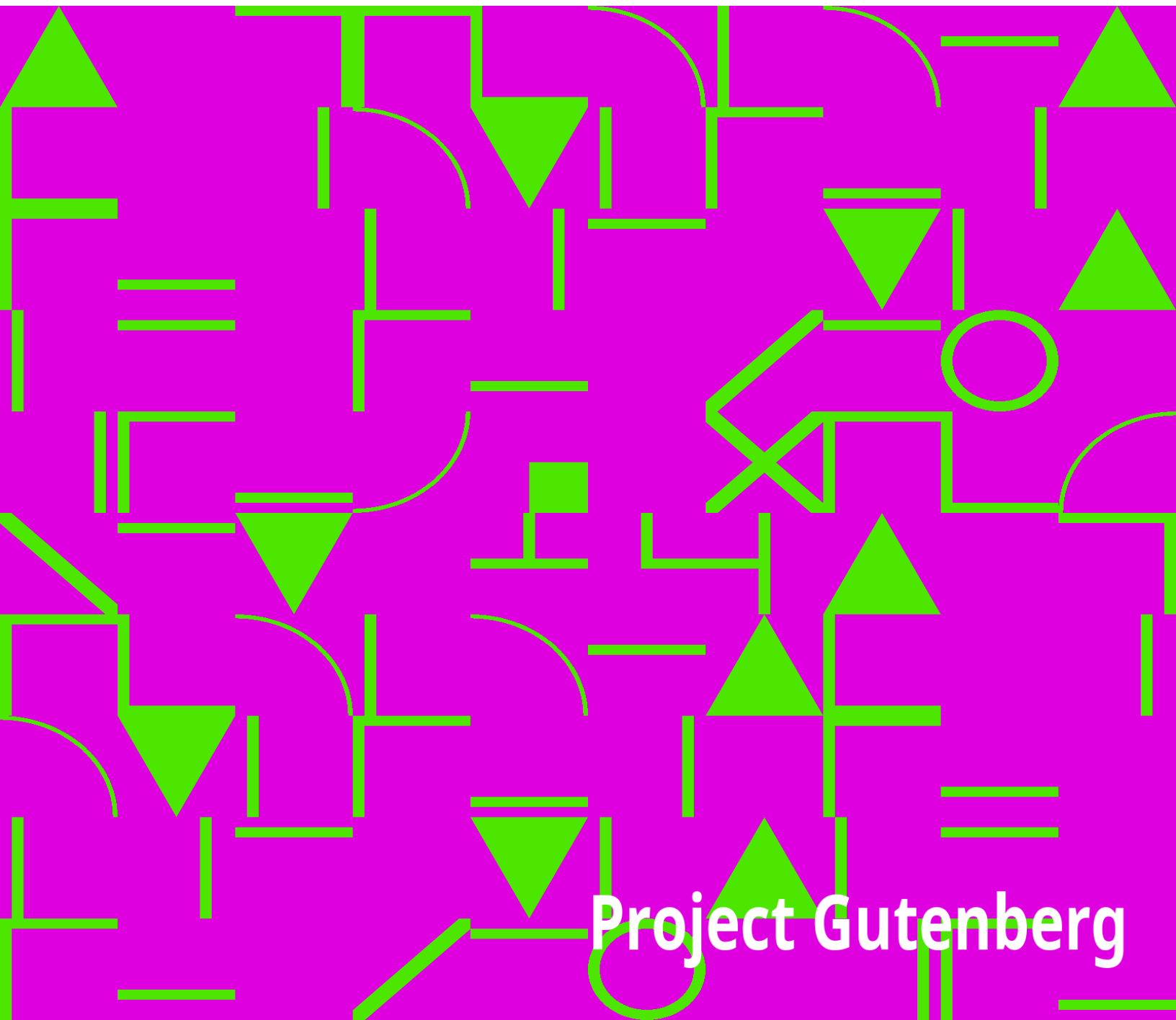


A Political History of the State of New York, Volumes 1-3

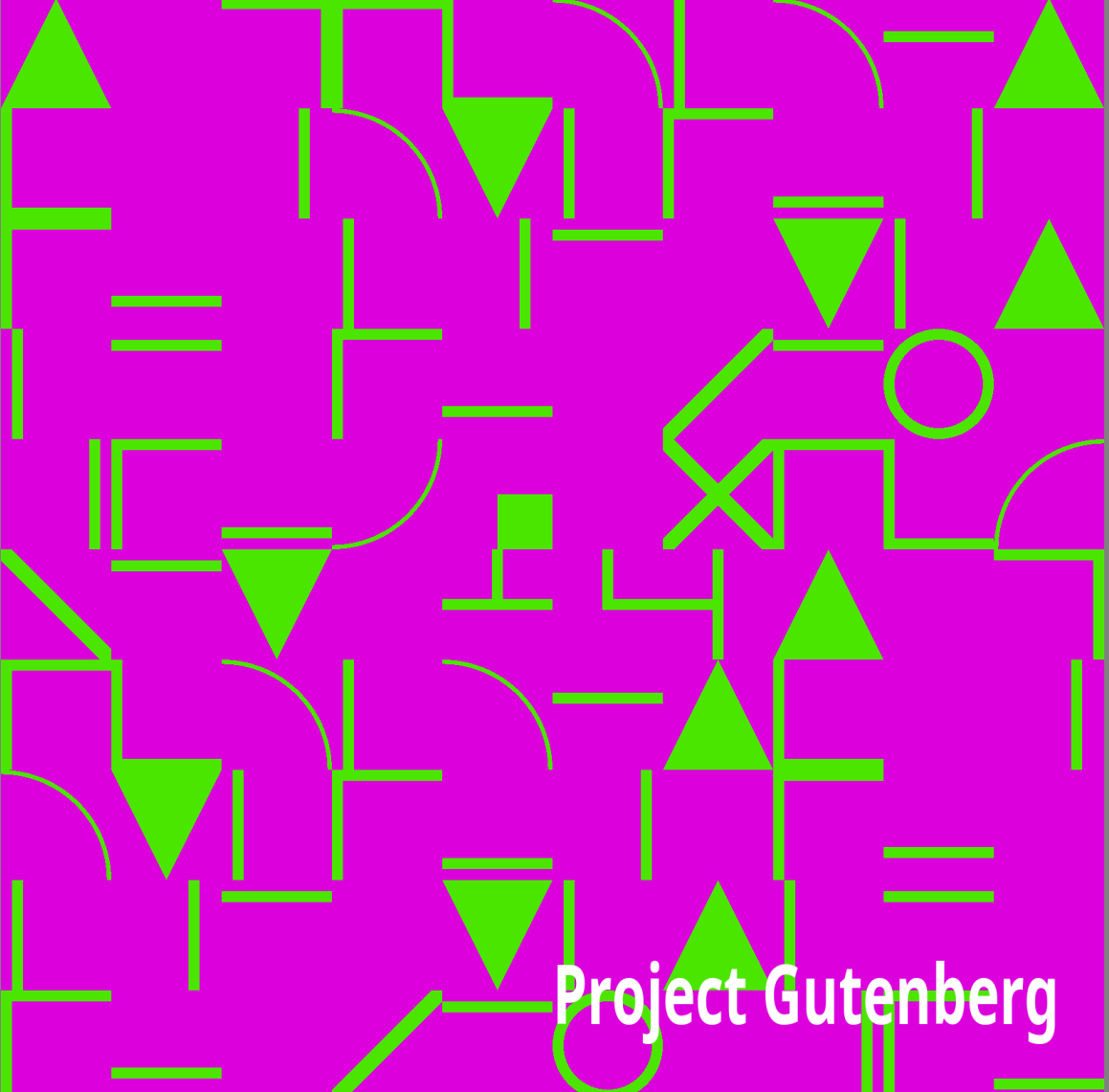
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A POLITICAL HISTORY

OF THE

STATE OF NEW YORK

BY
DEALVA STANWOOD ALEXANDER,
A.M., LL.D.

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Transcriber's Notes

Inconsistent spellings and hyphenations such as "re-election" and "reëlection" have been conformed, and obvious typographical errors have been corrected.

The original contains an index in Volume II covering Volumes I and II. Volume III, which was published later, contains an index covering all three volumes. Therefore, the Volume II index has been omitted.

The original of Volume III refers to both "Appleton's *Encyclopedia*" and "Appleton's *Cyclopædia*." The correct title, as used in Volumes I and II, is "Appleton's *Cyclopædia*" and has been corrected in Volume III.

A POLITICAL HISTORY

OF THE

STATE OF NEW YORK

BY
DEALVA STANWOOD ALEXANDER,
A.M.

*Member of Congress, Formerly United States
Attorney
for the Northern District of New York*

VOL. I
1774-1832

[Volume I Contents](#)



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PREFACE

THE preparation of this work was suggested to the author by the difficulty he experienced in obtaining an accurate knowledge of the movements of political parties and their leaders in the Empire State. "After living a dozen years in New York," wrote Oliver Wolcott, who had been one of Washington's Cabinet, and was afterwards governor of Connecticut, "I don't pretend to comprehend their politics. It is a labyrinth of wheels within wheels, and it is understood only by the managers." Wolcott referred to the early decades of the last century, when Clintonian and Bucktail, gradually absorbing the Federalists, severed the old Republican party into warring factions. In later years, Daniel S. Dickinson spoke of "the tangled web of New York politics"; and Horace Greeley complained of "the zigzag, wavering lines and uncouth political designations which puzzled and wearied readers" from 1840 to 1860, when Democrats divided into Conservatives and Radicals, Hunkers and Barnburners, and Hards and Softs; and when Whigs were known as Conscience and Cotton, and Woollies and Silver Grays. More recently James Parton, in his *Life of Andrew Jackson*, speaks of "that most unfathomable of subjects, the politics of the State of New York."

There is no attempt in this history to catalogue the prominent public men of New York State. Such a list would itself fill a volume. It has only been possible, in the limited space given to over a century, to linger here and there in the company of the famous figures who rose conspicuously above their fellow men and asserted themselves masterfully in influencing public thought and action. Indeed, the history of a State or nation is largely the history of a few leading men, and it is of such men only, with some of their more prominent contemporaries, that the author has attempted to write.

It would be hard to find in any Commonwealth of the Union a more interesting or picturesque leadership than is presented in the political history of the Empire State. Rarely more than two controlling spirits appear at a time, and as these pass into apogee younger men of approved capacity are ready to take their places. None had a meteoric rise, but in his day each

became an absolute party boss; for the Constitution of 1777, by creating the Council of Appointment, opened wide the door to bossism. The abolition of the Council in 1821 doubtless made individual control more difficult, but the system left its methods so deeply impressed upon party management that what before was done under the sanction of law, ever after continued under the cover of custom.

After the Revolution, George Clinton and Alexander Hamilton led the opposing political forces, and while Aaron Burr was forging to the front, the great genius of DeWitt Clinton, the nephew of George Clinton, began asserting itself. The defeat of Burr for governor, and the death of Hamilton would have left DeWitt Clinton in complete control, had he found a strong man for governor whom he could use. In 1812 Martin Van Buren discovered superiority as a manager, and for nearly two decades, until the death of the distinguished canal builder, his great ability was taxed to its uttermost in the memorable contests between Bucktails and Clintonians. Thurlow Weed succeeded DeWitt Clinton in marshalling the forces opposed to Van Buren, whose mantle gradually fell upon Horatio Seymour. Clustered about each of these leaders, save DeWitt Clinton, was a coterie of distinguished men whose power of intellect has made their names familiar in American history. If DeWitt Clinton was without their aid, it was because strong men in high position rebelled against becoming errand boys to do his bidding. But the builder of the Erie canal needed no lieutenants, since his great achievement, aiding the farmer and enriching the merchant, overcame the power of Van Buren, the popularity of Tompkins, and the phenomenal ability of the Albany Regency.

In treating the period from 1800 to 1830, the term "Democrat" is purposely avoided, since all anti-federalist factions in New York claimed to be "Republican." The Clay electors, in the campaign of 1824, adopted the title "Democrat Ticket," but in 1828, and for several years after the formation of the Whig party in 1834, the followers of Jackson, repudiating the title of Democrats, called themselves Republicans.

For aid in supplying material for character and personal sketches, the author is indebted to many "old citizens" whom he met during the years he held the office of United States Attorney for the Northern District of New York, when that district included the entire State north and west of Albany. He

takes this occasion, also, to express his deep obligation to the faithful and courteous officials of the Library of Congress, who, during the years he has been a member of Congress, assisted him in searching for letters and other unindexed bits of New York history which might throw some light upon subjects under investigation.

The author hopes to complete the work in an additional volume, bringing it down to the year 1896.

D.S.A.

BUFFALO, N.Y., March, 1906.

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A POLITICAL HISTORY OF THE STATE OF NEW YORK

CHAPTER I

A COLONY BECOMES A STATE

ON THE 16th of May, 1776, the second Continental Congress, preparing the way for the Declaration of Independence, recommended that those Colonies which were without a suitable form of government, should, to meet the demands of war, adopt some sufficient organisation. The patriot government of New York had not been wholly satisfactory. It never lacked in the spirit of resistance to England's misrule, but it had failed to justify the confident prophecies of those who had been instrumental in its formation.

For nearly a year New York City saw with wonder the spectacle of a few fearless radicals, organised into a vigilance committee of fifty, closing the doors of a custom-house, guarding the gates of an arsenal, embargoing vessels laden with supplies for British troops, and removing cannon from the Battery, while an English fleet, well officered and manned, rode idly at anchor in New York harbour. Inspiring as the spectacle was, however, it did not appreciably help matters. On the contrary, it created so much friction among the people that the conservative business men—resenting involuntary taxation, yet wanting, if possible with honour, reconciliation and peace with the mother country—organised, in May, 1774, a body of their own known as the Committee of Fifty-one, which thought the time had come to interrupt the assumed leadership of the Committee of Fifty. This usurpation by one committee of powers that had been exercised by another, caused the liveliest indignation.

The trouble between England and America had grown out of the need for a continental revenue and the lack of a continental government with taxing power—a weakness experienced throughout the Revolution and under the Confederation. In the absence of such a government, Parliament undertook to supply the place of such a power; but the Americans blocked the way by an appeal to the principle that had been asserted by Simon de Montford's

Parliament in 1265 and admitted by Edward I. in 1301—"No taxation without representation." So the Stamp Act of 1765 was repealed. The necessity for a continental revenue, nevertheless, remained, and in the effort to adopt some expedient, like the duty on tea, Crown and Colonies became involved in bitter disputes. The idea of independence, however, had, in May, 1774, scarcely entered the mind of the wildest New York radical. In their instructions to delegates to the first Continental Congress, convened in September, 1774, the Colonies made no mention of it. Even in May, 1775, the Sons of Liberty in Philadelphia cautioned John Adams not to use the word, since "it is as unpopular in all the Middle States as the Stamp Act itself."^[1] Washington wrote from the Congress that independence was then not "desired by any thinking man in America."^[2]

The differences, therefore, between the Committees of Fifty and Fifty-one were merely political. One favoured agitation for the purpose of arousing resistance to the King's summary methods—the other preferred a more orderly but not less forceful way of making known their opposition. Members of both committees were patriots in the highest and best sense, yet each faction fancied itself the only patriotic, public spirited and independent party.

It was during these months of discord that Alexander Hamilton, then a lad of seventeen, astonished his listeners at the historic meeting "in the Fields,"^[3] with the cogency of his arguments and the wonderful flights of an unpremeditated eloquence while denouncing the act of Parliament which closed the port of Boston. Hamilton had already been a year in America attending the Elizabethtown grammar school, conducted under the patronage of William Livingston, soon to become the famous war governor of New Jersey. This experience quickened the young man's insight into the vexed relations between the Colonies and the Crown, and shattered his English predilections in favour of the little minds that Burke thought so ill-suited to a great empire. A visit to Boston shortly after the "tea party" seems also to have had the effect of crowding his mind with thoughts, deeply and significantly freighted with the sentiment of liberty, which were soon to make memorable the occasion of their first utterance.

The remarkable parallel between Hamilton and the younger Pitt begins in this year, while both are in the schoolroom. Hamilton "in the Fields" recalls

Pitt at the bar of the House of Lords, amazing his companions with the ripe intelligence and rare sagacity with which he followed the debate, and the readiness with which he skilfully formulated answers to the stately arguments of the wigged and powdered nobles. Pitt, under the tuition of his distinguished father, was fitted for the House of Commons as boys are fitted for college at Exeter and Andover, and he entered Parliament before becoming of age. Hamilton's preparation had been different. At twelve years of age he was a clerk in a counting house on the island of Nevis in the West Indies; at sixteen he entered a grammar school in New Jersey; at seventeen he became a sophomore at King's College. It is then that he spoke "in the Fields"—not as a sophomore, not as a precocious youth with unripe thoughts, not as a boy orator—but as a man speaking with the wisdom of genius.

After the meeting "in the Fields" patriotism proved stronger than prejudice, and in November, 1774, the Committee of Fifty-one gave place to a Committee of Sixty, charged with carrying out recommendations of the Continental Congress. Soon after a Committee of One Hundred, composed of members of the Committees of Fifty and Fifty-one, assumed the functions of a municipal government. Finally, in May, 1775, representatives were chosen from the several counties to organise a Provincial Congress to take the place of the long established legislature of the Colony, which had become so steeped in toryism that it refused to recognise the action of any body of men who resented the tyranny of Parliament. Thus, in the brief space of eighteen months, the government of the Crown had been turned into a government of the people.

For several months, however, the patriots of New York had desired a more complete state government. All admitted that the revolutionary committees were essentially local and temporary. Even the hottest Son of Liberty came to fear the licentiousness of the people on the one hand, and the danger from the army on the other. Nevertheless, the Provincial Congress, whose members had been trained by harsh experience to be stubborn in defence and sturdy in defiance, declined to assume the responsibility of forming such a government as the Continental Congress recommended. That body had itself come into existence as a revolutionary legislature after the Provincial Assembly had refused either to approve the proceedings of the first Continental Congress, or to appoint delegates to the second; and,

although it did not hesitate to usurp temporarily the functions of the Tory Assembly, to its great credit it believed the right of creating and framing a new civil government belonged to the people; and, accordingly, on May 24, 1776, it recommended the election of new representatives who should be specially authorised to form a government for New York.

