that time political parties and sectional localities have exchanged attitudes on this question, it cannot alter the question of right." For, having once grasped an idea and made it his own, Benton clung to it with unyielding tenacity, no matter whether it was or

was not abandoned by the majority of those with whom he had been in the habit of acting.

Thus early Benton's political character became moulded into the shape which it ever afterwards retained. He was a slaveholder, but as advanced as a slaveholder could be; he remained to a certain extent a Southerner, but his Southernism was of the type prevalent immediately after the Revolution, and not of the kind that came to the fore prior to the Rebellion. He was much more a Westerner in his feelings, and more than all else he was emphatically a Union man.

Like every other hot spirit of the West—and the West was full of little but hot spirits—Benton heartily favored the War of 1812. He served as a colonel of volunteers under Jackson, but never saw actual fighting, and his short term of soldiership was of no further account than to furnish an excuse to Polk, thirty-five years later, for nominating him commanding general in the time of the Mexican War,—an incident which, as the nomination was rejected, may be regarded as merely ludicrous, the gross impropriety of the act safely defying criticism. He was of genuine use, however, in calling on and exciting the volunteers to come forward; for he was a fluent speaker, of fine presence, and his pompous self-sufficiency was rather admired than otherwise by the frontiersmen, while his force, energy, and earnestness commanded their respect. He also, when Jackson's reckless impetuosity got him into a snarl with the feeble national administration, whose imbecile incapacity to carry on the war

became day by day more painfully evident, went to Washington, and there finally extricated his chief by dint of threatening that, if "justice" was not done him, Tennessee would, in future political contests, be found ranged with the administration's foes. For Benton already possessed political influence, and being, like most of his class, anti-Federalist, or Democratic, in sentiment, was therefore of the same party as the people at Washington, and was a man whose representations would have some weight with them.

During his stay in Tennessee Benton's character was greatly influenced by his being thrown into close contact with many of the extraordinary men who then or afterwards made their mark in the strange and picturesque annals of the Southwest. Jackson even thus early loomed up as the greatest and arch-typical representative of his people and his section. The religious bent of the time was shown in the life of the grand, rugged old Methodist, Peter Cartwright, who, in the far-off backwoods, was a preacher and practical exponent of "muscular Christianity" half a century before the day when, under Bishop Selwyn and Charles Kingsley, it became a cult among the most highly civilized classes of England. There was David Crockett, rifleman and congressman, doomed to a tragic and heroic death in that remarkable conflict of which it was said at the time, that "Thermopylæ had its messengers of death, but the Alamo had none;" and there was Houston, who, after a singular and romantic career, became the greatest of the statesmen and soldiers of Texas. It was these men,

and their like, who, under the shadow of world-old forests and in the sunlight of the great, lonely plains, wrought out the destinies of a nation and a continent, and who, with their rude war-craft and state-craft, solved problems that, in the importance of their results, dwarf the issues of all European struggles since the day of Waterloo as completely as the Punic wars in their outcome threw into the shade the consequences of the wars waged at the same time between the different Greek monarchies.

Benton, in his mental training, came much nearer to the statesmen of the sea-board, and was far better bred and better educated, than the rest of the men around him. But he was, and was felt by them to be, thoroughly one of their number, and the most able expounder of their views; and it is just because he is so completely the type of a great and important class, rather than because even of his undoubted and commanding ability as a statesman, that his life and public services will always repay study. His vanity and boastfulness were faults which he shared with almost all his people; and, after all, if they overrated the consequence of their own deeds, the deeds, nevertheless, did possess great importance, and their fault was slight compared to that committed by some of us at the present day, who have gone to the opposite extreme and try to belittle the actions of our fathers. Benton was deeply imbued with the masterful, overbearing spirit of the West,—a spirit whose manifestations are not always agreeable, but the possession of which is certainly a most healthy sign of the virile strength of a young community.

He thoroughly appreciated that he was helping to shape the future of a country, whose wonderful development is the most important feature in the history of the nineteenth century; the non-appreciation of which fact is in itself sufficient utterly to disqualify any American statesman from rising to the first rank.

It was not in Tennessee, however, that Benton rose to political prominence, for shortly after the close of the war he crossed the Mississippi and made his permanent home in the territory of Missouri. Missouri was then our extreme western outpost, and its citizens possessed the characteristic western traits to an even exaggerated extent. The people were pushing, restless, and hardy; they were lawless and violent to a degree. In spite of the culture and education of some families, society, as a whole, was marked by florid unconventionality and rawness. The general and widespread intemperance of the judges and high officials of state was even more marked than their proclivities for brawling. The lawyers, as usual, furnished the bulk of the politicians; success at the bar depended less upon learning than upon "push" and audacity. The fatal feuds between individuals and families were as frequent and as bloody as among Highland clans a century before. The following quotations are taken at random from a work on the Bench and Bar of Missouri, by an ex-judge of its supreme court: "A man by the name of Hiram K. Turk, and four sons, settled in 1839 near Warsaw, and a personal difficulty occurred between them and a family of the name of Jones, resulting in the death of one or two. The people began to

take sides with one or the other, and finally a general outbreak took place, in which many were killed, resulting in a general reign of terror and of violence beyond the power of the law to subdue." The social annals of this pleasant town of Warsaw could not normally have been dull; in 1844, for instance, they were enlivened by Judge Cherry and Senator Major fighting to the death on one of its principal streets, the latter being slain. The judges themselves were by no means bigoted in their support of law and order. "In those days it was common for people to settle their quarrels during court week.... Judge Allen took great delight in these exhibitions, and would at any time adjourn his court to witness one.... He (Allen) always traveled with a holster of large pistols in front of his saddle, and a knife with a blade at least a foot long." Hannibal Chollop was no mere creature of fancy; on the contrary, his name was legion, and he flourished rankly in every town throughout the Mississippi valley. But, after all, this ruffianism was really not a whit worse in its effects on the national character than was the case with certain of the "universal peace" and "non-resistance" developments in the Northeastern States; in fact, it was more healthy. A class of professional non-combatants is as hurtful to the real, healthy growth of a nation as is a class of fire-eaters; for a weakness or folly is nationally as bad as a vice, or worse; and, in the long run, a Quaker may be quite as undesirable a citizen as is a duelist. No man who is not willing to bear arms and to fight for his rights can give a good reason why he should be entitled to the privilege of living in a free community.

The decline of the militant spirit in the Northeast during the first half of this century was much to be regretted. To it is due, more than to any other cause, the undoubted average individual inferiority of the Northern compared to the Southern troops; at any rate, at the beginning of the great war of the Rebellion. The Southerners, by their whole mode of living, their habits, and their love of out-door sports, kept up their warlike spirit; while in the North the so-called upper classes developed along the lines of a wealthy and timid bourgeoisie type, measuring everything by a mercantile standard (a peculiarly debasing one if taken purely by itself), and submitting to be ruled in local affairs by low foreign mobs, and in national matters by their arrogant Southern kinsmen. The militant spirit of these last certainly stood them in good stead in the Civil War. The world has never seen better soldiers than those who followed Lee; and their leader will undoubtedly rank as without any exception the very greatest of all the great captains that the English-speaking peoples have brought forth—and this, although the last and chief of his antagonists may himself claim to stand as the full equal of Marlborough and Wellington.