The members of this new body were conspicuous characters in New York's history for the next third of a century. Among them were John Jay, George Clinton, James Duane, Philip Livingston, Philip Schuyler, and Robert R. Livingston. The same men appeared in the Committee of Safety, at the birth of the state government, as witnesses of the helplessness of the Confederation, and as backers or backbiters of the Federal Constitution. Among those associated with them were James Clinton, Ezra L'Hommedieu, Marinus Willett, John Morin Scott, Alexander McDougall, John Sloss Hobart, the Yateses, Abraham, Richard and Robert; the Van Cortlandts, James, John and Philip; the Morrises, Richard, Lewis and Gouverneur, and all the Livingstons. Only two illustrious names are absent from these early patriotic lists, but already Alexander Hamilton had won the heart of the people by his wonderful eloquence and logic, and Aaron Burr, a comely lad of nineteen, slender and graceful as a girl, with the features of his beautiful mother and the refinement of his distinguished grandfather, had thrown away his books to join Arnold on his way to Quebec. These men passed into history in companies, but each left behind his own trail of light. Where danger called, or civic duties demanded prudence and profound sagacity, this band of patriots appeared in council and in the camp, ready to answer to the roll-call of their country, and by voice and vote set the pace which achieved independence.

The new Provincial Congress met at the courthouse in White Plains on July 9, 1776, and, as evidence of the change from the old institutions to the new, it adopted the name of the "Convention of the Representatives of the State of New York." As further evidence of the new order of things it declared that New York began its existence as a State on April 20, 1775. It also adopted as the law of the State such parts of the common and statute law of England as were in force in the Colony of New York on April 19, 1775.

By this time the British forces had become so active in the vicinity of New York that the convention thought it advisable to postpone the novel and

romantic work of state-making until the threatened danger had passed; but, before its hasty adjournment, by requesting officers of justice to issue all processes and pleadings under the authority and in the name of the State of New York, it served notice that King and Parliament were no longer recognised as the source of political authority. This appears to have been the first official mention of the new title of the future government.^[4] When the convention reassembled on the first day of the following August it appointed John Jay chairman of a committee to report the draft of a state constitution.

Jay was then thirty-one years old, a cautious, clever lawyer whose abilities were to make a great impression upon the history of his country. He belonged to a family of Huguenot merchants. The Jays lived at La Rochelle until the revocation of the Edict of Nantes drove the great-grandfather to England, where the family continued until 1686, when Augustus, the grandfather, settled in New York. It was not a family of aristocrats; but for more than a century the Jays had ranked among the gentry of New York City, intermarrying with the Bayards, the Stuyvesants, the Van Cortlandts and the Philipses. To these historic families John Jay added another, taking for his wife Sarah Livingston, the sister of Brockholst, who later adorned the Supreme Court of the United States, and the daughter of William, New Jersey's coming war governor, already famous as a writer of poems and essays.

Jay's public career had begun two years before in connection with the revolutionary Committee of Fifty-one. He did not accept office because he loved it. He went into politics as he might have travelled on a stage-coach at the invitation of a few congenial friends, for their sake, not for his own. When he took up the work of organisation, therefore, it was with no wish to become a leader; he simply desired to guide the spirit of resistance along orderly and forceful lines. But soon he held the reins and had his foot on the brake. In drafting a reply to resolutions from a Boston town meeting, he suggested a Congress of all the Colonies, to which should be referred the disturbing question of non-importation. This letter was not only the first serious suggestion of a general Congress, placing its author intellectually at the head of the Revolutionary leaders; but the plan—which meant broader organisation, more carefully concerted measures, an enlistment of all the conservative elements, and one official head for thirteen distinct and widely

separated colonies—gradually found favour, and resulted in sending the young writer as a delegate to the first Continental Congress.

It was in this Congress that Jay won the right to become a constitution-maker. Of all the men of that busy and brilliant age, no one advanced more steadily in the general knowledge and favour. When he wrote the address to the people of Canada, his great ability was recognised at once; and after he composed the appeal to Ireland and to Jamaica, the famous circular letter to the Colonies, and the patriotic address to the people of his own State, his wisdom was more frequently drawn upon and more widely appreciated than ever; but he may be said to have leaped into national fame when he drafted the address to the people of Great Britain. While still ignorant of its authorship, Jefferson declared it "a production of the finest pen in America."

CHAPTER II

MAKING A STATE CONSTITUTION

1777

IT WAS early spring in 1777 before John Jay, withdrawing to the country, began the work of drafting a constitution. His retirement recalls Cowper's sigh for

 "... a lodge in some vast
wilderness,
 Some boundless contiguity of
shade,
 Where rumours of oppression
and deceit,
 Of unsuccessful and successful
war,
 Might never reach me more."

Too much and too little credit has been given Jay for his part in the work. One writer says he "entered an almost unexplored field." On the other hand, John Adams wrote Jefferson that Jay's "model and foundation" was his own letter to George Wythe of Virginia. Neither is true. The field was not unexplored, nor did John Adams' letter contain a suggestion of anything not already in existence, except the election of a Council of Appointment, with whose consent the governor should appoint all officers. His plan of letting the people elect a governor came later. "We have a government to form, you know," wrote Jay, "and God knows what it will resemble. Our politicians, like some guests at a feast, are perplexed and undetermined which dish to prefer;"^[5] but Jay evidently preferred the old home dishes, and it is

interesting to note how easily he adapted the laws and customs of the provincial government to the needs of an independent State.

The legislative branch of the government was vested in two separate and distinct bodies, called the Assembly and the Senate. The first consisted of seventy members to be elected each year; the second of twenty-four members, one-fourth to be elected every four years. Members of the Assembly were proportioned to the fourteen counties according to the number of qualified voters. For the election of senators, the State was divided into "four great districts," the eastern being allowed three members, the southern nine, the middle six and the western six. To each house was given the powers and privileges of the Provincial Assembly of the Colony of New York. In creating this Legislature, Jay introduced no new feature. The old Assembly suggested the lower house, and the former Council or upper house of the Province, which exercised legislative powers, made a model for the Senate.^[6] In their functions and operations the two bodies were indistinguishable.^[7]

The qualifications of those who might vote for members of the Legislature greatly restricted suffrage. Theoretically every patriot believed in the liberties of the people, and the first article of the Constitution declared that "no authority shall, on any pretence whatever, be exercised over the people of the State, but such as shall be derived from and granted by them." This high-sounding exordium promised the rights of popular sovereignty; but in practice the makers of the Constitution, fearing the passions of the multitude as much as the tyranny of kings, deemed it wise to keep power in the hands of a few. A male citizen of full age, possessing a freehold of the value of twenty pounds, or renting a tenement of the yearly value of forty shillings, could vote for an assemblyman, and one possessing a freehold of the value of one hundred pounds, free from all debts, could vote for a senator.

But even these drastic conditions did not satisfy the draftsman of the Constitution. The legislators themselves, although thus carefully selected, might prove inefficient, and so, lest "laws inconsistent with the spirit of this Constitution, or with the public good, may be hastily or unadvisedly passed," a Council of Revision was created, composed of the governor, chancellor, and the three judges of the Supreme Court, or any two of them

acting with the governor, who "shall revise all bills about to be passed into laws by the Legislature." If the Council failed to act within ten days after having possession of the bill, or if two-thirds of each house approved it after the Council disapproved it, the bill became law. This Council seems to have been suggested by the veto power possessed by the King's Privy Council.

The supreme executive power and authority of the State were vested in a governor, who must be a freeholder and chosen by the ballots of freeholders possessed of one hundred pounds above all debts. His term of office was three years, and his powers similar to those of preceding Crown governors. He was commander-in-chief of the army, and admiral of the navy. He had power to convene the Legislature in extraordinary session; to prorogue it not to exceed sixty days in any one year; and to grant pardons and reprieves to persons convicted of crimes other than treason and murder, in which cases he might suspend sentence until the Legislature acted. In accordance with the custom of his predecessors, he was also expected to deliver a message to the Legislature whenever it convened. To aid him in his duties, the Constitution provided for the election of a lieutenant-governor, who was made the presiding officer of the Senate.

The proposition that no authority should be exercised over the people except such as came from the people necessarily opened the door to an election of the governor by the people; but how to restrict his power seems to have taxed Jay's ingenuity. He had reduced the number of voters to its lowest terms, and put a curb on the Legislature, as well as the governor, by the creation of the Council of Revision; but how to curtail the chief executive's power in making appointments, presented a problem which gave Jay himself, when governor, good reason to regret the manner of its solution.

The only governors with whom Jay had had any experience were British governors, and the story of their rule was a story of astonishing mistakes and vexing stupidities. To go no farther back than Lord Cornbury, the dissolute cousin of Queen Anne, not one in the long list, covering nearly a century, exhibited gifts fitting him for the government of a spirited and intelligent people, or made the slightest impression for good either for the Crown or the Colony. Their disposition was to be despotic, and to prevent a

repetition of such arbitrary conduct, Jay sought to restrict the governor's power in making appointments to civil office.

The new Constitution provided for the appointment of sheriffs, mayors of cities, district attorneys, coroners, county treasurers, and all other officers in the State save governor, lieutenant-governor, state treasurer and town officers. Some members of the convention wished the governor to make these appointments; others wanted his power limited by the Legislature's right to confirm. Jay saw objections to both methods. The first would give the governor too much power; the latter would transfer too much to the Legislature. To reconcile these differences, therefore, he proposed "Article XXIII. That all officers, other than those who, by this Constitution, are directed to be otherwise appointed, shall be appointed in the manner following, to wit: The Assembly shall, once in every year, openly nominate and appoint one of the senators from each great district, which senators shall form a Council for the appointment of the said officers, of which the governor shall be president and have a casting vote, but no other vote; and with the advice and consent of the said Council shall appoint all of the said officers."[\[8\]](#)

This provision was simply, as the sequel showed, a bungling compromise. Jay intended that the governor should nominate and the Council confirm, and in the event of a tie the governor should have the casting vote. But in practice it subordinated the governor to the Council whenever a majority of the Assembly was politically opposed to him, and the annual election of the Council greatly increased the chances of such opposition. When, finally, the Council of Appointment set up the claim that the right to nominate was vested concurrently in the governor and in each of the four senators, it practically stripped the chief executive of power.

The anomaly of the Constitution was the absence of provision for the judicature, the third co-ordinate branch of the government. One court was created for the trial of impeachments and the correction of errors, but the great courts of original jurisdiction, the Supreme Court and the Court of Chancery, as well as the probate court, the county court, and the court of admiralty, were not mentioned except incidentally in sections limiting the ages of the judges, the offices each might hold, and the appointment of clerks. Instead of recreating these courts, the Constitution simply

recognised them as existing. The new court established, known as the Court of Errors and Impeachment, consisted of the president of the Senate, the senators, the chancellor, and the three judges of the Supreme Court, or a major part of them. The conception of vesting supreme appellate jurisdiction in the upper legislative house was derived from the former practice of appeals to the Council of the Province,^[9] which possessed judicial as well as legislative power. The Constitution further followed the practice of the old Council by providing that judges could not vote on appeals from their own judgments, although they might deliver arguments in support of the same—a custom which had obtained in New York from the earliest times.^[10]

In like manner provincial laws, grants of lands and charters, legal customs, and popular rights, most of which had been in existence for a century, were carried over. The Constitution simply provided, in a general way, for the continuance of such parts of the common law of England, the statute law of England and Great Britain, and the acts of the legislature of the Colony of New York, as did not yield obedience to the government exercised by Great Britain, or establish any particular denomination of Christians, or their priests or ministers, who were debarred from holding any civil or military office under the new State; but acts of attainder for crimes committed after the close of the war were abrogated, with the declaration that such acts should not work a corruption of the blood.

The draft of the Constitution in Jay's handwriting was reported to the convention on March 12, 1777, and on the following day the first section was accepted. Then the debate began. Sixty-six members constituted the convention, a majority of whom, led by John Morin Scott, believed in the reign of the people. The spirit that nerved a handful of men to embargo vessels and seize munitions of war covered by British guns never wanted courage, and this historic band now prepared to resist a conservatism that seemed disposed simply to change the name of their masters. Jay understood this feeling. "It is probable that the convention was ultra-democratic," says William Jay, in the biography of his father, "for I have heard him observe that another turn of the winch would have cracked the cord."^[11]

Jay was not without supporters. Conservatives like the Livingstons, the Morrisses, and the Yateses never acted with the recklessness of despair. They had well-formed notions of a popular government, and their replies to proposed changes broke the force of the opposition. But Jay, relying more upon his own policy, prudently omitted several provisions that seemed to him important, and when discussion developed their need, he shrewdly introduced them as amendments. Upon one question, however, a prolonged and spirited debate occurred. This centred upon the freedom of conscience. The Dutch of New Netherland, almost alone among the Colonies, had never indulged in fanaticism, and the Constitution, breathing the spirit of their toleration, declared that "the free exercise and enjoyment of religious profession and worship without diminution or preference shall forever hereafter be allowed within the State to all mankind." Jay did not dissent from this sentiment; but, as a descendant of the persecuted Huguenots, he wished to except Roman Catholics until they should deny the Pope's authority to absolve citizens from their allegiance and to grant spiritual absolution, and he forcefully insisted upon and secured the restriction that "the liberty of conscience hereby granted shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the safety of the State." The question of the naturalisation of foreigners renewed the contention. Jay's Huguenot blood was still hot, and again he exacted the limitation that all persons, before naturalisation, shall "abjure and renounce all allegiance to all and every foreign king, prince, potentate, and state, in all matters ecclesiastical as well as civil."

Jay intended reporting other amendments—one requiring a similar renunciation on the part of all persons holding office, and one abolishing domestic slavery. But before the convention adjourned he was, unfortunately, summoned to the bedside of his dying mother. Otherwise, New York would probably have had the distinction of being first to set the example of freedom. "I should have been for a clause against the continuance of domestic slavery," he said, in a letter objecting to what occurred after his forced retirement.^[12]

Although the Constitution was under consideration for more than a month, haste characterised the close of the convention's deliberations. As soon as Jay left, every one seemed eager to get away, and on Sunday, April 20, 1777, the Constitution was adopted as a whole practically as he left it, and a

committee appointed to report a plan for establishing a government under it. Unlike the Constitution of Massachusetts, it was not submitted to the voters for ratification. The fact that the delegates themselves had been elected by the people seemed sufficient, and two days after its passage, the secretary of the convention, standing upon a barrel in front of the courthouse at Kingston, published it to the world by reading it aloud to those who happened to be present. As it became known to the country, it was cordially approved as the most excellent and liberal of the American constitutions. "It is approved even in New England," wrote Jay, "where few New York productions have credit."^[13]

The absence of violent democratic innovations was the Constitution's remarkable feature. Although a product of the Revolution, framed to meet the necessities growing out of that great event, its general provisions were decidedly conservative. The right of suffrage was so restricted that as late as 1790 only 1303 of the 13,330 male residents of New York City possessed sufficient property to entitle them to vote for governor. Even the Court of Chancery remained undisturbed, notwithstanding royal governors had created it in opposition to the wishes of the popular assembly. But despite popular dissatisfaction, which evidenced itself in earnest prayers and ugly protests, the instrument, so rudely and hastily published on April 22, 1777, remained the supreme law of the State for forty-four years.

Before adjournment the convention, adopting the report of its committee for the organisation of a state government, appointed Robert R. Livingston, chancellor; John Jay, chief justice of the Supreme Court; Robert Yates, Jr., and John Sloss Hobart, justices of the Supreme Court, and Egbert Benson, attorney-general. To a Council of Safety, composed of fifteen delegates, with John Morin Scott, chairman, were confided all the powers of the State until superseded by a regularly elected governor.

CHAPTER III

GEORGE CLINTON ELECTED GOVERNOR

1777

AFTER the constitutional convention adjourned in May, 1777, the Council of Safety immediately ordered the election of a governor, lieutenant-governor, and members of the Legislature. The selection of a governor by ballot interested the people. Although freeholders who could vote represented only a small part of the male population, patriots of every class rejoiced in the substitution of a neighbour for a lord across the sea. And all had a decided choice. Of those suggested as fittest as well as most experienced Philip Schuyler, John Morin Scott, John Jay and George Clinton were the favourites. Just then Schuyler was in the northern part of the province, watching Burgoyne and making provision to meet the invasion of the Mohawk Valley; George Clinton, in command on the Hudson, was equally watchful of the movements of Sir Henry Clinton, whose junction with Burgoyne meant the destruction of Forts Clinton and Montgomery at the lower entrance to the Highlands; while Scott and Jay, as members of the Council of Safety, were directing the government of the new State.

Schuyler's public career began in the Provincial Assembly of New York in 1768. He represented the people's interests with great boldness, and when the Assembly refused to thank the delegates of the first Continental Congress, or to appoint others to a second Congress, he aided in the organisation of the Provincial Congress which usurped the Assembly's functions and put all power into the hands of the people. Chancellor Kent thought that "in acuteness of intellect, profound thought, indefatigable activity, exhaustless energy, pure patriotism, and persevering and intrepid public efforts, Schuyler had no superior;" and Daniel Webster declared him "second only to Washington in the services he rendered the country."^[14] But

there was in Schuyler's make-up a touch of arrogance that displayed itself in letters as well as in manners. The soldierly qualities that made him a commander did not qualify him for public place dependent upon the suffrage of men. People respected but did not love him. If they were indignant that Gates succeeded him, they did not want him to govern them, however much it may have been in his heart to serve them faithfully.

John Morin Scott represented the radical element among the patriots. By profession he was an able and wealthy lawyer; by occupation a patriotic agitator. John Adams, who breakfasted with him, speaks of his country residence three miles out of town as "an elegant seat, with the Hudson just behind the house, and a rural prospect all around him." But the table seems to have made a deeper impression upon the Yankee patriot than the picturesque scenery of the river. "A more elegant breakfast I never saw—rich plate, a very large silver coffee-pot, a very large silver teapot, napkins of the very finest materials, toast and bread and butter in great perfection. Afterwards a plate of beautiful peaches, another of pears, another of plums, and a musk melon." As a parting salute, this lover of good things spoke of his host as "a sensible man, one of the readiest speakers upon the continent, but not very polite."^[15] This is what the Tories thought. According to Jones, the Tory historian, Scott had the misfortune to graduate at Yale—"a college remarkable for its republican principles and religious intolerance," he says, and to belong to a triumvirate whose purpose was "to pull down church and state, and to raise their own government upon the ruins."^[16]

Scott, no doubt, was sometimes mistaken in the proper course to pursue, but he was always right from his point of view, and his point of view was bitter hostility to English misrule. Whatever he did he did with all the resistless energy of a man still in his forties. He was of distinguished ancestry. His great-great-grandfather, Sir John Scott, baronet, of Ancrum, Scotland, had been a stalwart Whig before the revolution of 1688, and his grandfather, John Scott, coming to New York in 1702, had commanded Fort Hunter, a stronghold on the Mohawk. Both were remarkable men. Tory blood was foreign to their veins. Young John, breathing the air of independence, scorned to let his life and property depend upon the pleasure of British lords and a British ministry, or to be excluded from the right of trial by a jury of his neighbours, or of taxation by his own representatives. In 1775 he went to the Continental Congress; in 1776, to the Provincial Congress of New

York; and later he participated in the battle of Long Island as a brigadier-general. After the adoption of the State Constitution he became secretary of state, and from 1780 to 1783 served in the Continental Congress. He lived long enough to see his country free, although his strenuous life ended at fifty-four.

George Clinton possessed more popular manners than either Schuyler or Scott. Indeed, it has been given to few men in New York to inspire more passionate personal attachment than George Clinton. A patriot never lived who was more bitter in his hostility to English misrule, or more uncompromising in his opposition to toryism. He was a typical Irishman—intolerant, often domineering, sometimes petulant, and occasionally too quick to take offence, but he was magnetic and generous, easily putting himself in touch with those about him, and ready, without hesitation, to help the poorest and carry the weakest. This was the kind of man the people wanted for governor.

Clinton came of a good family. His great-grandfather, a too devoted adherent of Charles I., found it healthful to wander about Europe, and finally to settle in the north of Ireland, out of reach of Cromwell's soldiers, and out of sight of his ancestral patrimony. By the time Charles II. came to the throne, the estate was lost, and this friend of the Stuarts lived on in the quiet of his secluded home, and after him, his son; but the grandson, stirred by the blood of a Puritan mother, exchanged the North Sea shore for the banks of the Hudson, where his son breathed the air that made him a leading spirit in the war for American independence. Clinton's youth is one record of precocity. Before the war began he passed through a long, a varied, even a brilliant career, climbing to the highest position in the State before he had reached the age when most men begin to fill responsible places. At fifteen he manned an American privateer; at sixteen, as a lieutenant, he accompanied his father in a successful assault upon Fort Frontenac; at twenty-six, in the colonial legislature, he became the rival of Philip Schuyler in the leadership and influence that enabled a patriotic minority to resist the aggressions of Great Britain; at thirty-six, holding a seat in the Second Continental Congress, he voted for the Declaration of Independence, and commanded a brigade of Ulster County militia.

The election which occurred in June was not preceded by a campaign of speaking. People were too busy fighting to supplement a campaign of bullets with one of words. But Jay sent out an electioneering letter recommending Philip Schuyler for governor and George Clinton for lieutenant-governor. This was sufficient to secure for these candidates the conservative vote. It showed, too, Jay's unconcern for high place. He was modest even to diffidence, an infirmity that seems to have depressed him at times as much as it did Nathaniel Hawthorne in a later day.

The returns were made to the Council of Safety, and Jay carefully scanned them as they came in. On June 20 he wrote Schuyler: "The elections in the middle district have taken such a turn as that, if a tolerable degree of unanimity should prevail in the upper counties, there will be little doubt of having, ere long, the honour of addressing a letter to your excellency. Clinton, being pushed for both offices, may have neither; he has many votes for the first and not a few for the second. Scott, however, has carried a number from him, and you are by no means without a share. You may rely on receiving by express the earliest notice of the event alluded to."^[17] When the voters from Orange and other southern counties came in, however, Jay discovered that the result did not follow the line either of his wishes or of his suggestions. On the contrary, Clinton was elected to both offices by a considerable plurality.^[18]

The result of the election proved a great surprise and something of a humiliation to the ruling classes. "Gen. Clinton, I am informed, has a majority of votes for the Chair," Schuyler wrote to Jay, on June 30. "If so he has played his cards better than was expected."^[19] A few days later, after confirmation of the rumour, he betrayed considerable feeling. "Clinton's family and connections do not entitle him to so distinguished a pre-eminence," he wrote, showing that Revolutionary heroes were already divided into more democratic and less democratic whigs, and more aristocratic and less aristocratic patriots; but the division was still in the mind rather than in any settled policy. "He is virtuous and loves his country," added Schuyler, in the next line; "he has ability and is brave, and I hope he will experience from every patriot support, countenance and comfort."^[20] Washington understood his merits. "His character will make him peculiarly useful at the head of your State," he wrote the Committee of Safety.

Clinton's inauguration occurred on July 30, 1777. He stood in front of the courthouse at Kingston on top of the barrel from which the Constitution had been published in the preceding April, and in the uniform of his country, with sword in hand, he took the oath of office. Within sixty days thereafter Sir Henry Clinton had carried the Highland forts, scattered the Governor's troops, dispersed the first Legislature of the State, burned Kingston to the ground, and very nearly captured the Governor himself, the latter, under cover of night, having made his escape by crossing the river in a small rowboat. Among the captured patriots was Colonel McClaughry, the Governor's brother-in-law. "Where is my friend George?" asked Sir Henry. "Thank God," replied the Colonel, "he is safe and beyond the reach of your friendship."

CHAPTER IV

CLINTON AND HAMILTON

1777-1789

DURING the war Governor Clinton's duties were largely military. Every important measure of the Legislature dealt with the public defence, and the time of the Executive was fully employed in carrying out its enactments and performing the work of commander-in-chief of the militia. A large proportion of the population of the State was either avowedly loyal to the Crown or secretly indisposed to the cause of independence. "Of all the Colonies," wrote William Jay, "New York was probably the least unanimous in the assertion and defence of the principles of the Revolution. The spirit of disaffection was most extensive on Long Island, and had probably tainted a large majority of its inhabitants. In Queens County, in particular, the people had, by a formal vote, refused to send representatives to the colonial congress or convention, and had declared themselves neutral in the present crisis."[\[21\]](#)

The Governor sought to crush this spirit by methods much in vogue in the eighteenth century. At the outset of his career he declared that he had "rather roast in hell to all eternity than be dependent upon Great Britain or show mercy to a damned Tory." To add to his fame, he enforced this judgment with heavy fines, long imprisonments, summary banishments, and frequent coats of tar and feathers.

Very soon after the adoption of the Constitution, the Legislature passed a law requiring an oath of allegiance to the State; and under the vigorous enforcement of this act the Governor sent many Tories from the rural districts into the city of New York or expelled them from the State. Others were required to give a pledge, with security, to reside within prescribed

limits. At times even the churches were filled with prisoners, some of whom were sent to jails in Connecticut, or exchanged for prisoners of war. In 1779 the Legislature increased the penalty of disloyalty to the State, by passing the Confiscation Act, declaring "the forfeiture and sale of the estates of persons who had adhered to the enemy."

Up to this time only one political party had existed among the Whig colonists. The passage of the Confiscation Act, however, encountered the opposition of many sincere lovers of the cause of independence, who favoured a more moderate policy toward loyalists, since they were probably as sincere in their opinions as those opposed to them. Besides, a generous and magnanimous course, it was argued, would induce the return of many desirable citizens after hostilities had ceased. To this the ultra-Whigs replied that the law of self-preservation made a severe policy necessary, and if any one suffered by its operation he must look to the government of his choice for comfort and reimbursement. As for the return of the Tories, the ultras declared that only citizens sincerely loyal to an independent country would be acceptable.

This division into moderate and ultra Whigs was emphasised in 1781 by the legislative grant to Congress of such import duties as accrued at the port of New York, to be levied and collected "under such penalties and regulations, and by such officers, as Congress should from time to time make, order, and appoint." Governor Clinton did not cordially approve the act at the time of its passage, and as the money began flowing into the national treasury, he opposed the method of its surrender. In his opinion, the State, as an independent sovereignty, had associated itself with other Colonies only for mutual protection, and not for their support. At his instance, therefore, the Legislature substituted for the law of 1781 the act of March, 1783, granting the duties to Congress, but directing their collection by officers of the State. Although this act was subsequently amended, making collectors amenable to Congress, another law was enacted in 1786 granting Congress the revenue, and reserving to the State, as in the law of 1783, "the sole power of levying and collecting the duties." When Congress asked the Governor to call a special session of the Legislature, that the right to levy and collect might be yielded as before, he refused to do so.

Governor Clinton understood the commercial advantages of New York's geographical location, which were greatly enhanced by the navigation acts of other States. The peace treaty had made New York the port of entry for the whole region east of the Delaware, and into its coffers poured a revenue so marvellous as to excite hopes of a prospective wealth which a century, remarkable as was its productiveness, did little more than realise. If any State, therefore, could survive without a union with other Colonies, it was New York, and it is not surprising that many, perhaps a majority of its people, under the leadership of George Clinton, settled into a policy unfriendly to a national revenue, and later to a national government.

The Governor had gradually become mindful of an opposition as stubborn as it was persistent. He had encountered it in his treatment of the Tories, but not until Alexander Hamilton became an advocate of amnesty and oblivion, did Clinton recognise the centre and future leader of the opposing forces. Hamilton did not appear among those interested in the election of governor in 1777. His youth shut him out of Assembly and Congress, out of committees and conventions, but it did not shut him out of the army; and while Governor Clinton was wrestling with new problems of government in the formation of a new State, Hamilton was acting as secretary, aide, companion, and confidant of Washington, accepting suggestions as commands, and acquiescing in his chief's judgment with a fidelity born of love and admiration. In the history of war nothing is more beautiful than the friendship existing between the acknowledged leader of his country and this brave young officer, spirited and impulsive, brilliant and able, yet frank and candid, without ostentation and without egotism. It recalls a later-day relationship between Ulysses S. Grant and John A. Rawlins, his chief of staff.

In July, 1781, Hamilton, in command of a corps, accompanied Washington in the forced march of the American army from New York to Yorktown. This afforded him the opportunity, so long and eagerly sought, of handling an independent command at a supreme moment of danger, and before the sun went down on the 14th of October, he had led his troops with fixed bayonets, under a heavy and constant fire, over abatis, ditch, and palisades; then, mounting the parapet, he leaped into the redoubt. Washington saw the impetuosity of the attack in the face of the murderous fire, the daring leap to the parapet with three of his soldiers, and the almost fatal spring into the

redoubt. "Few cases," he says, "have exhibited greater proofs of intrepidity, coolness, and firmness." Three days later Cornwallis surrendered.

In the summer of 1782 Hamilton was admitted to the bar in Albany, but soon afterward settled in New York City, where he seems to have come into practice and into fame by defending the rights of Tories. For four years after the war ended, the treatment of British sympathisers was the dominant political issue in New York. Governor Clinton advocated disfranchisement and banishment, and the Legislature enacted into law what he advised; so that when the British troops, under the peace treaty, evacuated New York, in November, 1783, loyalists who had thus far escaped the wrath of this patriot Governor, flocked to Nova Scotia and New Brunswick like birds seeking a more congenial clime, recalling the flight of the Huguenots after the revocation of the Edict of Nantes one hundred years earlier. It is not easy to estimate the number who fled before this savage and violent action of the Legislature. Sir Guy Carleton, in command at New York, fixes the emigration at one hundred thousand souls. For many years the "Landing of the Loyalists" was annually commemorated at St. John, and in the cemeteries of England and Scotland are found the tombstones of these unfortunate devotees of the mother country.

It is likely Clinton was too intolerant, but it was the intolerance that follows revolution. Hamilton, on the other hand, became an early advocate of amnesty and oblivion, and, although public sentiment and the Legislature were against him, he finally succeeded in modifying the one and changing the other. "Nothing is more common," he observed, "than for a free people in times of heat and violence to gratify momentary passions by letting in principles and precedents which afterwards prove fatal to themselves. If the Legislature can disfranchise at pleasure, it may soon confine all the votes to a small number of partisans, and establish an aristocracy or an oligarchy; if it may banish at discretion, without hearing or trial, no man can be safe. The name of liberty applied to such a government would be a mockery of common sense."[\[22\]](#)

The differences between Congress and the Legislature respecting the collection of duties also brought Clinton and Hamilton into conflict. As early as 1776 Hamilton had considered the question whether Congress ought not to collect its own taxes by its own agents,[\[23\]](#) and, when a member

of Congress in 1783, he urged it^[24] as one of the cardinal features of an adequate federal system. In 1787 he was a member of the Legislature. Here he insisted upon having the federal revenue system adopted by the State. His argument was an extended exposition of the facts which made such action important.^[25] Under the lead of Clinton, however, New York was willing to surrender the money, but not the power of collection to Congress.

Meantime, the pitiable condition to which the Confederation had come, accented the need of a stronger central government. To this end Clinton and Hamilton seemed for several years to be working in harmony. In 1780 Clinton had presented to the Legislature the "defect of power" in the Confederation, and, in 1781, John Sloss Hobart and Egbert Benson, representing New York at a convention in Hartford, urged the recommendation empowering Congress to apportion taxes among the States in the ratio of their total population. The next year, Hamilton, although not a member of the Legislature, persuaded it to adopt resolutions written by him, declaring that the powers of the central government should be extended, and that it should be authorised to provide revenue for itself. To this end "it would be advisable," continued the resolutions, "to propose to Congress to recommend, and to each State to adopt, the measure of assembling a general convention of the States, specially authorised to revise and amend the Constitution." To Washington's farewell letter, appealing for a stronger central government, Governor Clinton sent a cordial response, and in transmitting the address to the Legislature in 1784, he recommended attention "to every measure which has a tendency to cement the Union, and to give to the national councils that energy which may be necessary for the general welfare."^[26]

Nevertheless, Clinton was not always candid. His official communications read like the utterances of a friend; but his influence, as disclosed in the acts of 1783 and 1786, reserving to the State the sole power of levying and collecting duties, clearly indicate that while he loved his country in a matter-of-fact sort of way, it meant a country divided, a country of thirteen States each berating the other, a country of trade barriers and commercial resentments, a country of more importance to New York and to Clinton than to other Commonwealths which had made equal sacrifices.

Thus matters drifted until New York and other middle Atlantic States discovered that it was impossible under the impotent Articles of Confederation to regulate commerce in waters bordered by two or more States. Even when New York and New Jersey could agree, Pennsylvania, on the other side of New Jersey, was likely to withhold its consent. Friction of a similar character existed between Maryland and Virginia, North Carolina and Virginia, and Maryland and Pennsylvania. This compelled Congress to call the convention, to which commissioners from New York, New Jersey, Pennsylvania, Delaware, and Virginia, assembled at Annapolis in 1786, to consider the trade and commerce of the United States, and to suggest measures for the action of Congress. Hamilton and Egbert Benson were members of this body, the former of whom wrote the address, afterward adopted, which declared the federal government inefficient, and proposed a convention to revise the Articles of Confederation,^[27] in order to render them adequate to the exigencies of the Union. This was the resolution unanimously adopted by the New York Legislature in 1782, but to the surprise of Hamilton and the friends of a stronger government, the Legislature now disapproved such a convention. The idea did not please George Clinton. As Hamilton summed up the opposition, it meant disinclination to taxation, fear of the enforcement of debts, democratic jealousy of important officials, and the influence of foreign powers.^[28]

In 1787, however, the Legislature adopted a joint resolution instructing members of Congress from the State to urge that a convention be held to amend the Articles of Confederation, and, when Congress issued the call,^[29] Robert Yates, John Lansing, Jr., and Alexander Hamilton were elected delegates "for the sole purpose of revising the Articles of Confederation, and reporting to Congress and the several Legislatures such alterations as shall, when agreed to by Congress and confirmed by the several States, render the Federal Constitution adequate to the exigencies of government and the preservation of the Union." Hamilton's election to this convention was cited as proof of Clinton's disposition to treat fairly the opponents of state supremacy, since it was well understood that his presence at Philadelphia would add the ablest and most ultra exponent of a strong, central government. It was certainly in Clinton's power to defeat Hamilton as he did John Jay, but his liberality carried a high check-rein, for Robert Yates and John Lansing were selected to overcome Hamilton's vote.