The other Western States still kept touch on the old colonial communities of the sea-coast, having a second or alternative outlet through Louisiana, newly acquired by the United States, it is true, but which was nevertheless an old settled land. Missouri, however, had lost all connection with the sea-coast, and though, through her great river towns, swarming with raftsmen and flat-

boatmen, she drove her main and most thriving trade with the other Mississippi cities, yet her restless and adventure-loving citizens were already seeking other outlets for their activity, and were establishing trade relations with the Mexicans; being thus the earliest among our people to come into active contact with the Hispano-Indian race from whom we afterwards wrested so large a part of their inheritance. Missouri was thrust out beyond the Mississippi into the vast plains-country of the Far West, and except on the river-front was completely isolated, being flanked on every side by great stretches of level wilderness, inhabited by roaming tribes of warlike Indians. Thus for the first time the borderers began to number in their ranks plainsmen as well as backwoodsmen. In such a community there were sure to be numbers of men anxious to take part in any enterprise that united the chance of great pecuniary gain with the certainty of even greater personal risk, and both these conditions were fulfilled in the trading expeditions pushed out from Missouri across the trackless wastes lying between it and the fringe of Mexican settlements on the Rio del Norte. The route followed by these caravans, which brought back furs and precious metals, soon became famous under the name of the Santa Fé trail; and the story of the perils, hardships, and gains of the adventurous traders who followed it would make one of the most striking chapters of American history.

Among such people Benton's views and habits of thought became more markedly Western and ultra-American than ever,

especially in regard to our encroachments upon the territory of neighboring powers. The general feeling in the West upon this last subject afterwards crystallized into what became known as the "Manifest Destiny" idea, which, reduced to its simplest terms, was: that it was our manifest destiny to swallow up the land of all adjoining nations who were too weak to withstand us; a theory that forthwith obtained immense popularity among all statesmen of easy international morality. It cannot be too often repeated that no one can understand even the domestic, and more especially the foreign, policy of Benton and his school without first understanding the surroundings amidst which they had been brought up and the people whose chosen representatives they were. Recent historians, for instance, always speak as if our grasping after territory in the Southwest was due solely to the desire of the Southerners to acquire lands out of which to carve new slave-holding states, and as if it was merely a move in the interests of the slave-power. This is true enough so far as the motives of Calhoun, Tyler, and the other public leaders of the Gulf and southern sea-board states were concerned. But the hearty Western support given to the movement was due to entirely different causes, the chief among them being the fact that the Westerners honestly believed themselves to be indeed created the heirs of the earth, or at least of so much of it as was known by the name of North America, and were prepared to struggle stoutly for the immediate possession of their heritage.

One of Benton's earliest public utterances was in regard to

a matter which precisely illustrates this feeling. It was while Missouri was still a territory, and when Benton, then a prominent member of the St. Louis bar, had by his force, capacity, and power as a public speaker already become well known among his future constituents. The treaty with Spain, by which we secured Florida, was then before the Senate, which body had to consider it several times, owing to the dull irresolution and sloth of the Spanish government in ratifying it. The bounds it gave us were far too narrow to suit the more fiery Western spirits, and these cheered Benton to the echo when he attacked it in public with fierce vehemence. "The magnificent valley of the Mississippi is ours, with all its fountains, springs, and floods; and woe to the statesman who shall undertake to surrender one drop of its water, one inch of its soil to any foreign power." So he said, his words ringing with the boastful confidence so well liked by the masterful men of the West, strong in their youth, and proudly conscious of their strength. The treaty was ratified in the Senate, nevertheless, all the old Southern States favoring it, and the only votes at any stage recorded against it being of four Western senators, coming respectively from Ohio, Kentucky, Tennessee, and Louisiana. So that in 1818, at any rate, the desire for territorial aggrandizement at the expense of Maine or Mexico was common to the West as a whole, both to the free and the slave states, and was not exclusively favored by the Southerners. The only effect of Benton's speech was to give rise to the idea that he was hostile to the Southern and Democratic

administration at Washington, and against this feeling he had to contend in the course of his successful candidacy for the United States senatorship the following year, when Missouri was claiming admittance to the Union.

It was in reference to this matter of admitting Missouri that the slavery question for the first time made its appearance in national politics, where it threw everything into confusion and for the moment overshadowed all else; though it vanished almost as quickly as it had appeared, and did not again come to the front for several years. The Northerners, as a whole, desiring to "restrict" the growth of slavery and the slave-power, demanded that Missouri, before being admitted as a state, should abolish slavery within her boundaries. The South was equally determined that she should be admitted as a slave state; and for the first time the politicians of the country divided on geographical rather than on party lines, though the division proved but temporary, and was of but little interest except as foreshadowing what was to come a score of years later. Even within the territory itself the same contest was carried on with the violence bred by political conflicts in frontier states, there being a very respectable "restriction" party, which favored abolition. Benton was himself a slave-holder, and as the question was in no way one between the East and the West, or between the Union as a whole and any part of it, he naturally gave full swing to his Southern feelings, and entered with tremendous vigor into the contest on the anti-restriction side. So successful were his efforts, and

so great was the majority of the Missourians who sympathized with him, that the restrictionists were completely routed and succeeded in electing but one delegate to the constitutional convention. In Congress the matter was finally settled by the passage of the famous Missouri Compromise bill, a measure Southern in its origin, but approved at the time by many if not most Northerners, and disapproved by not a few Southerners. Benton heartily believed in it, announcing somewhat vaguely that he was "equally opposed to slavery agitation and to slavery extension." By its terms Missouri was admitted as a slave state, while slavery was abolished in all the rest of the old province of Louisiana lying north and west of it and north of the parallel of $36^{\circ} 30'$. Owing to an objectionable clause in its Constitution, the admission was not fully completed until 1821, and then only through the instrumentality of Henry Clay. But Benton took his seat immediately, and entered on his thirty years' of service in the United States Senate. His appearance in national politics was thus coincident with the appearance of the question which, it is true, almost immediately sank out of sight for a period of fifteen years, but which then reappeared to stay for good and to become of progressively absorbing importance, until, combining itself with the still greater question of national unity, it dwarfed all other issues, cleft the West as well as the East asunder, and, as one of its minor results, brought about the political downfall of Benton himself and of his whole school in what were called the Border States.