Clinton's first choice for a delegate was Yates, whose criticism of the work of the convention manifests hostility to a Union. He seemed to have little conception of what would satisfy the real needs of a strong government, preferring the vague doctrines of the old Whigs in the early days of revolution. Lansing was clearer, and, perhaps, less extreme in his views; but he wanted nothing more than an amendment of the existing Confederation, known as the New Jersey plan.^[30] The moment, therefore, that a majority favoured the Virginia plan which contemplated a national government with an executive, legislature, and judiciary of its own, Lansing and Yates, regarding it a violation of their instructions, and with the approval of Governor Clinton, withdrew^[31] from the convention and refused to sign the Constitution after its adoption.^[32]

Hamilton doubted if Madison's plan was strong enough to secure the object in view. He suggested a scheme continuing a President and Senate during good behaviour, and giving the federal government power to appoint governors of States and to veto state legislation. In the notes of a speech presenting this plan, he disclaimed the belief that it was "attainable," but thought it "a model which we ought to approach as near as possible."^[33] After the Madison plan had been preferred, however, Hamilton gave it earnest support, and although he could not cast New York's vote, since a majority of the State's representatives had withdrawn, he was privileged to sign the Constitution. If he had never done anything else, it was glory enough to have subscribed his name to that immortal record. When Hamilton returned home, however, he found himself discredited by a majority of the people. "You were not authorised by the State," said Governor Clinton.^[34] Richard Morris, the chief justice, remarked to him: "You will find yourself, I fear, in a hornet's nest."^[35]

On September 28, 1787, Congress transmitted a draft of the Constitution, which required the assent of nine of the thirteen States, to the several legislatures. At once it became the sole topic of discussion. In New York it was the occasion of riots, of mobs, and of violent contests. It was called the "triple-headed monster," and declared to be "as deep and wicked a conspiracy as ever was invented in the darkest ages against the liberties of a free people." Its opponents, numbering four-sevenths of the community—although their strength was mainly in the country^[36]—and calling themselves Federal Republicans, organised a society and opened

correspondence with leading men in other States. "All the old alarm about liberty was now revived," says W.G. Sumner, "and all the elements of anarchy and repudiation which had been growing so strong for twenty years were arrayed in hostility."^[37] But its bitterest opponent in the thirteen Colonies was George Clinton.^[38] "He preferred to remain the most powerful citizen of New York, rather than occupy a subordinate place under a national government in which his own State was not foremost."^[39] On the other hand, the *Federalist*, written largely by Hamilton, carried conviction to the minds of thousands who had previously doubted the wisdom of the plan. In the last number of the series, he said: "The system, though it may not be perfect in every part, is upon the whole a good one, is the best that the present views and circumstances will permit, and is such an one as promises every species of security which a reasonable people can desire."^[40]

When the Legislature opened, Governor Clinton delivered the usual speech or message, but he said nothing of what everybody else was talking about. Consideration of the Constitution was the only important business before that body; four States had already ratified it, and three others had it under consideration; yet the Governor said not a word. His idea was for New York to hold off and let the others try it. Then, if the Union succeeded, although revenue difficulties were expected to break it up immediately,^[41] the State could come in. Meantime, like Patrick Henry of Virginia, he proposed another general convention, to be held as soon as possible, to consider amendments. Thus matters drifted until January, 1788, when Egbert Benson, now a member of the Legislature, offered a resolution for holding a state convention to consider the federal document. Dilatory motions blocked its way, and its friends began to despair of better things; but Benson persisted, until, at last, after great bitterness, the resolution was adopted.

Of the sixty-one delegates to this convention, which assembled at the courthouse in Poughkeepsie on June 17, two-thirds were opposed to the Constitution.^[42] The convention organised with Governor Clinton for president. Among the champions of the Constitution appeared Hamilton, Jay, Robert R. Livingston, Robert Morris, James Duane, then mayor of New York, John Sloss Hobart, Richard Harrison, and others of like character. Robert Yates, Samuel Jones, Melancthon Smith, and John Lansing, Jr., led

the fight against it. Beginning on June 19, the discussion continued until July 28. Hamilton, his eloquence at its best, so that at times there was not a dry eye in the assembly,[43] especially emphasised the public debt. "It is a fact that should strike us with shame, that we are obliged to borrow money in order to pay the interest of our debt. It is a fact that these debts are accumulating every day by compound interest." [44] In the old Confederation, he declared, the idea of liberty alone was considered, but that another thing was equally important—"I mean a principle of strength and stability in the organisation of our government, and of vigour in its operations." [45] Professor Sumner, in his admirable biography, expresses surprise that nothing is said about debts in the *Federalist*, and comparatively little about the Supreme Court. "This is very remarkable," he says, "in view of the subsequent history; for if there is any 'sleeping giant' in the Constitution, it has proved to be the power of the Supreme Court to pass upon the constitutionality of laws. It does not appear that Hamilton or anybody else foresaw that this function of the Court would build upon the written constitution a body of living constitutional law." [46]

Melancthon Smith was the ablest opponent of the Constitution. Familiar with political history, and one of the ablest debaters in the country, he proved himself no mean antagonist even for Hamilton. "He must have been a man of rare candour, too," says John Fiske, "for after weeks of debate he owned himself convinced." [47] Whatever could be said against the Constitution, Smith voiced it; and there was apparent merit in some of his objections. To a majority of the people, New York appeared to be surrendering natural advantages in much larger measure than other Commonwealths, while its concession of political power struck them as not unlikely to endanger the personal liberty of the citizen and the independence of the State. They disliked the idea of a far-off government, with many officers drawing large salaries, administering the army, the navy, and the diplomatic relations with nations of the Old World. It was so different from anything experienced since their separation from England, that they dreaded this centralised power; and, to minimise it, they proposed several amendments, among them one that no person should be eligible to the office of President for a third term. Time has demonstrated the wisdom of some of these suggestions; but commendable as they now appear after

the lapse of more than a century, they were of trifling importance compared to the necessity for a closer, stronger union of the States in 1787.

Federalists were much alarmed over the failure of New York to ratify. Although the State ranked only fifth in population, commercially it was the centre of the Union. From the standpoint of military movements, too, it had been supremely important in the days of Montcalm and Burgoyne, and it was felt that a Federal Union cut in twain by the Mohawk and Hudson valleys must have a short life. "For my own part," said Hamilton, "the more I can penetrate the views of the anti-federal party in this State, the more I dread the consequences of the non-adoption of the Constitution by any of the other States—the more I fear eventual disunion and civil war."^[48] His fear bred an apparent willingness to agree to a conditional ratification,^[49] until Madison settled the question that there could be no such thing as conditional ratification since constitutional secession would be absurd. On July 11 Jay moved that "the Constitution be ratified, and that whatever amendments might be deemed expedient should be recommended." This, however, did not satisfy the opposition, and the discussion continued.

Hamilton, however, did not rely upon argument alone. He arranged for news of the Virginia and New Hampshire conventions, and while Clinton, clinging to his demand for conditional ratification, still hesitated, word came from New Hampshire, by a system of horse expresses, telling the glad story that the requisite number of States had been secured. This reduced the question to ratification or secession. A few days later it was learned that Virginia had also joined the majority. The support of Patrick Henry had been a tower of strength to Governor Clinton, and his defeat exaggerated Clinton's fear that New York City and the southern counties which favoured the Constitution might now execute their threat to split off unless New York ratified. Then came Melancthon Smith's change to the federalist side. This was like crushing the centre of a hostile army. Finally, on July 28, a resolution "that the Constitution be ratified *in full confidence* that the amendments proposed by this convention will be adopted," received a vote of thirty to twenty-seven. Governor Clinton did not vote, but it was known that he advised several of his friends to favour the resolution. On September 13, he officially proclaimed the Federal Constitution as the fundamental law of the Republic.

Posterity has never severely criticised George Clinton's opposition to national development. His sincerity and patriotism have been accepted. To Washington and Hamilton, however, his conduct seemed like a cold and selfish desertion of his country at the moment of its utmost peril. "The men who oppose a strong and energetic government," wrote Washington to Hamilton on July 10, 1787, the day of Yates' and Lansing's retirement from the Philadelphia convention, "are, in my opinion, narrow-minded politicians, or are under the influence of local views." This reference to "local views" meant George Clinton, upon whose advice Yates and Lansing acted, and who declared unreservedly that only confusion could come to the country from a convention and a measure wholly unnecessary, since the Confederation, if given sufficient trial, would probably answer all the purposes of the Union.

The march of events has so clearly proved the wisdom of Hamilton and the unwisdom of Clinton, that the name of one, joined inseparably with that of Washington, has grown with the century, until it is as much a part of the history of the Union as the Constitution itself. The name of George Clinton, on the contrary, is little known beyond the limits of his native State. It remained for DeWitt Clinton, the Governor's distinguished nephew, to link the family with an historic enterprise which should bring it down through the ages with increasing respect and admiration.

CHAPTER V

CLINTON'S FOURTH TERM

1789-1792

AT each triennial election for twelve years, ever since the adoption of the State Constitution in 1777, George Clinton had been chosen governor. No one else, in fact, had ever been seriously talked of, save John Jay in 1786. Doubtless Clinton derived some advantage from the control of appointments, which multiplied in number and increased in influence as term succeeded term, but his popularity drew its inspiration from sources other than patronage. A strong, rugged character, and a generous, sympathetic nature, sunk their roots deeply into the hearts of a liberty-loving people who supported their favourite with the fidelity of personal friendship.

The time had, however, come at last when Clinton's right to continue as governor was to be contested. Hamilton's encounter with the New York opponents of the Federal Constitution had been vigorous and acrimonious. It was easy to stand with one's State in opposing the Constitution when opposition had behind it the powerful Clinton interest and the persuasive Clinton argument that federal union meant the substitution of experiment for experience, and the exchange of a superior for an inferior position; but it required a splendid stubbornness to face, daringly and aggressively, the desperate odds arrayed against the Constitution. Every man who wanted to curry favour with Clinton was ready to strike at Hamilton, and they covered him with obloquy. Very likely his attitude was not one to tempt the forbearance of angry opponents. He did not fight with gloves. Nevertheless, his success added one more to his list of splendid victories. He had beaten Clinton in his intolerant treatment of loyalists; he had beaten him in obtaining for Congress the sole power of regulating commerce; he had

beaten him in the Philadelphia convention called to frame a federal constitution; he had beaten him in a state convention called to ratify that constitution; and now he proposed to beat him for governor in a State which would have great influence in smoothing the way for the new federal government.

After the close of the Revolution, there had been local parties in the various States, divided on issues of hard and soft money, on imposts, on treatment of Tories, and on state rights, and these issues had coincided in many of the States. During the contest growing out of the adoption of the Federal Constitution, all these elements became segregated into two great political parties, those who supported the Constitution being known as Federalists—those who were opposed to strengthening the bond between the States being called anti-Federalists. The latter were clearly in the majority in New York, and Hamilton rightly inferred that, notwithstanding the people, since the adoption of the Constitution, manifested a disposition to sustain the general government, a large majority of freeholders, having heretofore supported Clinton as a wise, patriotic governor, would not now desert him for an out-and-out Federalist. To meet this emergency, several Federalists, at a meeting held February 11, 1789, nominated Robert Yates, an anti-Federalist judge of the Supreme Court, hoping thus to form a coalition with the more moderate men of his party.

In support of such politics, of the doubtful wisdom of which there was abundant illustration in the recent unnatural coalition between Lord North and the brilliant Charles James Fox, Hamilton wrote to his friends in Albany that in settling upon a candidate, some difficulties occurred. "Our fellow citizens in some parts of the State," he said, "had proposed Judge Yates, others had been advocates of Lieutenant-Governor Van Cortlandt, and others for Chief Justice Morris. It is well known that the inhabitants of this city are, with few exceptions, strongly attached to the new Constitution. It is also well known that the Lieutenant-Governor and Chief Justice, whom we respect and esteem, were zealous advocates for the same cause. Had it been agreed to support either of them for governor, there would have been reason to fear that the measure would have been imputed to party, and not to a desire of relieving our country from the evils they experience from the heats of party. It appeared, therefore, most advisable to elect some man of the opposite party, in whose integrity, patriotism, and temper, confidence

might be placed, however little his political opinions on the question lately agitated might be approved by those who were assembled upon that occasion.

"Among the persons of this description, there were circumstances which led to a decision in favour of Judge Yates. It is certain that as a man and a judge he is generally esteemed. And, though his opposition to the new Constitution was such as his friends cannot but disapprove, yet, since the period of its adoption, his conduct has been tempered with a degree of moderation, and seems to point him out as a man likely to compose the differences of the State. Of this at least we feel confident, that he has no personal revenge to gratify, no opponents to oppress, no partisans to provide for, nor any promises for personal purposes to be performed at the public expense."[\[50\]](#)

To many the selection of Robert Yates seemed almost ungracious. The Federalists wanted Richard Morris, chief justice of the Supreme Court, who had encouraged the establishment of a strong government, and, as a member of the Poughkeepsie convention, had voted to ratify the Federal Constitution. Besides, he was a gentleman of the old school, of inflexible integrity, firm and decided in character, whose full, rounded face and commanding presence appeared to advantage among the stately and dignified personages who supported knee breeches and silk stockings, and displayed the delicate ruffles of a shirt under the folds of a rich velvet coat. Hamilton was fond of Morris, and recognised the justice of his claims. Their views in no wise differed, their families were intimate, and at the Poughkeepsie convention, after listening for three hours to Hamilton's speech, Morris had pronounced it the ablest argument and most patriotic address ever heard in the State of New York. But the great Federalist, determined to destroy Clinton, wanted availability, not fidelity, and so Morris declined in favour of Yates.

In everything Robert Yates was an anti-Federalist. He dressed like one and he talked like one. He had been an opponent of the Federal Constitution, an advocate of the doctrine of state supremacy, and an ardent supporter of the Governor. With Clinton's approval he had withdrawn from the Philadelphia convention when the majority favoured a strong government wielding supreme authority; with Clinton's approval, he had opposed the ratification

of the Federal Constitution in the state convention at Poughkeepsie, and with Clinton's approval he declined to change his vote, although New Hampshire's action and Hamilton's speech had already settled the question of ratification. What Hamilton proposed, Yates opposed; what Clinton advocated, Yates approved. After the ratification of the Constitution, however, Robert Yates charged the grand jury that it would be little short of treason against the Republic to disobey it. "Let me exhort you, gentlemen," he said, "not only in your capacity as grand jurors, but in your more durable and equally respectable character as citizens, to preserve inviolate this charter of our national rights and safety, a charter second only in dignity and importance to the Declaration of our Independence."

Upon the bench Yates distinguished himself for impartiality and independence, if not for learning. He abated the intemperate zeal of patriotic juries, and he refused to convict men suspected of disloyalty, without proof. On one occasion he sent a jury back four times to reconsider a verdict of guilty unauthorised by the evidence, and subsequently treated with indifference a legislative threat of impeachment, based upon a fearless discharge of duty. He could afford to be just, for, like George Clinton, he had early embraced the cause of the Colony against the Crown. From an Albany alderman he became a maker of the State Constitution, and from a writer of patriotic essays, he shone as an active member of the Committee of Safety. Together with John Jay and Robert R. Livingston, he had obstructed the passage of Lord Howe's ships up the Hudson, and with General Schuyler he devised measures to repel the British from the northern and western frontier. He had helped to fix the dividing line between Massachusetts and New York, and, as one of the Council of Administration, he governed southern New York from the withdrawal of the British until the assembling of the Legislature.

Having decided to go outside his own party, Hamilton made no mistake in picking his man. If Clinton was the Hampden of the colonial period, Robert Yates could well be called its Pym. He had toleration as well as patriotism. But he also had an itching desire for office. Some one has said that the close connection between man and a child is never more clearly illustrated than in the joy and pride which the wisest statesman feels in the wearing of a ribbon or a star. It could not be said of Robert Yates then, as it was said, with good reason, six years later, that his desire for office extinguished his

devotion to party and his character for political consistency, but it was openly charged that, upon the suggestion of Hamilton, he urged the grand jury to support the Federal Constitution in order to strengthen himself with the Federalists. Whether this be true or not, Yates' previous devotion to the anti-Federalist party set his present conduct in sharp contrast to that of other distinguished anti-Federalist statesmen of the time—to men like Samuel Jones and Melancthon Smith, who accepted the action of the Poughkeepsie convention, but supported George Clinton. "Men, not principles, are involved," they declared.

All that we know of Yates would seem to deny his surrender of principle, or his condescension to any act of baseness, to obtain office. It was indeed a question whether Clinton, or Hamilton through Yates, should control the state government; but the gubernatorial contest involved more than that. The new government, soon to be placed on trial, needed the help of sympathetic governors and legislatures, and Clinton and his supporters, forced to accept the Constitution, could hardly be regarded as its wisest and safest guardians. From Hamilton's standpoint, therefore, it was more principle than men. However agreeable to him it might be to defeat and humiliate Clinton, greater satisfaction must spring from the consciousness that while in its leading-strings, at least, the general government would have the hearty support of New York.

Hamilton's great coalition, intended to work such wonders, boasted many brilliant names. Of the younger men Robert Troup, of Hamilton's age, an early friend of Burr, took a most conspicuous part, while among the older members of this galaxy was James Duane, a lawyer of rare ability, the first mayor of New York, for ten years continuously in the Continental Congress, a man of great force, of large wealth, and superb character. He was in his forties when Hamilton, a boy of seventeen, won his heart by a single speech, denouncing the act of Parliament which closed the port of Boston. The most notable man in the coalition, next to Hamilton and Jay, was Robert R. Livingston, now Hamilton's devoted friend, before long to be his bitter enemy. He was still young, little more than forty, but in everything he was bold and skilful, vigorous as a writer, eloquent as a speaker, deeply learned as a jurist, and rich in scholarship. Of the same age as Livingston was William Duer,^[51] who started at eighteen as an aide to Lord Clive in India. Duer was at one time the most useful man in America. Nobody could

cheat him. As soon as Hamilton became secretary of the treasury, he made Duer assistant secretary, an office which he held with credit until 1790, when he resigned to become the chief of a ring of speculators, who, two years later, left him insolvent and in jail. Hamilton's coalition also furnished the only instance of the political association of himself and Burr, although Burr's support of Yates is said to have been personal rather than political. The story is that Burr, seeking admission to the bar after reading law less than a year, induced Judge Yates to suspend the rule requiring three years of study, because of the applicant's term as a soldier, a service that laid the foundation of a lasting friendship.

On the opposite side were many men who live in history as builders of the Empire State. None belong to the gallery of national characters, perhaps, but John Lansing, Livingston's successor as chancellor, and Samuel Jones, [52] the first state comptroller, known, by common consent, as the father of the New York bar, find places in the list of New York's ablest statesmen. To this memorable company also belonged Melancthon Smith, the head of the anti-Federalist forces at the Poughkeepsie convention, and Gilbert Livingston of Dutchess, whose one patriotic address was the last blow needed to ratify the Constitution. He was not, like Smith, a great debater, but his ready eloquence classed him among the orators who were destined to live in the memory of a later generation. Beside him was James Clinton, brother of the Governor and father of DeWitt Clinton. A soldier by profession, he had taken part in several important battles and marches, charging with Bradstreet at the capture of Fort Frontenac, following the lamented Montgomery to Quebec, and serving with Sullivan in his famous expedition against the Indians. Finally, he shared in the glory of being with Washington at the surrender of Lord Cornwallis. He seems to have been the real soldier of the family, blending the strong, active powers of the Clinton mind with the gentler virtues which made him as sympathetic on the field as he was affectionate in the home.

Thus the contest between Yates and Clinton, although the first real political conflict in the history of the State, became one of the sharpest and most bitterly fought. For six weeks the atmosphere was thick and hot with political passion. Veteran observers declared that their generation had seen nothing like it. But the arguments of Duer, the powerful influence of Chancellor Livingston, the leadership of Hamilton, and the phenomenal

popularity of John Jay, could not win the voters who saw nothing more in the arrangement than a question of individual preference, and while Yates carried the western district by a large majority and held his own in the southern, Clinton's home county gave him 1093 out of 1245 votes, making his majority 429 in a total vote of 12,353.

The call for the Governor was so close that he quickly prepared for a repetition of the contest in 1792. The inauguration of Washington on April 30 had given Hamilton control of the federal offices in New York, and, although of trifling importance compared to state patronage, they were used to strengthen federalism, and, if possible, to destroy Clinton. John Jay became chief justice of the Supreme Court, James Duane judge of the District Court, Richard Harrison United States attorney, and William S. Smith United States marshal. It was a brilliant array of talent and legal learning. Of the lights and ornaments of the law in his day, Richard Harrison excelled in an intimate knowledge of its intricacies and mysteries. Added to these officials were Rufus King and Philip Schuyler, United States senators, and three members of Congress, with Egbert Benson at their head. As secretary of the treasury and the trusted friend of the President, Hamilton had also multiplied his personal influence.

Governor Clinton felt the full force of the Federalist combination, the fear of which had intensified his hostility to the Union; but he governed his conduct with the toleration and foresight of a master politician. He declined to punish those who had deserted his standard, refusing to accept Robert Yates' apostacy as sufficient cause to bar his promotion as chief justice, and appointing to the vacancy John Lansing, Jr., who, although a strong anti-Federalist, had already shown an independence of political domination.

But the master-stroke of Clinton's diplomacy displayed itself in the appointment of Aaron Burr as attorney-general. After Burr left the army "with the character of a true knight," as John Adams put it, he began the practice of law at Albany. Later he removed to New York, taking up his home in Maiden Lane. Thus far his political career, limited to two terms in the Legislature, had been insignificant. During the great controversy over the Federal Constitution he remained silent. His silence, however, was the silence of concealment. He shared no confidences, he exploited no principles, he did nothing in the open. He lived in an air of mystery, writing

letters in cipher, using messengers instead of the mails, and maintaining espionage upon the movements of others. Of himself he wrote to Theodosia, "he is a grave, silent, strange sort of animal, inasmuch that we know not what to make of him." In the political parlance of to-day, his methods savoured of the "still hunt," and in their exercise he exhibited the powers of a past-master in stirring up men's prejudices, and creating divisions among his rivals; but his methods, whether practised in law or in politics, were neither modern nor moral. He marshalled forces with equal celerity under either flag.

Shortly after Burr moved into Maiden Lane, Hamilton made his home in Wall Street. Their first meeting, which occurred on the road from Harlem bridge to White Plains during the disastrous retreat of Washington's army from Manhattan in September, 1776, had been characterised by mutual dislike. Burr, with the rank of major, acted as aide to General Putnam; Hamilton, as an officer of artillery, was soon to become an aide to Washington. Both were young then—Hamilton not yet twenty, Burr scarcely twenty-one; yet their character, then fully developed, shines out in their estimate of the commander-in-chief. Burr thought Washington inferior as an officer, and weak, though honest, as a man; Hamilton thought him a great soldier and a great statesman, upon whose services the welfare of the country largely depended. Burr's prejudices settled into positive dislike; Hamilton's appreciation voiced the sentiment of the people and the judgment of posterity.

There is a legend that from the first, destiny seemed determined to oppose the genius and fame of Hamilton with the genius and fame of Aaron Burr. It is certainly a remarkable coincidence that two men, born without the State, so nearly of an age, so similar in brilliant attainments, so notably distinguished in charm of manner and phenomenal accomplishments, and so strikingly alike in ripeness of intelligence and bent of ambition, should happen to have lived at the same time, in the same city, and become members of the same profession; yet it is not surprising that these men should prove formidable rivals and deadly foes, since difference in character was far more real than resemblance of mental attainments. Both were fearless and brave, but the one was candid, frank and resolute; the other subtle, crafty and adventurous. Perhaps their only common characteristic was an ungoverned admiration for the charms of women,

though, unlike Burr, Hamilton neither bragged of his amours, nor boasted that success attended his pursuit of pleasure.

It can hardly be supposed that in appointing Burr attorney-general, Clinton did not have in mind the necessity of securing to the ranks of the anti-Federalists all talented and spirited young men; but it is none the less evident that Clinton was thinking more of himself than of his party. Burr figured as an ugly opponent in the recent campaign. Besides, he possessed the happy faculty of surrounding himself with young men who recognised in him a superlative combination of bravery, chivalry, and ability. Hamilton called them "Burr's myrmidons," but Theodosia, with a daughter's devotion and diplomatic zeal, entitled them "the Tenth Legion." They had joined Burr when a violent Whig in 1784, sending him to the Assembly for two terms; they had rallied under his call to the Sons of Liberty, attracting the fierce fire of Hamilton; and they had broken party bonds to support Robert Yates because of their chief's personal friendship.

Such a man would attract the attention of any political manager, and although Clinton up to this time had had no particular relations with Burr, the latter's enthusiastic support of Yates accentuated his political value. In after years Burr declared that Clinton had always been his rival, and Clinton no less frankly avowed his distrust of Burr, charging him with always being "for sale;" but Burr's rivalry and Clinton's distrust do not date back to 1790.

If Clinton thought himself fortunate in gaining Burr, he was still more fortunate in the defection of the influential Livingstons. What Cæsar said of Gaul used to be said of the Empire State, that all New York was divided into three parts—the Clintons, the Livingstons, and the Schuylers. Parton said "the Clintons had power, the Livingstons had numbers, and the Schuylers had Hamilton."^[53] In 1788 seven members of the Livingston family, with the Schuylers, had overthrown the Clintons, and turned the Confederation into the Union. Robert R. Livingston, standing at their head, was the exponent of a liberal policy toward all American citizens, and the champion of a broader national life. His associates were the leading Federalists; his principles were the pillars of his party; and his ambitions centred in the success and strength of his country.

Prudence, therefore, if no higher motive, required that the Livingstons be not overlooked in the division of federal patronage. There was much of it to divide. Besides cabinet positions and judicial appointments, the foreign service offered rare opportunities to a few accomplished statesmen and recognised scholars. Robert R. Livingston, as chancellor of New York, stood in line of promotion for chief justice of the United States Supreme Court, but John Jay stood nearer to Hamilton, just as Philip Schuyler did when United States senators were chosen. Other honourable and most desirable positions, however, were open. John Quincy Adams thought a mission to England or France better than the Cabinet, but Gouverneur Morris went to France, Thomas Pinckney to England, William Short to Spain, and David Humphreys to Portugal. The Livingstons were left out.

Hamilton's funding system, especially the proposed assumption of state debts, then dividing the public mind, afforded plausible cause for opposing federalism; and ostensibly for this reason, the Livingstons ceased to be Federalists. Some of the less conspicuous members, residents of Columbia County, continued their adherence, but the statesmen who give the family its name in history wanted nothing more of a party whose head was a "young adventurer," a man "not native to the soil," a "merchant's clerk from the West Indies." The story is that the Chancellor convened the family and made the separation so complete that Washington's subsequent offer of the mission to France failed to secure his return.

The first notice of the Livingston break was in the election of a United States senator in 1791. Philip Schuyler, Hamilton's father-in-law, confidently expected a re-election. His selection for the short term was with this understanding. But several members of the Assembly, nominally Federalists, were friendly to Clinton, who preferred Aaron Burr to Schuyler because of Hamilton's influence over him;^[54] and when the Governor promised Morgan Lewis, the Chancellor's brother-in-law, Burr's place as attorney-general, Livingston's disposition to injure Hamilton became intensified, and to the disappointment of Schuyler, the vote of the Legislature disclosed a small majority for Burr.

It is easy to conjecture that the haughty, unpopular, aristocratic old General^[55] would not be as acceptable as a young man of thirty-five, fascinating in manner, gifted in speech, and not yet openly and offensively

partisan; but it needed something more than this charm of personality to line up the hard-headed, self-reliant legislator against Hamilton and Philip Schuyler, and Burr found it in his appeal to Clinton, and in the clever brother-in-law suggestion to Livingston.

The defeat of Schuyler was a staggering blow to Hamilton. The great statesman had achieved success as secretary of the treasury, but as a political manager, his lack of tact, impatience of control, and infirmity of temper, had crippled the organisation. In less than three years the party had lost a United States senator, suffered the separation of a family vastly more important than federal appointees, and sacrificed the prestige of victory, so necessary to political success.

CHAPTER VI

GEORGE CLINTON DEFEATS JOHN JAY

1792-1795

BURR's rapid advancement gave full rein to his ambition. Not content with the exalted office to which he had suddenly fallen heir, he now began looking for higher honours; and when it came time to select candidates for governor, he invoked the tactics that won him a place in the United States Senate. He found a few anti-Federalists willing to talk of him as a stronger candidate than George Clinton, and a few Federalists who claimed that the moderate men of both parties would rally to his support. In the midst of the talk Isaac Ledyard wrote Hamilton that "a tide was likely to make strongly for Mr. Burr,"^[56] and James Watson, in a similar strain, argued that Burr's chances, if supported by Federalists, would be "strong."^[57]

Clinton's firm hold upon his party quickly checked Burr's hope from that quarter, but the increasing difficulty among Federalists to find a candidate offered opportunity for Burr's peculiar tactics, until his adherents were everywhere—on the bench, in the Legislature, in the drawing-rooms, the coffee-houses, and the streets. Hamilton had only to present him and say, "Here is your candidate," and Aaron Burr would cheerfully have opposed the friend who, within less than two years, had appointed him attorney-general and elected him United States senator. But Hamilton deliberately snuffed him out. The great Federalist had finally induced John Jay to become the candidate of his party. This was on February 13, 1792. Two days later, the anti-Federalists named George Clinton and Pierre Van Cortlandt, the old ticket which had done service for fifteen years.

In inducing John Jay to lead his party, Hamilton made a good start. Heretofore Jay had steadily refused to become a candidate for governor.

"That the office of the first magistrate of the State," he wrote, May 16, 1777, "will be more respectable as well as more lucrative than the place I now fill is very apparent; but my object in the course of the present great contest neither has been nor will be either rank or money."^[58] After his return from Europe, when Governor Clinton's division of patronage and treatment of royalists had become intensely objectionable, Jay was again urged to stand as a candidate, but he answered that "a servant should not leave a good old master for the sake of more pay or a prettier livery."^[59] If this was good reasoning in 1786 and 1789, when he was secretary of foreign affairs, it was better reasoning in 1792, when he was chief justice of the United States; but the pleadings of Hamilton seem to have set a presidential bee buzzing, or, at least, to have started ambition in a mind until now without ambition. At any rate, Jay, suddenly and without any apparent reason, consented to exchange the most exalted office next to President, to chance the New York governorship.

There had never been a time since John Jay entered public life that he was not the most popular man in the city of New York. In 1788 he received for delegate to the Poughkeepsie convention, twenty-seven hundred and thirty-five votes out of a total of twenty-eight hundred and thirty-three. John Adams called him "a Roman" because he resembled Cato more than any of his contemporaries. Jay's life divided itself into three distinct epochs of twenty-eight years each—study and the practice of law, public employment, and retirement. During the years of uninterrupted public life, he ran the gamut of office-holding. It is a long catalogue, including delegate to the Continental Congress, framer of the New York Constitution, chief justice of the New York Supreme Court, president of the Continental Congress, minister to Spain, member of the Peace Commission, secretary of foreign affairs, chief justice of the United States Supreme Court, negotiator of the Jay treaty, and finally governor of New York. No other American save John Quincy Adams and John Marshall ever served his country so continuously in such exalted and responsible place. On his return from Europe after an absence of five years, Adams said he returned to his country "like a bee to its hive, with both legs loaded with merit and honour."^[60]

Jay accepted the nomination for governor in 1792, on condition that he be not asked to take part in the campaign. "I made it a rule," he wrote afterward, "neither to begin correspondence nor conversation upon the

subject."^[61] Accordingly, while New York was deeply stirred, the Chief Justice leisurely rode over his circuit, out of hearing and out of sight of the political disturbance, apparently indifferent to the result.

The real political campaign which is still periodically made in New York, may be said to have had its beginning in April, 1792. Seldom has an election been contested with such prodigality of partisan fury. The rhetoric of abuse was vigorous and unrestrained; the campaign lie active and ingenious; the arraignment of class against class sedulous and adroit, and the excitement most violent and memorable. If a weapon of political warfare failed to be handled with craft and with courage, its skilful use was unknown.

Indeed, if any one doubts that it was a real time of political upheaval, he has only to glance at local histories. Federalists and anti-Federalists were alike convulsed by a movement which was the offspring of a genuine and irresistible enthusiasm of that strong, far-reaching kind that makes epochs in the history of politics. The people having cut loose from royalty, now proposed cutting loose from silk stockings, knee breeches, powdered hair, pigtails, shoe buckles, and ruffled shirts—the emblems of nobility. Perhaps they did not then care for the red plush waistcoats, the yarn stockings, and the slippers down at the heel, which Jefferson was to carry into the White House; but in their effort to overthrow the tyranny of the past, they were beginning to demand broader suffrage and less ceremony, a larger, freer man, and less caste. To them, therefore, Jay and Clinton represented the aristocrat and the democrat. Jay, they said, had been nurtured in the lap of ease, Clinton had worked his way from the most humble rank; Jay luxuriated in splendid courts, Clinton dwelt in the home of the lowly son of toil; Jay was the choice of the rich, Clinton the man of the people; Jay relied upon the support of the President and the Secretary of the Treasury, Clinton upon the poor villager and the toiling farmer.

Newspapers charged Jay with saying that "there ought to be in America only two sorts of people, one very rich, the other very poor,"^[62] and to support the misrepresentation, they quoted his favourite maxim that "those who own the country ought to govern it," pointing to the State Constitution which he drafted, to prove that only the well-to-do could vote. The Dutch, largely the slave holders of the State, accused him of wishing to rob them

by the abolition of slavery. Dressed in other rhetorical clothes, these stories did service again in 1795 and 1798.

But the assumption of state debts, and Hamilton's financial system, became the fiercest objects of attack. To them were traced the "reign of speculators" that flowered in the year 1791. "Bank bubbles, tontines, lotteries, monopolies, usury, gambling and swindling abound," said the *New York Journal*; "poverty in the country, luxury in the capitals, corruption and usurpation in the national councils." Hamilton's system had given the deepest stab to the hopes of the anti-Federalists, since it taught people to look to the Union rather than to the State. Internal taxes and import duties were paid to the United States; coin was minted by the United States; paper money issued by the United States; letters carried and delivered by the United States; and state debts assumed by the United States. All this had a tendency to break state attachments and state importance; and in striking back, Republican orators branded the reports of the Secretary of the Treasury as "dangerous to liberty," the assumption of debts as "a clever device for enslaving the people," and the whole fiscal system "a dishonest scheme." The failure and imprisonment of William Duer, until recently Hamilton's trusted assistant, followed by riots in New York City, gave colour to the charge, and, although the most bitter opponents of the great Federalist in no wise connected him with any corrupt transaction, yet in the spring of 1792 Hamilton, the friend and backer of Jay, was the most roundly abused man in the campaign.

The Federalists resented misrepresentation with misrepresentation. Clinton's use of patronage, his opposition to the Federal Constitution, and the impropriety of having a military governor in time of peace, objections left over from 1789, still figured as set pieces in rhetorical fireworks; but the great red light, burned at every meeting throughout the State, exposed Governor Clinton as secretly profiting by the sale of public lands. The Legislature of 1791 authorised the five state officers, acting as Commissioners of the Land Office, to sell unappropriated lands in such parcels and on such terms as they deemed expedient, and under this power 5,542,173 acres returned \$1,030,433. Some of the land brought three shillings per acre, some two shillings six pence, some one shilling, but Alexander McComb picked up 3,635,200 acres at eight pence. McComb was a friend of Clinton. More than that, he was a real estate dealer and

speculator. In the legislative investigation that followed, resolutions condemning the commissioners' conduct tangled up Clinton in a division of the profits, and sent McComb to jail. This was a sweet morsel for the Federalists. It mattered not that the Governor denied it; that McComb contradicted it; that no proof supported it; or that the Assembly acquitted him by a party vote of thirty-five to twenty; the story did effective campaign service, and lived to torture Aaron Burr, one of the commissioners, ten years afterward. Burr tried to escape responsibility by pleading absence when the contracts were made; but the question never ceased coming up—if absence included all the months of McComb's negotiations, what time did the Attorney-General give to public business?

It was a deep grief to Jay that the Livingstons opposed him. The Chancellor and Edward were his wife's cousins, Brockholst her brother. Brockholst had been Jay's private secretary at the embassy in Madrid, but now, to use a famous expression of that day, "the young man's head was on fire," and violence characterised his political feelings and conduct. Satirical letters falsely attributed to Jay fanned the sparks of the Livingston opposition into a bright blaze, and, although the Chief Justice denied the insinuation, the Chancellor gave battle with the enthusiasm of a new convert.

As one glances through the list of workers in the campaign of 1792, he is reminded that the juniors or beginners soon came to occupy higher and more influential positions than some of their elders and leaders. DeWitt Clinton, for instance, not yet in office, was soon to be in the Assembly, in the State Senate, and in the United States Senate—a greater force than any man of his time in New York, save Hamilton. James Kent had just entered the Assembly. As a student in Egbert Benson's office, his remarkable industry impressed clients and teacher, but when his voice sounded the praises of John Jay, few could have anticipated that this young man, small in stature, vivacious in speech, quick in action, with dark eyes and a swarthy complexion, was destined to become one of the most famous jurists in a century. Ambrose Spencer had not yet scored his first political honour, but his herculean frame and stately presence, with eyes and complexion darker than Kent's, are to be seen leading in every political contest for more than forty years.