Before entering the Senate, Benton did something which well illustrates his peculiar uprightness, and the care which he took to keep his public acts free from the least suspicion of improper influence. When he was at the bar in St. Louis, real estate litigation was much the most important branch of legal business. The condition of Missouri land-titles was very mixed, since many of them were based upon the thousands of "concessions" of land made by the old French and Spanish governments, which had been ratified by Congress, but subject to certain conditions which the Creole inhabitants, being ignorant and lawless, had generally failed to fulfill. By an act of Congress these inchoate claims were to be brought before the United States recorder of land titles; and the Missouri bar were divided as to what action should be taken on them, the majority insisting that they should be held void, while Benton headed the opposite party, which was averse to forfeiting property on technical grounds, and advocated the confirmation of every honest claim. Further and important legislation was needed to provide for these claims. Benton, being much the most influential member of the bar who had advocated the confirmation of the claims, and being so able, honest, and energetic, was the favorite counsel of the claimants, and had hundreds of their titles under his professional charge. Of course in such cases the compensation of the lawyer depended solely upon his success; and success to Benton would have meant wealth. Nevertheless, and though his action was greatly to his own pecuniary hurt, the first thing he did when elected senator

was to convene his clients, and tell them that henceforth he could have nothing more to do, as their attorney, with the prosecution of their claims, giving as his reason that their success largely depended upon the action of Congress, of which he was now himself a member, so that he was bound to consult, not any private interest, but the good of the community as a whole. He even refused to designate his successor in the causes, saying that he was determined not only to be quite unbiased in acting upon the subject of these claims as senator, but not to have, nor to be suspected of having, any personal interest in the fate of any of them. Many a modern statesman might most profitably copy his sensitiveness.

CHAPTER III

EARLY YEARS IN THE SENATE

When Benton took his seat in the United States Senate, Monroe, the last president of the great house of Virginia, was about beginning his second term. He was a courteous, high-bred gentleman, of no especial ability, but well fitted to act as presidential figure-head during the politically quiet years of that era of good feeling which lasted from 1816 till 1824. The Federalist party, after its conduct during the war, had vanished into well-deserved obscurity, and though influences of various sorts were working most powerfully to split the dominant and all-embracing Democracy into factional fragments, these movements had not yet come to a head.

The slavery question, it cannot be too often said, was as yet of little or no political consequence. The violent excitement over the admission of Missouri had subsided as quickly as it had arisen; and though the Compromise bill was of immense importance in itself, and still more as giving a hint of what was to come, it must be remembered that its effect upon general politics, during the years immediately succeeding its passage, was slight. Later on, the slavery question became of such paramount consequence, and so completely identified with the movement for the dissolution of the Union, that it seems

impossible for even the best of recent historians of American politics to understand that such was not the case at this time. One writer of note even goes so far as to state that "From the night of March 2, 1820, party history is made up without interruption or break of the development of geographical [the context shows this to mean Northern and Southern] parties." There is very little ground for such a sweeping assertion until a considerable time after the date indicated; indeed, it was more than ten years later before any symptom of the development spoken of became at all marked. Until then, parties divided even less on geographical lines than had been the case earlier, during the last years of the existence of the Federalists; and what little division there was had no reference to slavery. Nor was it till nearly a score of years after the passage of the Missouri Compromise bill that the separatist spirit began to identify itself for good with the idea of the maintenance of slavery. Previously to that there had been outbursts of separatist feeling in different states, but always due to entirely different causes. Georgia flared up in hot defiance of the federal government, when the latter rubbed against her on the question of removing the Cherokees from within her borders. But her having negro slaves did not affect her feelings in the least, and her attitude was just such as any Western state with Indians on its frontier is now apt to assume so far as it dares,—such an attitude as Arizona, for example, would at this moment take in reference to the Apaches, if she were able. Slavery was doubtless remotely one of the irritating causes that combined

to work South Carolina up to a fever heat of insanity over the nullification excitement. But in its immediate origin nullification arose from the outcry against the protective tariff, and it is almost as unfair to ascribe it in any way to the influence of slavery as it would be to assign a similar cause for the Virginia and Kentucky resolutions of 1798, or to say that the absence of slavery was the reason for the abortively disloyal agitation in New England, which culminated in the Hartford Convention. The separatist feeling is ingrained in the fibre of our race, and though in itself a most dangerous failing and weakness, is yet merely a perversion and distortion of the defiant and self-reliant independence of spirit which is one of the chief of the race virtues; and slavery was partly the cause and partly merely the occasion of the abnormal growth of the separatist movement in the South. Nor was the tariff question so intimately associated with that of slavery as has been commonly asserted. This might be easily guessed from the fact that the originator and chief advocate of a high tariff himself came from a slave state, and drew many of his warmest supporters from among the slave-holding sugar-planters. Except in the futile discussion over the proposed Panama Congress it was not till Benton's third senatorial term that slavery became of really great weight in politics.

One of the first subjects that attracted Benton's attention in the Senate was the Oregon question, and on this he showed himself at once in his true character as a Western man, proud alike of every part of his country, and as desirous of seeing the West extended

in a northerly as in a southerly direction. Himself a slave-holder, from a slave state, he was one of the earliest and most vehement advocates of the extension of our free territory northwards along the Pacific coast. All the country stretching north and south of the Oregon River was then held by the United States in joint possession with Great Britain. But the whole region was still entirely unsettled, and as a matter of fact our British rivals were the only parties in actual occupation. The title to the territory was doubtful, as must always be the case when it rests upon the inaccurate maps of forgotten explorers, or upon the chance landings of stray sailors and traders, especially if the land in dispute is unoccupied and of vast but uncertain extent, of little present value, and far distant from the powers claiming it. The real truth is that such titles are of very little practical value, and are rightly enough disregarded by any nations strong enough to do so. Benton's intense Americanism, and his pride and confidence in his country and in her unlimited capacity for growth of every sort, gifted him with the power to look much farther into the future, as regarded the expansion of the United States, than did his colleagues; and moreover caused him to consider the question from a much more far-seeing and statesmanlike stand-point. The land belonged to no man, and yet was sure to become very valuable; our title to it was not very good, but was probably better than that of any one else. Sooner or later it would be filled with the overflow of our population, and would border on our dominion, and on our dominion alone. It was therefore just,

and moreover in the highest degree desirable, that it should be made a part of that dominion at the earliest possible moment. Benton introduced a bill to enable the president to terminate the arrangement with Great Britain and make a definite settlement in our favor; and though the Senate refused to pass it, yet he had the satisfaction of bringing the subject prominently before the people, and, moreover, of outlining the way in which it would have to be and was finally settled. In one of his speeches on the matter he said, using rather highflown language, (for he was unfortunately deficient in sense of humor): "Upon the people of Eastern Asia the establishment of a civilized power on the opposite coast of America could not fail to produce great and wonderful benefits. Science, liberal principles in government, and the true religion might cast their lights across the intervening sea. The valley of the Columbia might become the granary of China and Japan, and an outlet to their imprisoned and exuberant population." Could he have foreseen how, in the future, the Americans of the valley of the Columbia would greet the "imprisoned and exuberant population" of China, he would probably have been more doubtful as to the willingness of the latter empire to accept our standard of the true religion and liberal principles of government. In the course of the same speech he for the first time, and by what was then considered a bold flight of imagination, suggested the possibility of sending foreign ministers to the Oriental nations, to China, Japan, and Persia, "and even to the Grand Turk."

Better success attended a bill he introduced to establish a trading-road from Missouri through the Indian country to New Mexico, which, after much debate, passed both houses and was signed by President Monroe. The road thus marked out and established became, and remained for many years, a great thoroughfare, and among the chief of the channels through which our foreign commerce flowed. Until Benton secured the enactment of this law, so important to the interests and development of the West, the overland trade with Mexico had been carried on by individual effort and at the cost of incalculable hazard, hardship, and risk of life. Mexico, with its gold and silver mines, its strange physical features, its population utterly foreign to us in race, religion, speech, and ways of life, and especially because of the glamour of mystery which surrounded it and partly shrouded it from sight, always dazzled and strongly attracted the minds of the Southwesterners, occupying much the same place in their thoughts that the Spanish Main did in the imagination of England during the reign of Elizabeth. The young men of the Mississippi valley looked upon an expedition with one of the bands of armed traders, who wound their way across Indian-haunted wastes, through deep canyons and over lofty mountain passes, to Santa Fé, Chihuahua, and Sonora, with the same feelings of eager excitement and longing that were doubtless felt by some of their forefathers more than two centuries previously in regard to the cruises of Drake and Hawkins. The long wagon trains or pack trains of the traders

carried with them all kinds of goods, but especially cotton, and brought back gold and silver bullion, bales of furs and droves of mules; and, moreover, they brought back tales of lawless adventure, of great gains and losses, of fights against Indians and Mexicans, and of triumphs and privations, which still further inflamed the minds of the Western men. Where they had already gone as traders, who could on occasion fight, they all hoped on some future day to go as warriors, who would acquire gain by their conquests. These hopes were openly expressed, and with very little more idea of there being any right or wrong in the matter than so many Norse Vikings might have felt. The Southwesterners are credited with altogether too complex motives when it is supposed that they were actuated in regard to the conquest of northern Mexico by a desire to provide for additional slave states to offset the growth of the North; their emotions in regard to their neighbor's land were in the main perfectly simple and purely piratical. That the Northeast did not share in the greed for new territory felt by the other sections of the country was due partly to the decline in its militant spirit, (a decline on many accounts sincerely to be regretted,) and partly to its geographical situation, since it adjoined Canada, an unattractive and already well-settled country, jealously guarded by the might of Great Britain.

Another question, on which Benton showed himself to be thoroughly a representative of Western sentiment, was the removal of the Indian tribes. Here he took a most active

and prominent part in reporting and favoring the bills, and in advocating the treaties, by which the Indian tribes of the South and West were forced or induced, (for the latter word was very frequently used as a euphemistic synonym of the former,) to abandon great tracts of territory to the whites and to move farther away from the boundaries of their ever-encroaching civilization. Nor was his action wholly limited to the Senate, for it was at his instance that General Clark, at St. Louis, concluded the treaties with the Kansas and Osage tribes, by which the latter surrendered to the United States all the vast territory which they nominally owned west of Missouri and Arkansas, except small reserves for themselves. Benton, as was to be expected, took the frontier view of the Indian question, which, by the way, though often wrong, is much more apt to be right than is the so-called humanitarian or Eastern view. But, so far as was compatible with having the Indians removed, he always endeavored to have them kindly and humanely treated. There was, of course, much injustice and wrong inevitably attendant upon the Indian policy advocated by him, and by the rest of the Southern and Western statesmen; but it is difficult to see what other course could have been pursued with most of the tribes. In the Western States there were then sixty millions of acres of the best land, owned in great tracts by barbarous or half-barbarous Indians, who were always troublesome and often dangerous neighbors, and who did not come in any way under the laws of the states in which they lived. The states thus encumbered would evidently never have

been satisfied until all their soil was under their own jurisdiction and open to settlement. The Cherokees had advanced far on the road toward civilization, and it was undoubtedly a cruel grief and wrong to take them away from their homes; but the only alternative would have been to deprive them of much of their land, and to provide for their gradually becoming citizens of the states in which they were. For a movement of this sort the times were not then, and, unfortunately, are not yet ripe.

Much maudlin nonsense has been written about the governmental treatment of the Indians, especially as regards taking their land. For the simple truth is that they had no possible title to most of the lands we took, not even that of occupancy, and at the most were in possession merely by virtue of having butchered the previous inhabitants. For many of its actions towards them the government does indeed deserve the severest criticism; but it has erred quite as often on the side of too much leniency as on the side of too much severity. From the very nature of things, it was wholly impossible that there should not be much mutual wrong-doing and injury in the intercourse between the Indians and ourselves. It was equally out of the question to let them remain as they were, and to bring the bulk of their number up to our standard of civilization with sufficient speed to enable them to accommodate themselves to the changed condition of their surroundings. The policy towards them advocated by Benton, which was much the same as, although more humane than, that followed by most other

Western men who have had practically to face the problem, worked harshly in many instances, and was the cause of a certain amount of temporary suffering. But it was infinitely better for the nation, as a whole, and, in the end, was really more just and merciful, than it would have been to attempt following out any of the visionary schemes which the more impracticable Indian enthusiasts are fond of recommending.

It was during Monroe's last term that Henry Clay brought in the first protective tariff bill, as distinguished from tariff bills to raise revenue with protection as an incident only. It was passed by a curiously mixed vote, which hardly indicated any one's future position on the tariff excepting that of Clay himself; Massachusetts, under the lead of Webster, joining hands with the Southern sea-coast states to oppose it, while Tennessee and New York split, and Missouri and Kentucky, together with most of the North, favored it. Benton voted for it, but on the great question of internal improvements he stood out clearly for the views that he ever afterwards held. This was first brought up by the veto, on constitutional grounds, of the Cumberland Road bill, which had previously passed both houses with singular unanimity, Benton's vote being one of the very few recorded against it. In regard to all such matters Benton was strongly in favor of a strict construction of the Constitution and of guarding the rights of the states, in spite of his devoted attachment to the Union. While voting against this bill, and denying the power or the right of the federal government to take charge of improvements which

would benefit one state only, Benton was nevertheless careful to reserve to himself the right to support measures for improving national rivers or harbors yielding revenues. The trouble is, that however much the two classes of cases may differ in point of expediency, they overlap so completely that it is wholly impossible to draw a hard and fast line between them, and the question of constitutionality, if waived in the one instance, can scarcely with propriety be raised in the other.