There were also Smith Thompson, taught in the law by Chancellor Kent and tutored in politics by George Clinton, who was to follow the former Chief Justice and end his days on the United States Supreme bench; Joseph C. Yates, founder of Union College, and Samuel L. Mitchill, scientist and politician, who has been called the Franklin of New York. Younger than these, but equally alert, was Cadwallader A. Colden, grandson of the royal lieutenant-governor of Stamp Act days. He was now only twenty-two, just beginning at the bar, but destined to be the intimate friend of Robert Fulton, a famous leader of a famous bar, and a political chieftain of a distinguished career.[63]

At the election, the people gave Jay a majority of their votes; but at the count, a majority of the state canvassers gave Clinton the governorship. This was the first vicious party precedent established in the Empire State. It has had many successors at the polls, in the Legislature, and at the primaries, but none bolder and more harmful, or ruder and more outrageously wrong. Under the law, inspectors of election sealed the ballots, delivered them to the sheriff or his deputy, who conveyed them to the secretary of state. In Otsego County, Richard R. Smith's term as sheriff had expired, and the new sheriff had not yet qualified, but Smith delivered the ballots to a person specially deputised by him. Tioga's sheriff turned the ballots over to his deputy, who, being taken ill on the journey, handed them to a clerk for transmission. In Clinton the sheriff gave the votes to a man without deputation. No ballots were missing, no seals were broken, nor had their delivery been delayed for a moment. But as soon as it became known that these counties gave Jay a majority of about four hundred, quite enough to elect him, it was claimed that the votes had not been conveyed to the secretary of state by persons authorised to do so under the law, and the canvassers, voting as their party preferences dictated, ruled out the returns by a vote of seven to four in Clinton's favour. The discussion preceding this action, however, was so acrimonious and the alleged violation of law so technical, that the board agreed to refer the controversy to Rufus King and Aaron Burr, the United States senators.

Burr had many an uneasy hour. He preferred to avoid the responsibility, since an opinion might jeopardise his political interests. If he found for Clinton, his Federalist friends would take offence; if he antagonised Clinton, the anti-Federalists would cast him out. Thus far it had been his

policy to keep in the background, directing others to act for him; now he must come out into the open. He temporised, delayed, sought suggestions of friends, and endeavoured to induce his colleague to join him in declining to act as a referee, but King saw no reason for avoiding an opinion, and in answering the question of the canvassers, he took the broad ground that an election law should be construed in furtherance of the right of suffrage. The act was for the protection of voters whose rights could not be jeopardised by the negligence or misconduct of an agent charged with the delivery of the ballots, nor by canvassers charged with their counting. It was preposterous to suppose that the sudden illness of a deputy, or the failure of an official to qualify, could disfranchise the voters of a whole county. If it were otherwise, then the foolish or intentional misconduct of a sheriff might at any time overturn the will of a majority. There was no pretence of wrongdoing. The ballots had been counted, sealed, and delivered to the secretary of state no less faithfully than if there had been a technical adherence to the strict letter of the law. He favoured canvassing Tioga's vote, therefore, although it was doubtful if a deputy sheriff could deputise a deputy, while the vote of Clinton should be canvassed because a sheriff may deputise by parol. As to Otsego, on which the election really turned, King held that Smith was sheriff until a successor qualified, if not in law, then in fact; and though such acts of a *de facto* officer as are voluntarily and exclusively beneficial to himself are void, those are valid that tend to the public utility.

Burr was uninfluenced by respect for suffrage. Being statutory law, it must be construed literally, not in spirit, or because of other rights involved. He agreed with his colleague as to the law governing the Clinton case; but following the letter of the act, he held that Tioga's votes ought not to be counted, since a deputy could not appoint a deputy. The Otsego ballots were also rejected because the right of a sheriff to hold over did not exist at common law; and as the New York statute did not authorise it, Smith's duties ceased at the end of his term; nor could he be an officer *de facto*, since he had accepted and exercised for one day the office of supervisor, which was incompatible with that of sheriff. In other words, Burr reduced the question of Jay's election to Smith's right to act, and to avoid the *de facto* right, so ably presented by Senator King, he relied upon Smith's service of a day as supervisor before receiving and forwarding the ballots, notwithstanding sheriffs invariably held over until their successors

qualified. Seven of such cases had occurred in fifteen years, and never before had the right been seriously questioned. In one instance a hold-over sheriff had executed a criminal. When urged to appoint a sheriff for Otsego earlier in the year, Governor Clinton excused his delay because the old one could hold over.

After this decision, only Clinton himself could avert the judgment certain to be rendered by a partisan board. Nevertheless, the Governor remained silent. Thus, by a strict party vote of seven to four, the canvassers, omitting the three counties with four hundred majority in Jay's favour, returned 8,440 votes for Clinton and 8,332 for Jay. Then, to destroy all evidence of their shame, the ballots were burned, although the custom obtained of preserving them in the office of the secretary of state.^[64]

News travelled slowly in those days. There were no telegrams, no reporters, no regular correspondents, no special editions to tell the morning reader what had happened the day before; but when it once became known that John Jay had been counted out, the people of the State were aroused to the wildest passion of rage, recalling the famous Tilden-Hayes controversy three-quarters of a century later. A returning board, it was claimed, had overturned the will of the people; and to the superheated excitement of the campaign, was added the fierce anger of an outraged party. Wild menaces were uttered, and the citizens of Otsego threatened an appeal to arms. "People are running in continually," wrote Mrs. Jay to her husband, "to vent their vexation. Senator King says he thinks Clinton as lawfully governor of Connecticut as of New York, but he knows of no redress."^[65] Hamilton agreed with King, and counselled peaceful submission.

Meantime the Chief Justice was returning home from Vermont by way of Albany. At Lansingburgh the people met him, and from thence to New York public addresses and public dinners were followed with the roar of artillery and the shouts of the populace. "Though abuse of power may for a time deprive you and the citizens of their right," said one committee, "we trust the sacred flame of liberty is not so far extinguished in the bosoms of Americans as tamely to submit to the shackles of slavery, without at least a struggle to shake them off."^[66] Citizens of New York met him eight miles from the city, and upon his arrival, "the friends of liberty" condemned the men who would deprive him of the high office "in contempt of the sacred

voice of the people, in defiance of the Constitution, and in violation of the uniform practice and settled principles of law."^[67]

During these days of excitement, Jay conducted himself with remarkable forbearance and dignity. It was the poise of Washington. "The reflection that the majority of electors were for me is a pleasing one," he wrote his wife; "that injustice has taken place does not surprise me, and I hope will not affect you very sensibly. The intelligence found me perfectly prepared for it. A few years more will put us all in the dust, and it will then be of more importance to me to have governed myself than to have governed the State."^[68] This thought influenced his conduct throughout. When armed resistance seemed inevitable, he raised his voice in opposition to all feeling. "Every consideration of propriety forbids that difference in opinion respecting candidates should suspend or interrupt that natural good humour which harmonises society, and softens the asperities incident to human life and human affairs."^[69] At a large dinner on the 4th of July, Jay gave the toast: "May the people always respect themselves, and remember what they owe to posterity;" but after he had retired, the banqueters let loose their tongues, drinking to "John Jay, Governor by voice of the people," and to "the Governor (of right) of the State of New York."

Clinton entered upon his sixth term as governor amidst vituperation and obloquy. He was known as the "Usurper," and in order to reduce him to a mere figurehead, the Federalists who controlled the Assembly, led by Josiah Ogden Hoffman, the brilliant New York lawyer, now proposed to choose a new Council of Appointment, although the term of the old Council had not yet expired. The Constitution provided that the Council should hold office one year, and that the Governor, with the advice of the Council, should appoint to office. Up to this time such had been the accepted practice. Nevertheless, the Federalists, having a majority of the Assembly, forced the election of a Council made up entirely of members of their own party, headed by Philip Schuyler, the veteran legislator and soldier, and then proceeded to nominate and confirm Egbert Benson as a judge of the Supreme Court. Clinton, as governor and a member of the Council, refused to nominate Benson, insisting that the exclusive right of nomination was vested in him. Here the matter should have ended under the Constitution as Jay interpreted it; but Schuyler held otherwise, claiming that the Council had a concurrent right to nominate. He went further, and decided that

whenever the law omitted to limit the number of officers, the Council might do it, and whenever an officer must be commissioned annually, another might be put in his place at the expiration of his commission. This would give the Council power to increase at will the number of officials not otherwise limited by law, and to displace every anti-Federalist at the expiration of his commission.

Clinton argued that the governor, being charged under the Constitution with the execution of the laws, was vested with exclusive discretion as to the number of officers necessary to their execution, whereas, if left to one not responsible for such execution, too many or too few officials might be created. With respect to the continuation of an incumbent in office at the pleasure of the Council, "the Constitution did not intend," he said, "a capricious, arbitrary pleasure, but a sound discretion to be exercised for the promotion of the public good; that a contrary practice would deprive men of their offices because they have too much independence of spirit to support measures they suppose injurious to the community, and might induce others from undue attachment to office to sacrifice their integrity to improper considerations."[\[70\]](#) This was good reasoning and good prophecy; but his protests fell upon ears as deaf to a wise policy as did the protests of Jay's friends when the board of canvassers counted Jay out and Clinton in.

The action of the Council of Appointment was a stunning blow to Clinton. Under Jay's constitution, every officer in city, county, and State, civil and military, save governor, lieutenant-governor, members of the Legislature, and aldermen, could now be appointed by the Council regardless of the Governor; and already these appointments mounted up into hundreds. In 1821 they numbered over fifteen thousand. Thus, as if by magic, the Council was turned into a political machine. Under this arrangement, a party only needed a majority of the Assembly to elect a Council which made all appointments, and the control of appointments was sufficient to elect a majority of the Assembly. Thus it was an endless chain the moment the Council became a political machine, and it became a political machine the moment Philip Schuyler headed the Council of 1793.

This arbitrary proceeding led to twenty years of corrupt methods and political scandals. Schuyler's justification was probably the conviction that poetic justice required that Clinton, having become governor without right,

should have his powers reduced to their lowest terms; but whatever the motive, his action was indefensible, and his reply that the Governor's practices did not correspond to his precepts fell for want of proof. Clinton had then been in office seventeen years, and, although he took good care to select members of his own party, only one case, and that a doubtful one, could be cited in support of the charge that appointments had been made solely for political purposes.

In a published address, on January 22, 1795, Governor Clinton declined to stand for re-election in the following April because of ill health and neglected private affairs. Included in this letter was the somewhat apocryphal statement that he withdrew from an office never solicited, which he had accepted with diffidence, and from which he should retire with pleasure. The reader who has followed the story of his career through the campaigns of 1789 and 1792 will scarcely believe him serious in this declaration, although he undoubtedly retired with pleasure. At the time of his withdrawal, he had an attack of inflammatory rheumatism, but he was neither a sick man nor an old one, being then in his fifty-fifth year, with twelve years of honourable public life still before him. It is likely the reason in the old rhyme, "He who fights and runs away, lives to fight another day," had more to do with his retirement than shattered health and crippled fortune. Defeat has never been regarded helpful to future political preferment, and this shrewd reader of the signs of the times, his ambition already fixed on higher honours and more exalted place, saw the coming political change in New York as clearly and unmistakably as an approaching storm announced itself in an increase of his rheumatic aches.

CHAPTER VII

RECOGNITION OF EARNEST MEN

1795-1800

WITH Clinton out of the race for governor in 1795, his party's weakness discovered itself in the selection of Chief Justice Robert Yates, Hamilton's coalition candidate in 1789. It was a makeshift nomination, since none cared to run after Clinton's declination sounded a note of defeat. Yates' passion for office led him into strange blunders. He seemed willing to become the candidate of any party, under any conditions, at any time, if only he could step into the official shoes of George Clinton. He was excusable in 1789, perhaps, when the way opened up a fair chance of success, but in 1795 his ambition subjected him to ridicule as well as to humiliation. It was said derisively that he was defeated, although every freeholder in the State had voted for him.

The Federalists were far from unanimous in their choice of John Jay. He had not yet returned from England, whither Washington had sent him in the preceding year to negotiate a treaty to recover, among other things, compensation for negroes who followed English troops across the Atlantic at the close of the war; to obtain a surrender of the Western military posts not yet evacuated; and to secure an article against impressments. It was believed that a storm of disapproval would greet his work, and the timid ones seriously questioned the expediency of his nomination. The submission of the treaty had already precipitated a crisis in the United States Senate, and while it might not be ratified and officially promulgated before election, grave danger existed of its clandestine publication by the press. Hamilton, however, insisted, and Jay became the nominee. "It had been so decreed from the beginning," wrote Egbert Benson.

The campaign that followed was featureless. Chief Justice Yates aroused no interest, and Chief Justice Jay was in England. From the outset, Jay's election was conceded; and a canvass of the votes showed that he had swept the State by a large majority. In 1789 Clinton received a majority of 489; in 1792 the canvassers gave him 108; but in 1795 Jay had 1589.^[71]

What would have happened had the treaty been published before election, fills one with interested conjecture. Its disclosure on July 2, the day after Jay's inauguration, turned the applause of that joyous occasion into the most exasperating abuse. Such a sudden and tempestuous change in the popularity of a public official is unprecedented in the history of American politics. In a night the whole State was thrown into a ferment of intense excitement, the storm of vituperation seeming to centre in New York city. Jay was burned in effigy; Hamilton was struck in the face with a stone while defending Jay's work; a copy of the treaty was burned before the house of the British Minister; riot and mob violence held carnival everywhere. Party spirit never before, and never since, perhaps, ran so high. One effigy represented Jay as saying, while supporting a pair of scales, with the treaty on one side and a bag of gold on the other, "Come up to my price, and I will sell you my country." Chalked in large white letters on one of the principal streets in New York, appeared these words: "Damn John Jay! Damn every one that won't damn John Jay!! Damn every one that won't put lights in his windows and sit up all night damning John Jay!!!"^[72] This revulsion of public sentiment was not exactly a tempest in a teapot, but it proved a storm of limited duration, the elections in the spring of 1796 showing decided legislative gains for the Federalists.

Hamilton divined the cause of the trouble. "There are three persons," he wrote,^[73] "prominent in the public eye as the successor of the President—Mr. Adams, Mr. Jay, and Mr. Jefferson.... Mr. Jay has been repeatedly the object of attacks with the same view. His friends, as well as his enemies, anticipated that he could make no treaty which would not furnish weapons against him; and it were to have been ignorant of the indefatigable malice of his adversaries to have doubted that they would be seized with eagerness and wielded with dexterity. The peculiar circumstances which have attended the two last elections for governor of this State have been of a nature to give the utmost keenness to party animosity. It was impossible that Mr. Jay should be forgiven for his double, and, in the last instance, triumphant

success; or that any promising opportunity of detaching from him the public confidence, should pass unimproved.... Trivial facts frequently throw light upon important designs. It is remarkable that in the toasts given on July 4, 1795, whenever there appears a direct or indirect censure of the treaty, it is pretty uniformly coupled with compliments to Mr. Jefferson, and to our late governor, Mr. Clinton, with an evident design to place those gentlemen in contrast to Mr. Jay, and, decrying him, to elevate them. No one can be blind to the finger of party spirit, visible in these and similar transactions. It indicates to us clearly one powerful source of opposition to the treaty."

The treaty was undoubtedly a disappointment to the country, and not greatly pleasing to Washington. Perhaps Jay said the best thing that could be said in its favour: "One more favourable was not attainable." The thing he was sent especially to do, he failed to accomplish, except the evacuation of the posts, and a concession as to the West Indian trade, which the Senate rejected. Nevertheless the country was greatly and permanently benefited. The treaty acquired extradition for criminals; it secured the collection of debts barred by the Revolution, amounting to ten million dollars; it established the principle that war should not again be a pretext for the confiscation of debts or for the annulment of contracts between individuals; and it avoided a war with England, for which the United States was never more unprepared. "As the first treaty negotiated under the new government," says John W. Foster, "it marked a distinct advance in international practice."^[74] In a recent biography of Andrew Jackson, Professor Sumner says: "Jay's treaty was a masterpiece of diplomacy, considering the times and the circumstances of this country." Even the much-criticised commercial clause, "the entering wedge," as Jay called it, proved such a gain to America, that upon the breaking out of war in 1812, Lord Sheffield declared that England had "now a complete opportunity of getting rid of that most impolitic treaty of 1794, when Lord Grenville was so perfectly duped by Jay."^[75]

John Jay's first term as governor was characteristically cautious and conservative. He began with observing the proprieties, gracefully declining the French Consul's invitation to a republican entertainment, and courageously remaining at his post during the yellow fever epidemic of 1795. With equal ease he settled the growing conflict between the severity of the past and the sympathy of the present, by changing the punishment in cases of ordinary felony, from death to imprisonment. Up to that time men

might have been executed for stealing a few loaves of high-priced bread to relieve the sufferings of a hungry family. Under Jay's humane plea for mercy the death penalty was limited to treason, murder, and stealing from a church. A quarter of a century passed before Sir James Mackintosh succeeded in carrying a similar measure through the British Parliament.

In his first message Jay recommended neither the abolition of slavery, nor the discontinuance of official changes for political reasons, "since the best and most virtuous men," he said, "must, in the distribution of patronage, yield to the influence of party considerations." As the only important questions before him just then involved the freedom of slaves and reform in the civil service, his silence as to the one and his declaration as to the other were certainly sufficient to allay any suspicion that he was to become a radical reformer. He did recommend a legislative interpretation of the Constitution relating to the governor's exclusive right to nominate to office; but in the blindest and most complimentary words, the Legislature invited the Governor to let well enough alone. "The evidence of ability, integrity and patriotism," so the answer ran, "which has been invariably afforded by your conduct in the discharge of the variety of arduous and important trusts, authorise us to anticipate an administration conducive to the welfare of your constituents." This amiable answer betrayed the deft hand of Ambrose Spencer, who, to make it sweeter and more acceptable, moved the insertion of the word "invariably."^[76] Thus ended the suggestion of a law that might have undone the mischief of Schuyler, and prevented the scandal and corrupt methods that obtained during the next two decades. At least, this is the thought of a later century, when civil service reform has sunk a tap-root into American soil, still frosty, perhaps, yet not wholly congealed as it seems to have been one hundred years ago.