With the close of Monroe's second term the "era of good feeling" came to an end, and the great Democratic-Republican party split up into several fragments, which gradually crystallized round two centres. But in 1824 this process was still incomplete, and the presidential election of that year was a simple scramble between four different candidates,—Jackson, Adams, Clay, and Crawford. Jackson had the greatest number of votes, but as no one had a majority, the election was thrown into the House of Representatives, where the Clay men, inasmuch as their candidate was out of the race, went over to Adams and elected him. Benton at the time, and afterwards in his "Thirty Years' View," inveighed against this choice as being a violation of what he called the "principle *demos krates*"—a barbarous phrase for which he had a great fondness, and which he used and misused on every possible occasion, whether in speaking or writing. He insisted that, as Jackson had secured the majority of the electoral vote, it was the duty of the House of Representatives to ratify promptly this "choice of the people." The Constitution expressly

provided that this need not be done. So Benton, who on questions of state rights and internal improvements was so pronounced a stickler for a strict construction of the Constitution, here coolly assumed the absurd position that the Constitution was wrong on this particular point, and should be disregarded, on the ground that there was a struggle "between the theory of the Constitution and the democratic principle." His proposition was ridiculous. The "democratic principle" had nothing more to do with the matter than had the law of gravitation. Either the Constitution was or it was not to be accepted as a serious document, that meant something; in the former case the election of Adams was proper in every aspect, in the latter it was unnecessary to have held any election at all.

At this period every one was floundering about in efforts to establish political relations, Benton not less than others; for he had begun the canvass as a supporter of Clay, and had then gone over to Crawford. But at the end he had become a Jacksonian Democrat, and during the rest of his political career he figured as the most prominent representative of the Jacksonian Democracy in the Senate. Van Buren himself, afterwards Jackson's prime favorite and political heir, was a Crawford man during this campaign.

Adams, after his election, which was owing to Clay's support, gave Clay the position of secretary of state in his cabinet. The affair unquestionably had an unfortunate look, and the Jacksonians, especially Jackson, at once raised a great hue and

cry that there had been a corrupt bargain. Benton, much to his credit, refused to join in the outcry, stating that he had good and sufficient reasons—which he gave—to be sure of its falsity; a position which brought him into temporary disfavor with many of his party associates, and which a man who had Benton's ambition and bitter partisanship, without having his sturdy pluck, would have hesitated to take. The assault was directed with especial bitterness against Clay, whom Jackson ever afterwards included in the very large list of individuals whom he hated with the most rancorous and unreasoning virulence. Randolph of Roanoke, the privileged eccentric of the Senate, in one of those long harangues in which he touched upon everybody and everything, except possibly the point at issue, made a rabid onslaught upon the Clay-Adams coalition as an alliance of "the blackleg and the Puritan." Clay, who was susceptible enough to the charge of loose living, but who was a man of rigid honor and rather fond than otherwise of fighting, promptly challenged him, and a harmless interchange of shots took place. Benton was on the field as the friend of both parties, and his account of the affair is very amusing in its description of the solemn, hair-splitting punctilio with which it is evident that both Randolph and many of his contemporaries regarded points of dueling honor, which to us seem either absurd, trivial, or wholly incomprehensible.

Two tolerably well-defined parties now emerged from the chaos of contending politicians; one was the party of the administration, whose members called themselves National

Republicans, and later on Whigs; the other was the Jacksonian Democracy. Adams's inaugural address and first message outlined the Whig policy as favoring a protective tariff, internal improvements, and a free construction of the Constitution generally. The Jacksonians accordingly took the opposite side on all these points, partly from principle and partly from perversity. In the Senate they assailed with turgid eloquence every administration measure, whether it was good or bad, very much of their opposition being purely factious in character. There has never been a time when there was more rabid, objectless, and unscrupulous display of partisanship. Benton, little to his credit, was a leader in these purposeless conflicts. The most furious of them took place over the proposed Panama mission. This was a scheme that originated in the fertile brain of Henry Clay, whose Americanism was of a type quite as pronounced as Benton's, and who was always inclined to drag us into a position of hostility to European powers. The Spanish-American States, having succeeded in winning their independence from Spain, were desirous of establishing some principle of concert in action among the American republics as a whole, and for this purpose proposed to hold an international congress at Panama. Clay's fondness for a spirited and spectacular foreign policy made him grasp eagerly at the chance of transforming the United States into the head of an American league of free republics, which would be a kind of cis-Atlantic offset to the Holy Alliance of European despotisms.

Adams took up the idea, nominated ministers to the Panama Congress, and gave his reasons for his course in a special message to the Senate. The administration men drew the most rosy and impossible pictures of the incalculable benefits which would be derived from the proposed congress; and the Jacksonians attacked it with an exaggerated denunciation that was even less justified by the facts.

Adams's message was properly open to attack on one or two points; notably in reference to its proposals that we should endeavor to get the Spanish-American States to introduce religious tolerance within their borders. It was certainly an unhappy suggestion that we should endeavor to remove the mote of religious intolerance from our brother's eye while indignantly resenting the least allusion to the beam of slavery in our own. It was on this very point of slavery that the real opposition hinged. The Spanish States had emancipated their comparatively small negro populations, and, as is usually the case with Latin nations, did not have a very strong caste feeling against the blacks, some of whom accordingly had risen to high civic and military rank; and they also proposed to admit to their congress the negro republic of Hayti. Certain of the slave-holders of the South fiercely objected to any such association; and on this occasion Benton for once led and voiced the ultra-Southern feeling on the subject, announcing in his speech that diplomatic intercourse with Hayti should not even be discussed in the senate chamber, and that we could have no association with republics

who had "black generals in their armies and mulatto senators in their congresses." But this feeling on the part of the slaveholders against the measure was largely, although not wholly, spurious; and really had less to do with the attitude of the Jacksonian Democrats than had a mere factious opposition to Adams and Clay. This was shown by the vote on the confirmation of the ministers, when the senators divided on party and not on sectional lines. The nominations were confirmed, but not till after such a length of time that the ministers were unable to reach Panama until after the congress had adjourned.

The Oregon question again came up during Adams's term, the administration favoring the renewal of the joint occupation convention, by which we held the country in common with Great Britain. There was not much public feeling in the matter; in the East there was none whatever. But Benton, when he opposed the renewal, and claimed the whole territory as ours, gave expression to the desires of all the Westerners who thought over the subject at all. He was followed by only half a dozen senators, all but one from the West, and from both sides of the Ohio—Illinois, Kentucky, Tennessee, Mississippi; the Northwest and Southwest as usual acting together.

The vote on the protective tariff law of 1828 furnished another illustration of the solidarity of the West. New England had abandoned her free trade position since 1824, and the North went strongly for the new tariff; the Southern sea-coast states, except Louisiana, opposed it bitterly; and the bill was carried by the

support of the Western States, both the free and the slave. This tariff bill was the first of the immediate irritating causes which induced South Carolina to go into the nullification movement. Benton's attitude on the measure was that of a good many other men who, in their public capacities, are obliged to appear as protectionists, but who lack his frankness in stating their reasons. He utterly disbelieved in and was opposed to the principle of the bill, but as it had bid for and secured the interest of Missouri by a heavy duty on lead, he felt himself forced to support it; and so he announced his position. He simply went with his state, precisely as did Webster, the latter, in following Massachusetts' change of front and supporting the tariff of 1828, turning a full and complete somersault. Neither the one nor the other was to blame. Free traders are apt to look at the tariff from a sentimental standpoint; but it is in reality purely a business matter, and should be decided solely on grounds of expediency. Political economists have pretty generally agreed that protection is vicious in theory and harmful in practice; but if the majority of the people in interest wish it, and it affects only themselves, there is no earthly reason why they should not be allowed to try the experiment to their hearts' content. The trouble is that it rarely does affect only themselves; and in 1828 the evil was peculiarly aggravated on account of the unequal way in which the proposed law would affect different sections. It purported to benefit the rest of the country, but it undoubtedly worked real injury to the planter states, and there is small ground for wonder that the irritation

over it in the region so affected should have been intense.

During Adams's term Benton began his fight for disposing of the public lands to actual settlers at a small cost. It was a move of enormous importance to the whole West; and Benton's long and sturdy contest for it, and for the right of preëmption, entitle him to the greatest credit. He never gave up the struggle, although repulsed again and again, and at the best only partially successful; for he had to encounter much opposition, especially from the short-sighted selfishness of many of the Northerners, who wished to consider the public lands purely as sources of revenue. He utterly opposed the then existing system of selling land to the highest bidder—a most hurtful practice; and objected to the establishment of an arbitrary minimum price, which practically kept all land below a certain value out of the market altogether. He succeeded in establishing the preëmption system, and had the system of renting public mines, etc., abolished; and he struggled for the principle of giving land outright to settlers in certain cases. As a whole, his theory of a liberal system of land distribution was undoubtedly the correct one, and he deserves the greatest credit for having pushed it as he did.

CHAPTER IV

THE ELECTION OF JACKSON, AND THE SPOILS SYSTEM

In the presidential election of 1828 Jackson and Adams were pitted against each other as the only candidates before the people, and Jackson won an overwhelming victory. The followers of the two were fast developing respectively into Democrats and Whigs, and the parties were hardening and taking shape, while the dividing lines were being drawn more clearly and distinctly. But the contest was largely a personal one, and Jackson's success was due to his own immense popularity more than to any party principles which he was supposed to represent. Almost the entire strength of Adams was in the Northeast; but it is absolutely wrong to assume, because of this fact, that the election even remotely foreshadowed the way in which party lines would be drawn in the coming sectional antagonism over slavery. Adams led Jackson in the two slave states of Maryland and Delaware; and in the free states outside of New England Jackson had an even greater lead over Adams. East of the Alleghanies it may here and there have been taken as in some sort a triumph of the South over the North; but its sectional significance, as far as it had any, really came from its being a victory of the West over the East. Infinitely more important than this was the fact that it

represented the overwhelmingly successful upheaval of the most extreme democratic elements in the community.

Until 1828 all the presidents, and indeed almost all the men who took the lead in public life, alike in national and in state affairs, had been drawn from what in Europe would have been called the "upper classes." They were mainly college-bred men of high social standing, as well educated as any in the community, usually rich or at least well-to-do. Their subordinates in office were of much the same material. It was believed, and the belief was acted upon, that public life needed an apprenticeship of training and experience. Many of our public men had been able; almost all had been honorable and upright. The change of parties in 1800, when the Jeffersonian Democracy came in, altered the policy of the government, but not the character of the officials. In that movement, though Jefferson had behind him the mass of the people as the rank and file of his party, yet all his captains were still drawn from among the men in the same social position as himself. The Revolutionary War had been fought under the leadership of the colonial gentry; and for years after it was over the people, as a whole, felt that their interests could be safely intrusted to and were identical with those of the descendants of their revolutionary leaders. The classes in which were to be found almost all the learning, the talent, the business activity, and the inherited wealth and refinement of the country, had also hitherto contributed much to the body of its rulers.

The Jacksonian Democracy stood for the revolt against these

rulers; its leaders, as well as their followers, all came from the mass of the people. The majority of the voters supported Jackson because they felt he was one of themselves, and because they understood that his election would mean the complete overthrow of the classes in power and their retirement from the control of the government. There was nothing to be said against the rulers of the day; they had served the country and all its citizens well, and they were dismissed, not because the voters could truthfully allege any wrong-doing whatsoever against them, but solely because, in their purely private and personal feelings and habits of life, they were supposed to differ from the mass of the people. This was such an outrageously absurd feeling that the very men who were actuated by it, or who, like Benton, shaped and guided it, were ashamed to confess the true reason of their actions, and tried to cloak it behind an outcry, as vague and senseless as it was clamorous, against "aristocratic corruption" and other shadowy and spectral evils. Benton even talked loosely of "retrieving the country from the deplorable condition in which the enlightened classes had sunk it," although the country was perfectly prosperous and in its usual state of quiet, healthy growth. On the other hand, the opponents of Jackson indulged in talk almost as wild, and fears even more extravagant than his supporters' hopes; and the root of much of their opposition lay in a concealed but still existent caste antagonism to a man of Jackson's birth and bringing up. In fact, neither side, in spite of all their loud talk of American Republicanism, had yet mastered

enough of its true spirit to be able to see that so long as public officers did their whole duty to all classes alike, it was not in the least the affair of their constituents whether they chose to spend their hours of social relaxation in their shirt-sleeves or in dress coats.

The change was a great one; it was not a change of the policy under which the government was managed, as in Jefferson's triumph, but of the men who controlled it. The two great democratic victories had little in common; almost as little as had the two great leaders under whose auspices they were respectively won,—and few men were ever more unlike than the scholarly, timid, and shifty doctrinaire, who supplanted the elder Adams, and the ignorant, headstrong, and straightforward soldier, who was victor over the younger. That the change was the deliberate choice of the great mass of the people, and that it was one for the worse, was then, and has been ever since, the opinion of most thinking men; certainly the public service then took its first and greatest step in that downward career of progressive debasement and deterioration which has only been checked in our own days. But those who would, off-hand, decry the democratic principle on this account would do well to look at the nearly contemporaneous career of the pet heroes of a trans-Atlantic aristocracy before passing judgment. A very charming English historian of our day¹ has compared Wellington with Washington; it would have been far juster to have compared him with Andrew

¹ Justin McCarthy.

Jackson. Both were men of strong, narrow minds and bitter prejudices, with few statesmanlike qualities, who, for brilliant military services, were raised to the highest civil positions in the gift of the state. The feeling among the aristocratic classes of Great Britain in favor of the Iron Duke was nearly as strong and quite as unreasonable as was the homage paid by their homelier kinsfolk across the Atlantic to Old Hickory. Wellington's military successes were far greater, for he had more chances; but no single feat of his surpassed the remarkable victory won against his ablest lieutenant and choicest troops by a much smaller number of backwoods riflemen under Andrew Jackson. As a statesman Wellington may have done less harm than Jackson, for he had less influence; but he has no such great mark to his credit as the old Tennessean's attitude toward the Nullifiers. If Jackson's election is a proof that the majority is not always right, Wellington's elevation may be taken as showing that the minority, or a fraction thereof, is in its turn quite as likely to be wrong.