Jay's administration might be called the reward days of earnest, able men, whose meritorious service became their passport to office. Upon the retirement in 1798 of Robert Yates and John Sloss Hobart from the Supreme bench, he appointed James Kent and Jacob Radcliff. If Jay had never done anything else, the appointment of Kent would immortalise him, just as the selection of John Marshall placed a halo about the head of President Adams. Kent, now thirty-five years old, a great lawyer and a strong partisan, had the conservatism of Jay, and held to the principles of Hamilton. He was making brilliant way in politics, showing himself an administrator, a debater, and a

leader of consummate ability; but he steadily refused to withdraw from the professional path along which he was to move with such distinction. Until Kent's appearance, the administration of the law had been inefficient and unsatisfactory. Men of ability had occupied the bench; but the laborious and business methods which subsequently gave strength and character to the court, had not been applied. The custom of writing opinions in the most important cases did not then obtain, while the principles and foundation of the law were seldom explored. But Kent began at once, after a most laborious examination of the cases and the law, to bring the written opinions which enrich the reports of Caines and Johnson, to the consultations of the judges, thus setting an example to his associates, and opening the way for that admirable and orderly system of jurisprudence that has adorned the judiciary of New York for more than a century. The men of the older school had had their day. The court of Hobart was closed; the age of Kent had opened.

Radcliff, the other judicial appointee, was not a new name in 1798; but it was destined to become dearer to every lover of a chancery lawyer. He had a natural gift for chancery, and no natural inclination whatever for politics or the bench. So, after serving a single term in the Assembly, two years as an assistant attorney-general, and six years on the Supreme Court, he returned to the practice, to which he devoted the remaining forty years of his life, save when holding the office of mayor of New York in 1810, and again in 1815 during the brief retirement of DeWitt Clinton. Wherever he appeared, Radcliff's erect, dignified bearing and remarkably handsome face, illuminated with large eyes and a highly intellectual expression, marked him as a man of distinction. He set the custom of dictating bills in chancery to an amanuensis, doing it with such accuracy that a word had seldom to be changed. Of the same age as Kent, he must have been of great help to that distinguished jurist, had he continued with the court. While hovering somewhat uncertain between the bench and the bar, he removed to New York City, where the opportunities for one of his gifts soon settled the question.

Other appointments of Jay were equally satisfactory. The comptrollership of state, recently created, went to Samuel Jones in return for having patiently worked out this more perfect method of controlling and disbursing state funds. Ambrose Spencer became an assistant attorney-general, and the

appointment of Rufus King as minister to England made room for the election of John Lawrence to the United States Senate. Lawrence had little claim, perhaps, to be entered in the class with Rufus King, since he was neither leader nor statesman; but he had been the faithful adjutant-general of Washington, and a steady, fearless supporter of Hamilton. Lawrence, an Englishman by birth, had settled in New York at an early period in life, and by his marriage to the daughter of Alexander McDougall, quickly came into conspicuous sympathy with the radical wing of the patriotic party. He will always be remembered in history as judge-advocate of the court that tried Major André. He held office almost continuously from 1775 until his death in 1810, serving eight years in the army, one in the State Senate, six in Congress, four as judge of the United States District Court, and four as a United States senator, closing his honourable career as president pro tem. of that body.

As a rebuke to Aaron Burr's snap game so successfully played in 1791, Philip Schuyler succeeded him in the United States Senate in 1797, an event that must have sweetened the closing years of the Revolutionary veteran. But Schuyler was now a sick man, and in January, 1798, he resigned the senatorial toga to others, upon whose shoulders it rested briefly, and possibly with less ease and grace. John Sloss Hobart wore it for three months. After him, for ten months, came William North, followed by James Watson, who, in turn, resigned in March, 1800. Thus, in the short period of thirty-six months, four men tasted the sweets of the exalted position so brilliantly filled by the erratic grandson of Jonathan Edwards. North and Watson were men of certain ability and certain gifts. Both had been soldiers. North had followed Arnold to Quebec, had charged with his regiment at Monmouth, had served with credit upon Baron Steuben's staff, [77] and had acquitted himself with honour at Yorktown. He belonged to that coterie of brilliant young men, noted for bravery and endurance, who quickly found favour with the fighting generals of the Revolution. Watson resigned his captaincy in 1777, and engaged successfully in mercantile pursuits, subsequently entering the Assembly with North, the former becoming speaker in 1794 and the latter in 1795 and 1796. At the time of North's election to the United States Senate, Watson was a member of the State Senate. Like Lawrence, both were fervid Federalists, zealous

champions of Hamilton, and profound believers in the wisdom of minimising, if not abrogating, the rights of States.

Watson's resignation from the United States Senate enabled the Federalists to elect Gouverneur Morris just before the political change in 1800 swept them from power. Morris was a fit successor to Schuyler. His family had belonged to the State for a century and a half. The name stood for tradition and conservatism—an embodiment of the past amid the changes of revolution. His home near Harlaem, an estate of three thousand acres, with a prospect of intermingled islands and water, stretching to the Sound, which had been purchased by a great-grandfather in the middle of the preceding century, reflected the substantial character of its founder, a distinguished officer in Cromwell's army.

Gouverneur was the child of his father's second marriage. The family,^[78] especially the older children, of whom Richard, chief justice of the State, was the third and youngest boy, resented the union, making Gouverneur's position resemble that of Joseph among his brethren. Twenty-two years intervened between him and Richard. Before the former left the schoolroom, the latter had succeeded his father as judge of the vice-admiralty; but as for being of any assistance to the fatherless lad Richard might as well have been vice-admiral of the blue, sailing the seas. There would be something pathetic in this estrangement, if independence and self-reliance had not dominated the youngest son as well as the older heirs of this noble family. Lewis, the eldest, served in the Continental Congress and became a signer of the Declaration of Independence, while Staats Long, the second son, wandered to England, married the Countess of Gordon, became a general in the British army, and a member of Parliament in the days of Lord North and Charles James Fox. It was a strange coincidence, one brother resisting Parliament in Congress, the other resisting Congress in Parliament.

The influences surrounding Gouverneur's youth were decidedly Tory. His mother warmly adhered to George the Third; his professors at King's taught loyalty to the Crown; his distinguished tutor in the law, William Smith, New York's Tory historian, magnified the work and the strength of Parliament; while his associates, always his mother's welcomed guests at Morrisania, were British officers, who talked of Wolfe and his glorious

struggles for England. But there never was a moment from the time Gouverneur Morris entered the Provincial Congress of New York on May 22, 1775, at the age of twenty-three, that he was not conspicuously and brilliantly active in the cause of America. Whenever or wherever a Revolutionary body was organised, or for whatever purpose, Congress, Convention, or Committee of Safety, he became a member of it. Six years younger than Jay, and six years older than Hamilton, he seemed to complete that remarkable New York trio, so fertile in mental resources and so successful in achievement. He did not, like Jay, outline a constitution, but he believed, with Jay, in balancing wealth against numbers, and in contending for the protection of the rights of property against the spirit of democracy. It is interesting to study these young men, so different in temperament, yet thinking alike and acting together for a quarter of a century—Jay, gentle and modest; Hamilton, impetuous and imperious; Morris, self-confident and conceited; but on all essential matters of state, standing together like a tripod, firm and invincible. In his distrust of western influences, however, Morris was more conservative than Jay or Hamilton. He was broad and liberal toward the original thirteen States, but he wanted to subordinate the balance of the country to their control. He regarded the people who might seek homes west of the Alleghanies with something of the suspicion Jay entertained for the propertyless citizens of New York. The day would come, he believed, when those untutored, backwoods settlers would outnumber their brethren on the Atlantic coast, and he desired some provision in the Constitution which would permit the minority to rule such a majority. If these views shrivelled his statesmanship, it may be said to his credit that they discovered a prophetic gift most uncommon in those days, giving him the power to see a great empire of people in the fertile valley of the Mississippi and its tributaries.^[79] Fifteen years later Robert R. Livingston expressed the belief that not in a century would a white man cross the Father of Waters.

Into the life of Jay's peaceful administration came another interesting character, the champion of every project known to the inventive genius of his day. We shall hear much of Samuel Latham Mitchill during the next three decades. He was now thirty-five years old, a sort of universal eccentric genius, already known as philosopher, scientist, teacher, and critic, a professor in Columbia, the friend of Joseph Priestley, the author of

scientific essays, and the first in America to make mineralogical explorations. Perhaps if he had worked in fewer fields he might have won greater renown, making his name familiar to the general student of our own time; but he belonged to an order of intellect far higher than most of his associates, filling the books with his doings and sayings. Although his influence, even among specialists, has probably faded now, he inspired the scientific thought of his time, and established societies which still exist, and whose history, up to the time of his death in 1831, was largely his own. Mitchill belonged to the Republican party because it was the party of Jefferson, and he followed Jefferson because Jefferson was a philosopher. For the same reason he became the personal friend of Chancellor Livingston, with whom, among other things, he founded the Society for the Promotion of Agriculture, Manufactures, and the Useful Arts. It was said of Mitchill that "he was equally at home in studying the geology of Niagara, or the anatomy of an egg; in offering suggestions as to the angle of a windmill, or the shape of a gridiron; in deciphering a Babylonian brick, or in advising how to apply steam to navigation."

Mitchill became a member of the Assembly in 1798, and it was his interest in the experiments then being made of applying steam to navigation, that led him to introduce a bill repealing the act of 1787, giving John Fitch the sole right to use steamboats on the Hudson, and granting the privilege to Chancellor Livingston for a term of twenty years, provided that within a year he should build a boat of twenty tons capacity and propel it by steam at a speed of four miles an hour. John Fitch had disappeared, and with him his idea of applying steam to paddles. He had fitted a steam engine of his own invention into a ferry-boat of his own construction, and for a whole summer this creation of an uneducated genius had been seen by the people of Philadelphia moving steadily against wind and tide; but money gave out, the experiment was unsatisfactory, and Fitch wandered to the banks of the Ohio, where opium helped him end his life in an obscure Kentucky inn, while his steamboat rotted on the shores of the Delaware. Then John Stevens of Hoboken began a series of experiments in 1791, trying elliptical paddles, smoke-jack wheels, and other ingenious contrivances, which soon found the oblivion of Fitch's inventions. Subsequently Rumsey, another ingenious American, sought with no better success to drive a boat by expelling water from the stern. When it was announced that the great

Chancellor also had a scheme, it is not surprising, perhaps, that the wags of the Assembly ridiculed the project as idle and whimsical. "Imagine a boat," said one, "trying to propel itself by squirting water through its stern." Another spoke of it as "an application of the skunk principle." Ezra L'Hommedieu, then a state senator, declared that Livingston's "steamboat bill" was a standing subject of ridicule throughout the entire session.

But there were others than legislators who made sport of these apparently visionary projects to settle the value of steam as a locomotive power. Benjamin H. Latrobe, the most eminent engineer in America, did not hesitate to overwhelm such inventions with objections that, in his opinion, could never be overcome. "There are indeed general objections to the use of the steam engine for impelling boats," he wrote, in 1803, "from which no particular mode of application can be free. These are, first, the weight of the engine and of the fuel; second, the large space it occupies; third, the tendency of its action to rack the vessel and render it leaky; fourth, the expense of maintenance; fifth, the irregularity of its motion and the motion of the water in the boiler and cistern, and of the fuel-vessel in rough water; sixth, the difficulty arising from the liability of the paddles or oars to break, if light, and from the weight, if made strong. Perhaps some of the objections against it may be obviated. That founded on the expense and weight of the fuel may not for some years exist in the Mississippi, where there is a redundancy of wood on the banks; but the cutting and loading will be almost as great an evil."[\[80\]](#)

Mitchill, however, would not be suppressed by the fun-making legislators or the reasoning of a conservative engineer. "I had to encounter all their jokes and the whole of their logic," he wrote a friend. His bill finally became a law, and Livingston, with the help of the Doctor, placed a horizontal wheel in a well in the bottom and centre of a boat, which propelled the water through an aperture in the stern. The small engine, however, having an eighteen-inch cylinder and three feet stroke, could obtain a speed of only three miles an hour, and finding that the loss of power did not compensate for the encumbrance of external wheels and the action of the waves, which he hoped to escape, Livingston relinquished the plan. Four years later, however, the Chancellor's money and Robert Fulton's genius were to enrich the world with a discovery that has immortalised

Fulton and placed Livingston's name among the patrons of the greatest inventors.



CHAPTER VIII

OVERTHROW OF THE FEDERALISTS

1798-1800

IT IS difficult to select a more popular or satisfactory administration than was Jay's first three years as governor. Opposition growing out of his famous treaty had entirely subsided, salutary changes in laws comforted the people, and with Hamilton's financial system, then thoroughly understood and appreciated, came unprecedented good times. To all appearances, therefore, Jay's re-election in 1798 seemed assured by an increased majority, and the announcement that Chancellor Livingston was a voluntary rival proved something of a political shock.^[81] For many years the relations between Jay and Livingston were intimate. They had been partners in the law, associates in the Council of Revision, colleagues in Congress, co-workers in the formation of a state constitution, and companions in the Poughkeepsie convention. Jay had succeeded Livingston in 1784 as secretary of foreign affairs under the Confederation, and while the charming Mrs. Jay was giving her now historic dinners and suppers at 133 Broadway, her cousin, Robert R. Livingston, of No. 3 Broadway, was among her most distinguished guests. In her home Livingston made those arrangements with Hamilton and Jay, the Morrisses and the Schuylers, that resulted in the overthrow of Governor Clinton and his supporters in the convention which ratified the Federal Constitution.

But after Washington's inauguration, and Jay's appointment as chief justice of the United States Supreme Court, the Chancellor had been as intense, if not as violent an opponent of Federalism as Brockholst Livingston. In their criticism of Jay's treaty these two cousins had been especially bitter. The Chancellor attacked it as "Cato," Brockholst as "Decius;" the one spoke against it on the platform with Aaron Burr, the other voluntarily joined the

mob—if he did not actually throw the stone—that wounded Hamilton; while the Chancellor saw a copy of the treaty slowly destroyed at Bowling Green, Brockholst coolly witnessed its distinguished author burned in effigy "in the Fields." Relationship did not spare John Jay. Cousin and brother-in-law had the "love frenzy for France," which finally culminated in celebrating the ninth anniversary of the treaty of alliance between France and America, at which Brockholst became proudly eloquent, and the Chancellor most happy in the felicity of an historic toast: "May the present coolness between France and America produce, like the quarrels of lovers, a renewal of love."

Chancellor Livingston was now in the fifty-first year of his age, tall and handsome, with an abundance of hair already turning gray, which fell in ringlets over a square high forehead, lending a certain dignity that made him appear as great in private life as he was when gowned and throned in his important office.^[82] In the estimation of his contemporaries he was one of the most gifted men of his time, and the judgment of a later age has not reversed their decision. He added learning to great natural ability, and brilliancy to profound thought; and although so deaf as to make communication with him difficult, he nearly concealed the defect by his remarkable eloquence and conversational gifts. Benjamin Franklin called him "the Cicero of America." His love for the beautiful attracted Edmund Burke. It is doubtful if he had a superior in the State in the knowledge of history and the classics, and in the study of science Samuel L. Mitchill alone stood above him. He lacked the creative genius of Hamilton, the prescient gifts of Jay, and the skill of Burr to marshal men for selfish purposes, but he was at home in debate with the ablest men of his time, a master of sarcasm, of trenchant wit, and of felicitous rhetoric.

Livingston's candidacy for governor was clearly a dash for the Presidency. He reasoned, as every ambitious New York statesman has reasoned from that day to this, that if he could carry the State in an off year, he would be needed in a presidential year. This reasoning reduces the governorship to a sort of spring-board from which to vault into the White House, and, although only one man in a century has performed the feat, it has always figured as a popular and potent factor in the settlement of political nominations. George Clinton thought promotion would come to him, and Hamilton inspired Jay with a similar notion, although it is doubtful if the

people ever seriously considered the candidacy of either; but Livingston, sanguine of better treatment, was willing voluntarily to withdraw from the professional path along which he had moved to great distinction, staking more than he had a right to stake on success. In his reckoning, as the sequel showed, he miscalculated the popularity of Jay as much as Hamilton did that of George Clinton in 1789.

The Chancellor undoubtedly believed the tide of Federalism, which had been steadily rising for six years, was about to ebb. There were sporadic indications of it. Perhaps Livingston thought it had already turned, since Republicans had recently won several significant elections. Two years before DeWitt Clinton and his associates had suffered defeat in a city which now returned four assemblymen and one senator with an average Republican majority of more than one thousand. This indicated that the constant talk of monarchical tendencies, of Hamilton's centralising measures, and of the court customs introduced by Washington and followed by Adams, was beginning to influence the timid into voting with Republicans.

But counteracting influences were also at work, which Livingston, in his zeal for political honours, possibly did not observe. New England Federalists, attracted by the fertile valleys of the Hudson and the Mohawk, had filled the western district, and were now holding it faithful to the party of Jay and Hamilton. Just at this time, too, Federalists were bound to be strengthened by the insulting treatment of American envoys sent to France to restore friendly intercourse between the two republics. President Adams' message, based upon their correspondence, asserted that nothing could be accomplished "on terms compatible with the safety, honour, and essential interests of the United States," and advised that immediate steps be taken for the national defence. What the President had withheld for prudential reasons, the public did not know; but it knew that the Cabinet favoured an immediate declaration of war, and that the friends of the Administration in Congress were preparing for such an event. This of itself should have taken Livingston out of the gubernatorial contest; for if war were declared before the April election, the result would assuredly be as disastrous to him as the publication of Jay's treaty in April, 1795, would have been hurtful to the Federalists. But Chancellor Livingston, following the belief of his party that

France did not intend to go to war with America, accepted what he had been seeking for months, and entered the campaign with high hopes.

Jay had intended retiring from public life at the close of his first term as governor.^[83] For a quarter of a century he had been looking forward to a release from the cares of office, and to the quiet of his country home in Westchester; but "the indignities which France was at that time heaping upon his country," says William Jay, his son and biographer, "and the probability that they would soon lead to war, forbade him to consult his personal gratification."^[84] On the 6th of March, therefore, he accepted renomination on a ticket with Stephen Van Rensselaer for lieutenant-governor.