This caste antagonism was the distinguishing feature in the election of 1828, and the partially sectional character of the contest was due to the different degree of development the caste spirit had reached in different portions of the Union. In New England wealth was quite evenly distributed, and education and intelligence were nearly universal; so there the antagonism was slight, the bulk of the New England vote being given, as usually before and since, in favor of the right candidate. In the Middle States, on the contrary, the antagonism was very strong. In the

South it was of but little political account as between the whites themselves, they all being knit together by the barbarous bond of a common lordship of race; and here the feeling for Jackson was largely derived from the close kinship still felt for the West. In the West itself, where Jackson's great strength lay, the people were still too much on the same plane of thought as well as of material prosperity, and the wealthy and cultivated classes were of too limited extent to admit of much caste feeling against the latter; and, accordingly, instead of hostility to them, the Western caste spirit took the form of hostility to their far more numerous representatives who had hitherto formed the bulk of the political rulers of the East.

New England was not only the most advanced portion of the Union, as regards intelligence, culture, and general prosperity, but was also most disagreeably aware of the fact, and was possessed with a self-conscious virtue that was peculiarly irritating to the Westerners, who knew that they were looked down upon, and savagely resented it on every occasion; and, besides, New England was apt to meddle in affairs that more nearly concerned other localities. Several of Benton's speeches, at this time, show this irritation against the Northeast, and also incidentally bring out the solidarity of interest felt throughout the West. In a long and able speech, favoring the repeal of the iniquitous "salt tax," or high duty on imported salt (a great hobby of his, in which, after many efforts, he was finally successful), he brought out the latter point very strongly, besides complaining of

the disproportionate lightness of the burden imposed upon the Northeast by the high tariff, of which he announced himself to be but a moderate adherent. In common with all other Western statesmen, he resented keenly the suspicion with which the Northeast was then only too apt to regard the West, quoting in one of his speeches with angry resentment a prevalent New England sneer at "the savages beyond the Alleghanies." At the time we are speaking of it must be remembered that many even of the most advanced Easterners were utterly incapable of appreciating the almost limitless capacity of their country for growth and expansion, being in this respect far behind their Western brethren; indeed, many regarded the acquisition of any new territory in the West with alarm and regret, as tending to make the Union of such unwieldy size that it would break of its own weight.

Benton was the leading opponent of a proposal, introduced by Senator Foot of Connecticut, to inquire into the expediency of limiting the sales of public lands to such lands as were then in the market. The limitation would have been most injurious to the entire West, which was thus menaced by the action of a New Englander, while Benton appeared as the champion of the whole section, North and South alike, in the speech wherein he strenuously and successfully opposed the adoption of the resolution, and at the same time bitterly attacked the quarter of the country from which it came, as having from the earliest years opposed everything that might advance the interests of the

people beyond the Alleghanies. Webster came to the assistance of the mover of the measure in a speech wherein, among other things, he claimed for the North the merit of the passage of the Ordinance of 1787, in relation to the Northwest Territory, and especially of the anti-slavery clause therein contained. But Benton here caught him tripping, and in a very good speech showed that he was completely mistaken in his facts. The debate now, however, completely left the point at issue, taking a bitterly sectional turn, and giving rise to the famous controversy between Hayne, of South Carolina, who for the first time on the floor of the Senate announced the doctrine of nullification, and Webster, who, in response to his antagonist, voiced the feeling of the Union men of the North in that wonderful and magnificent speech known ever since under the name of the "Reply to Hayne," and the calling forth of which will henceforward be Hayne's sole title to fame. Benton, though himself a strong Union and anti-nullification man, was still too excited over the subject-matter of the bill and the original discussion over it to understand that the debate had ranged off upon matters of infinitely greater importance, and entirely failed to realize that he had listened to the greatest piece of oratory of the century. On the contrary, encouraged by his success earlier in the debate, he actually attempted a kind of reply to Webster, attacking him with invective and sarcasm as an alarmist, and taunting him with the memory of the Hartford Convention, which had been held by members of the Federalist party, to which Webster himself

had once belonged. Benton afterwards became convinced that Webster's views were by no means those of a mere alarmist, and frankly stated that he had been wrong in his position; but at the time, heated by his original grievance, as a Western man, against New England, he failed entirely to understand the true drift of Hayne's speech. Much of New England's policy to the West was certainly excessively narrow-minded.

Jackson's administration derives a most unenviable notoriety as being the one under which the "spoils system" became, for the first time, grafted on the civil service of the nation; appointments and removals in the public service being made dependent upon political qualifications, and not, as hitherto, upon merit or capacity. Benton, to his honor, always stoutly opposed this system. It is unfair to assert that Jackson was the originator of this method of appointment; but he was certainly its foster-father, and more than any one else is responsible for its introduction into the affairs of the national government. Despite all the Eastern sneers at the "savages" of the West, it was from Eastern men that this most effective method of debauching political life came. The Jacksonian Democrats of the West, when they introduced it into the working of the federal government, simply copied the system which they found already firmly established by their Eastern allies in New York and Pennsylvania. For many years the course of politics throughout the country had been preparing and foreshadowing the advent of the "spoils system." The greatest single stroke in its favor had been done at

the instigation of Crawford, when that scheming politician was seeking the presidency, and, to further his ends, he procured the passage by Congress of a law limiting the term of service of all public officials to four years, thus turning out of office all the fifty thousand public servants during each presidential term. This law has never been repealed, every low politician being vitally interested in keeping it as it is, and accordingly it is to be found on the statute-books at the present day; and though it has the company of some other very bad measures, it still remains very much the worst of all, as regards both the evil it has done and that which it is still doing. This four years' limitation law was passed without comment or protest, every one voting in its favor, its probable working not being comprehended in the least. Says Benton, who, with all his colleagues, voted for it: "The object of the law was to pass the disbursing officers every four years under the supervision of the appointing power, for the inspection of their accounts, in order that defaulters might be detected and dropped, while the faithful should be ascertained and continued.... It was found to operate contrary to its intent, and to have become the facile means of getting rid of faithful disbursing officers, instead of retaining them." New York has always had a low political standard, one or the other of its great party and factional organizations, and often both or all of them, being at all times most unlovely bodies of excessively unwholesome moral tone. Aaron Burr introduced the "spoils system" into her state affairs, and his methods were followed and improved upon

by Marcy, Wright, Van Buren, and all the "Albany Regency." In 1829 these men found themselves an important constituent portion of the winning party, and immediately, by the help of the only too willing Jackson, proceeded to apply their system to affairs at Washington. It was about this time that, in the course of a debate in the Senate, Marcy gave utterance to the now notorious maxim, "To the victors belong the spoils."

Under Adams the non-partisan character of the public service had been guarded with a scrupulous care that could almost be called exaggerated. Indeed, Adams certainly went altogether too far in his non-partisanship when it came to appointing cabinet and other high officers, his views on such points being not only fantastic, but absolutely wrong. The colorless character of his administration was largely due to his having, in his anxiety to avoid blind and unreasoning adherence to party, committed the only less serious fault of paying too little heed to party; for a healthy party spirit is prerequisite to the performance of effective work in American political life. Adams was not elected purely for himself, but also on account of the men and the principles that he was supposed to represent; and when he partly surrounded himself with men of opposite principles, he just so far, though from the best of motives, betrayed his supporters, and rightly forfeited much of their confidence. But, under him, every public servant felt that, so long as he faithfully served the state, his position was secure, no matter what his political opinions might be.

With the incoming of the Jacksonians all this changed, and terribly for the worse. A perfect reign of terror ensued among the office-holders. In the first month of the new administration more removals took place than during all the previous administrations put together. Appointments were made with little or no attention to fitness, or even honesty, but solely because of personal or political services. Removals were not made in accordance with any known rule at all; the most frivolous pretexts were sufficient, if advanced by useful politicians who needed places already held by capable incumbents. Spying and tale-bearing became prominent features of official life, the meaner office-holders trying to save their own heads by denouncing others. The very best men were unceremoniously and causelessly dismissed; gray-headed clerks, who had been appointed by the earlier presidents,—by Washington, the elder Adams, and Jefferson,—being turned off at an hour's notice, although a quarter of a century's faithful work in the public service had unfitted them to earn their living elsewhere. Indeed, it was upon the best and most efficient men that the blow fell heaviest; the spies, tale-bearers, and tricksters often retained their positions. In 1829 the public service was, as it always had been, administered purely in the interest of the people; and the man who was styled the especial champion of the people dealt that service the heaviest blow it has ever received.

Benton himself always took a sound stand on the civil service question, although his partisanship led him at times to defend

Jackson's course when he must have known well that it was indefensible. He viewed with the greatest alarm and hostility the growth of the "spoils system," and early introduced, as chairman of a special committee, a bill to repeal the harmful four years' limitation act. In discussing this proposed bill afterwards, he wrote, in words that apply as much at this time as they did then: "The expiration of the four years' term came to be considered as the termination and vacation of all the offices on which it fell, and the creation of vacancies to be filled at the option of the president. The bill to remedy this defect gave legal effect to the original intention of the law by confining the vacation of office to actual defaulters. The power of the president to dismiss civil officers was not attempted to be curtailed, but the restraints of responsibility were placed upon its exercise by requiring the cause of dismissal to be communicated to Congress in each case. The section of the bill to that effect was in these words: *That in all nominations made by the president to the Senate, to fill vacancies occasioned by an exercise of the president's power to remove from office, the fact of the removal shall be stated to the Senate at the same time that the nomination is made, with a statement of the reasons for which such officer may have been removed.* This was intended to operate as a restraint upon removals without cause."

In the "Thirty Years' View" he again writes, in language which would be appropriate from every advanced civil service reformer of the present day, that is, from every disinterested man who has

studied the workings of the "spoils system" with any intelligence:

I consider "sweeping" removals, as now practiced by both parties, a great political evil in our country, injurious to individuals, to the public service, to the purity of elections, and to the harmony and union of the people. Certainly no individual has a right to an office; no one has an estate or property in a public employment; but when a mere ministerial worker in a subordinate station has learned its duties by experience and approved his fidelity by his conduct, it is an injury to the public service to exchange him for a novice whose only title to the place may be a political badge or partisan service. It is exchanging experience for inexperience, tried ability for untried, and destroying the incentive to good conduct by destroying its reward. To the party displaced it is an injury, he having become a proficient in that business, expecting to remain in it during good behavior, and finding it difficult, at an advanced age, and with fixed habits, to begin a new career in some new walk of life. It converts elections into scrambles for office, and degrades the government into an office for rewards and punishments; and divides the people of the Union into two adverse parties, each in its turn, and as it becomes dominant, to strip and proscribe the other.

Benton had now taken the position which he was for many years to hold, as the recognized senatorial leader of a great and well-defined party. Until 1828 the prominent political chiefs of the nation had either been its presidents, or had been in the

cabinets of these presidents. But after Jackson's time they were in the Senate, and it was on this body that public attention was concentrated. Jackson's cabinet itself showed such a falling off, when compared with the cabinets of any of his predecessors, as to justify the caustic criticism that, when he took office, there came in "the millennium of the minnows." In the Senate, on the contrary, there were never before or since so many men of commanding intellect and powers. Calhoun had been elected as vice-president on the Jacksonian ticket, and was thus, in 1829, presiding over the body of which he soon became an active member; Webster and Clay were already taking their positions as the leaders of the great National Republican, or, as it was afterwards called, Whig party.

When the rupture between Calhoun and the Jacksonian Democrats, and the resignation of the former from the vice-presidency took place, three parties developed in the United States Senate. One was composed of the Jacksonian Democrats, with Benton at their head; one was made up of the little band of Nullifiers, led by Calhoun; and the third included the rather loose array of the Whigs, under Clay and Webster. The feeling of the Jacksonians towards Calhoun and the Nullifiers and towards Clay and the Clay Whigs were largely those of personal animosity; but they had very little of this sentiment towards Webster and his associates, their differences with them being on questions of party principle, or else proceeding from merely sectional causes.

CHAPTER V

THE STRUGGLE WITH THE NULLIFIERS

During both Jackson's presidential terms he and his adherents were engaged in two great struggles; that with the Nullifiers, and that with the Bank. Although these struggles were in part synchronous, it will be easier to discuss each by itself.

The nullification movement in South Carolina, during the latter part of the third and early part of the fourth decades in the present century, had nothing to do, except in the most distant way, with slavery. Its immediate cause was the high tariff; remotely it sprang from the same feelings which produced the Virginia and Kentucky resolutions of 1798.

Certain of the Slave States, including those which raised hemp, indigo, and sugar, were high-tariff states; indeed, it was not till towards the close of the presidency of Monroe that there had been much sectional feeling over the policy of protection. Originally, while we were a purely agricultural and mercantile people, free trade was the only economic policy which occurred to us as possible to be followed, the first tariff bill being passed in 1816. South Carolina then was inclined to favor the system, Calhoun himself supporting the bill, and, his subsequent denials to the contrary notwithstanding, distinctly advocating the policy

of protection to native industries; while Massachusetts then and afterwards stoutly opposed its introduction, as hostile to her interests. However, the bill was passed, and Massachusetts had to submit to its operation. After 1816 new tariff laws were enacted about every four years, and soon the coast Slave States, except Louisiana, realized that their working was hurtful to the interests of the planters. New England also changed her attitude; and when the protective tariff bill of 1828 came up, its opponents and supporters were sharply divided by sectional lines. But these lines were not such as would have divided the states on the question of slavery. The Northeast and Northwest alike favored the measure, as also did all the Southern States west of the Alleghanies, and Louisiana. It was therefore passed by an overwhelming vote, against the solid opposition of the belt of Southern coast states stretching from Virginia to Mississippi, and including these two.

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