It is significant that the anti-Federalists failed to nominate a lieutenant-governor on the ticket with Livingston. Stephen Van Rensselaer was a Federalist of the old school, a brother-in-law of Hamilton, and a vigorous supporter of his party. It is difficult to accept the theory that none of his opponents wanted the place; it is easier to believe that under existing conditions no one of sufficient prominence cared to make the race, especially after President Adams had published the correspondence of the American envoys, disclosing Talleyrand's demand for \$240,000 as a gift and \$6,000,000 as a loan, with the threat that in the event of failure to comply, "steps will be taken immediately to ravage the coast of the United States by French frigates from St. Domingo." The display of such despicable greed, coupled with the menace, acted very much as the fire of a file of British soldiers did in Boston in 1770, and sent the indignant and eloquent reply of Charles C. Pinckney, then minister to France, ringing throughout the country—"Millions for defence, but not a cent for tribute." Within four weeks Congress authorised the establishment of a navy department, the construction of ten war vessels, the recapture of American ships unlawfully seized, the purchase of cannon, arms, and military stores, and the raising of a provisional army of ten thousand, with the acceptance of militia volunteers. The French tri-colour gave place to the black cockade, a symbol of patriotism in Revolutionary days, and "Hail Columbia," then first published and set to the "President's March," was sung to the wildest delight of American audiences in theatres and churches.

In the midst of this excitement occurred the election for governor. The outcome was a decided change, sending Jay's majority up to 2380.^[85] It is not easy to estimate how much of this result was influenced by the rising war cloud, and how much is to be credited to the individuality of the candidates. Both probably entered into the equation. But the fact that Jay carried legislative districts in which Republicans sent DeWitt Clinton and Ambrose Spencer to the Senate, would indicate that confidence in Jay, if not dislike of Livingston, had been the principal factor in this sweeping victory. "The result of this election terminated, as was foreseen," wrote William P. Van Ness, four years later, "in the defeat and mortification of Mr. Livingston, and confirmed the conviction of the party, that the people had no confidence in his political integrity, and had been disgusted by his unwarrantable expectations. His want of popularity was so well known that nothing could have induced this inexpedient measure, but a desire to show the futility of his pretensions, and thus in future avoid his hitherto unceasing importunities."^[86]

Livingston's search for distinction in the political field seems to have resulted in unhappiness. The distinguished ability displayed as chancellor followed him to the end, but the joy of public life vanished when he entered the domain of partisan politics. Had he possessed those qualities of leadership that bind party and friends by ties of unflinching services, he might have reaped the reward his ambition so ardently craved; but his peculiar temper unfitted him for such a career. Jealous, fretful, sensitive, and suspicious, he was as restless as his eloquence was dazzling, and, although generous to the poor, his political methods savoured of selfishness, making enemies, divorcing friends, and darkening his pathway with gathering clouds.

The story of John Jay's second term is not all a record of success. Strenuous statesmen, catching the contagion of excitement growing out of the war news from France, formed themselves into clubs, made eloquent addresses, and cheered John Adams and his readiness to fight rather than pay tribute, while the Legislature, in extra session, responded to Jay's patriotic appeal by unanimously pledging the President the support of the State, and making appropriations for the repair of fortifications and the purchase of munitions of war. From all indications, the Federalists seemed certain to continue in power for the next decade, since the more their opponents sympathised with

the French, the stronger became the sentiment against them. If ever there was a period in the history of the United States when the opposite party should have been encouraged to talk, and to talk loudly and saucily, it was in the summer of 1798, when the American people had waked up to the insulting treatment accorded their envoys in France; but the Federalist leaders, horrified by the bloody record of the French Revolution, seemed to cultivate an increasing distrust of the common people, whom they now sought to repress by the historic measures known as the Naturalisation Act of June 18, 1798, the Alien Act of June 25, and the Sedition Act of July 14.

The briefest recital of the purpose of these laws is sufficient to prove the folly of the administration that fathered them, and when one considers the possible lengths to which an official, representing the President, might go if instigated by private or party revenge, Edward Livingston's declaration that they "would have disgraced the age of Gothic barbarity" does not seem too strong.^[87] Under the Alien Act persons not citizens of the United States could be summarily banished at the sole discretion of the President, without guilt or even accusation, thus jeopardising the liberty and business of the most peaceable and well-disposed foreigner. Under the Act of Sedition a citizen could be dragged from his bed at night and taken hundreds of miles from home to be tried for circulating a petition asking that these laws be repealed. The intended effect was to weed out the foreign-born and crush political opponents, and, the better to accomplish this purpose, the Alien Act set aside trial by jury, and the Sedition Act transferred prosecutions from state courts to federal tribunals.

Governor Jay approved these extreme measures because of alleged secret combinations in the interest of the French; and, although no proof of their existence appeared except in the unsupported statements of the press, he submitted to the Legislature, in January, 1799, several amendments to the Federal Constitution, proposed by Massachusetts, increasing the disability of foreigners, and otherwise limiting their rights to citizenship. The Legislature, still strongly Federal in both its branches, did not take kindly to the amendments, and the Assembly rejected them by the surprising vote of sixty-two to thirty-eight. Then came up the famous Kentucky and Virginia resolutions. The Virginia resolves, drafted by Madison and passed by the Virginia Legislature, pronounced the Alien and Sedition laws "palpable and alarming infractions of the Constitution;" the Kentucky resolutions, drafted

by Jefferson, declared each act to be "not law, but altogether void and of no force." This was nullification, and the States north of the Potomac hastened to disavow any such doctrine, although the vote in the New York Assembly came perilously near indorsing it.

The discussion of these measures gave opportunity for the public opening of a great career in New York legislation—a career that was to continue into the years made memorable by Martin Van Buren and William L. Marcy. The record of New York party politics for forty years is a record of long and brilliant contests in which Erastus Root, if not a recognised party chieftain, was one of the ablest lieutenants that marshalled on the field of combat. He was a man of gigantic frame, scholarly and much given to letters, and, although somewhat uncouth in manner and rough in speech, his forceful logic, coupled with keen wit and biting sarcasm, made him a dreaded opponent and a welcomed ally. He resembled Hamilton in his independence, relying less upon organisation and more upon the strength of his personality, yet shrewdly holding close relations with those whose careful management and adroit manipulation of the spoils kept men in line whatever the policy it seemed expedient to adopt. For eleven years he served in the Assembly, and thrice became speaker; for eight years he served in the Senate, and twice became its president; for twelve years he served in the lower house of Congress, and once became lieutenant-governor. Wherever he served, he was recognised as a master, not always consistent, but always earnest, eloquent, and popular, fighting relentlessly and tirelessly, and compelling respect even when unsuccessful.

Just now Root was an ardent admirer of Aaron Burr and a bitter opponent of Alexander Hamilton. He was only twenty-six years old. During the contest over the Federal Constitution he was a leader in boyish sports at his Connecticut home, thinking more of the next wrestling match and the girl he should escort from the lyceum than of the character of the constitution under which he should live; but he came to the Assembly in 1798 a staunch supporter of republicanism, believing that Federalists should give place to men inclined to trust the people with larger power, and in this spirit he led the debate against the Alien and Sedition laws with such brilliancy that he leaped into prominence at a single bound. Freedom and fearlessness characterised the work of this young orator, singling him out as the people's champion, and giving him the confidence of five thousand "Wild Irishmen,"

as Otis called them, who had sought America as an asylum for the oppressed of all nations. Unrestrained by precedent and unruled by fear for the future, he spoke with confidence to a people whom he delighted with the breadth and liberality of his views, lifting them onto heights from which they had never before surveyed their political rights.

In the debate in the Assembly on the indorsement of the Kentucky resolutions Root maintained with great force the right of the people's representatives in the Legislature to express an opinion upon an act of Congress, however solemn, and he ridiculed the argument that questions limited to the judiciary were beyond the jurisdiction of any other body of men to criticise and condemn. This touched a popular chord, and if the mere expression of an opinion by the Assembly had been the real question at issue, young Root might have carried his point as he did the fight against the amendments proposed by Massachusetts. But there was one question Root did not successfully meet. Although Jefferson's eighth and ninth resolutions—declaring that whenever the general government assumed powers not delegated, "a nullification of the act is the rightful remedy" of every State—had been stricken out, the dangerous doctrine was still present in the preamble, making it apparent to the friends of the Constitution that the promulgation of such a monstrous heresy would be worse than the acts sought to be annulled. It is not clear that Root's understanding of these resolutions went so far; for the question discussed by him concerned only the right of the Legislature to express an opinion respecting the wisdom or unwisdom of an act of Congress. Nor does it appear that he favoured what afterward became known as "nullification;" for it is certain that when, thirty-four years later, the doctrine came up again under John C. Calhoun's leadership, Erastus Root, then in Congress, struck at it as he would at the head of a viper, becoming the fearless expounder of principles which civil war permanently established.

While young Root was leading the debate in the Assembly, Ambrose Spencer led it in the Senate. Spencer's apostacy produced a profound sensation in political circles. He had given no intimation of a change of political principles. Although still a young man, barely thirty-three, he had ranked among the foremost leaders of the Federalist party, having been honoured as an assistant attorney-general, a state senator, a member of the Council of Appointment, a friend of Hamilton, and the confidential adviser

of Jay. The latter's heart might well sink within him to be abandoned by such a colleague at a time when the stability of the Union was insidiously attacked; nor ought Spencer to have been surprised that public rumour immediately set to work to find some reason for his change less simple and less honest, perhaps, than a dislike of the Federalist policy. Various causes have been given for his mysterious behaviour. Some thought him eager for a high mark of presidential favour, possibly a mission abroad, which was not warmly advocated by Hamilton; others believed that the bitter quarrel between Adams and Hamilton influenced him to desert a sinking party; but the rumour generally accepted by the Federalists ascribed it to his failure to become state comptroller in place of Samuel Jones, an office which he sought. It was recalled that shortly after Jones' appointment, Spencer raised the question, with some show of bitterness, that Jones' seat in the Senate should be declared vacant.

Spencer denied the charges with expletives and with emphasis, treating the accusations as a calumny, and insisting that his change of principles occurred in the spring of 1798 before his re-election as senator. This antedated the alien and sedition measures, but not the appointment of Samuel Jones, making his conversion contemporary with the candidacy for governor of Chancellor Livingston, to whom he was related. It is not unlikely that he shared Livingston's confidence in an election and thought it a good time to join the party of his relative; but whether his change was a matter of principle, of self-interest, or of resentment, it bitterly stung the Federalists, who did not cease to assail him as a turncoat for the flesh-pots.

[88]

The début of the brilliant Root and the St. Paul-like conversion of Ambrose Spencer were not, however, needed to overthrow a party responsible for the famous alien and sedition laws. No one has ever yet successfully defended this hasty, ill-considered legislation, nor has any one ever admitted responsibility for it, except President Adams who approved it, and who, up to the last moment of his long life, contended that it was "constitutional and salutary, if not necessary." President Adams had, indeed, refrained from using the power so lavishly given him; but rash subordinates listened to the dictate of unwise party leaders. The ridiculous character of these prosecutions is illustrated by a fine of one hundred dollars because one

defendant wished that the wadding used in a salute to John Adams had lodged in the ample part of the President's trousers.

But the sedition law had a more serious enemy than rash subordinates. John Armstrong, author of the celebrated "Newburgh Letters," and until recently a Federalist, wrote a vitriolic petition for its repeal, which Jedediah Peck circulated for signatures. This incited the indiscreet and excitable Judge Cooper, father of the distinguished novelist, to begin a prosecution; and upon his complaint, the United States marshal, armed with a bench-warrant, carried off Peck to New York City for trial. It is two hundred miles from Cooperstown to the mouth of the Hudson, and in the spring of 1800 the marshal and his prisoner were five days on the way. The newspapers reported Peck as "taken from his bed at midnight, manacled, and dragged from his home," because he dared ask his neighbours to petition Congress to repeal an offensive law. "The rule of George Third," declared the press, "was gracious and loving compared to such tyranny." In the wildest delirium of revolutionary days, when patriots were refusing to drink tea, and feeding it to the fishes, New York had not been more deeply stirred than now. "A hundred missionaries in the cause of democracy, stationed between New York and Cooperstown," says Hammond, the historian, "could not have done so much for the Republican cause as this journey of Jedediah Peck from Otsego to the capital of the State. It was nothing less than the public exhibition of a suffering martyr for the freedom of speech and the press, and for the right of petition."[\[89\]](#)

This was the political condition when Aaron Burr, in the spring of 1800, undertook to gain twelve electoral votes for the Republicans by carrying the Legislature of New York. It required seventy electoral votes to choose a President, and outside of New York the anti-Federalists could count sixty-one. The capture of this State, therefore, would give them a safe majority. Without advertising his purposes, Burr introduced the sly methods that characterised his former campaigns, beginning with the selection of a ticket that would commend itself to all, and ending with an organisation that would do credit to the management of the later-day chiefs of Tammany. To avoid the already growing rivalry between the Clinton and Livingston factions, George Clinton and Brockholst Livingston headed the ticket, followed by Horatio Gates of Revolutionary fame, John Broome, soon to be lieutenant-governor, Samuel Osgood, for two years Washington's

postmaster-general, John Swartout, already known for his vigorous record in the Assembly, and others equally acceptable. Burr himself stood for the county of Orange. For the first time in the history of political campaigning, too, local managers prepared lists of voters, canvassed wards by streets, held meetings throughout the city, and introduced other methods of organisation common enough nowadays, but decidedly novel then.

Hamilton was alive to the importance of the April election, but scarcely responsible for the critical character of the situation. He had not approved the alien and sedition measures, nor did he commit himself to the persecuting policy sanctioned by most Federal leaders, and although he favoured suppressing newspaper libels against the government, he was himself alien-born, and of a mind too broad not to understand the danger of arousing foreign-born citizens against his party on lines of national sentiment. "If we make no false step," he wrote Oliver Wolcott, "we shall be essentially united, but if we push things to extremes, we shall then give to faction body and solidity."^[90] It was hasty United States attorneys and indiscreet local politicians rather than the greatest of the Federal leaders, who gave "to faction body and solidity."

Hamilton threw himself with energy into the desperate fight. For four days, from April 29 to May 2, while the polls were open, he visited every voting precinct, appealing to the public in his wonderfully persuasive and captivating manner. On several occasions Burr and Hamilton met, and it was afterward recalled that courtesy characterised the conduct of each toward the other, one champion waiting while the other took his turn. Rarely if ever in the history of the country have two men of such ability and astuteness participated in a local canvass. The rivalry was all the more exciting because it was a rivalry of styles as well as of capacities. Burr was smooth, polished, concise, never diffuse or declamatory, always serious and impressive. If we may accept contemporary judgment, he was a good speaker whom everybody was curious to hear, and from whom no one turned away in disappointment. On the other hand, Hamilton was an acknowledged orator, diffuse, ornate, full of metaphor, with flashes of poetical genius, revelling in exuberant strength, and endowed with a gift of argumentative eloquence which appealed to the intellect and the feelings at the same time. Erastus Root says Hamilton's words were so well chosen, and his sentences so finely formed into a swelling current, that the hearer

would be captivated if not convinced, while Burr's arguments were generally methodised and compact. To this Root added a judgment, after thirty years' experience in public life at Washington and in New York, that "they were much the greatest men in the State, and perhaps the greatest men in the United States."

When the polls closed the Republicans had carried the Legislature by twenty-two majority on joint ballot. This secured to them the election of the needed twelve presidential electors. To recover their loss the Federalists now clamoured for a change in the law transferring the election of presidential electors from the Legislature to districts created for that purpose. Such an amendment would give the Federalists six of the twelve electors.

This was Hamilton's plan. In an earnest plea he urged Jay to convene the Legislature in extraordinary session for this purpose. "The anti-Federal party," he wrote to the Governor, "is a composition indeed of very incongruous materials, but all tending to mischief; some of them to the overthrow of the government by stripping it of its due energies; others of them by revolutionising it after the manner of Bonaparte. The government must not be confided to the custody of its enemies, and, although the measure proposed is open to objection, a popular government cannot stand if one party calls to its aid all the resources which vice can give, and the other, however pressing the emergency, feels itself obliged to confine itself within the ordinary forms of delicacy and decorum."^[91]

Jay's response to Hamilton's proposal is not of record, but some time afterward the great Federalist's letter was found carefully filed among the papers in the public archives, bearing an indorsement in the Governor's handwriting: "This is a measure for party purposes which I think it would not become me to adopt."

The sincerity of Jay's action has been doubted. He was about to retire from public life, it was said, with no political future before him, and with that courage which inspires a man under such circumstances, he declined to act. But Jay's treatment of Hamilton's suggestion stands out conspicuously as his best judgment at the most trying moment in a long and eventful life. Jay was a stalwart Federalist. He had supported Washington and Hamilton in

the making of a federal constitution; he had approved the alien and sedition laws; he had favourably reported to the Legislature the proposed amendments of Massachusetts, limiting service in Congress to native-born citizens; he regarded the advent of Jefferson and his ideas with as much alarm as Hamilton, and he knew as well as Hamilton that the adoption of the district plan of choosing electors would probably defeat the Virginian; but to call an extra session of the Legislature for the purpose indicated by Hamilton, would defeat the expressed will of the people as much as the action of the state canvassers defeated it in 1792. Should he follow such a precedent and save his party, perhaps his country, from the dire ills so vividly portrayed by Hamilton? The responsibility was upon him, not upon Hamilton, and he wisely refused to do what the people of the State had so generally and properly condemned in the canvassers.

Hamilton's proposition naturally provoked the indignation of his opponents, and later writers have used it as a text for unlimited vituperation; but if one may judge from what happened and continued to happen during the next three decades, not a governor who followed Jay in those eventful years would have declined under similar circumstances to concur in Hamilton's suggestion. It was undoubtedly a desperate proposal, but it was squarely in line with the practice of party leaders of that day. George Clinton countenanced, if he did not absolutely advise, the deliberate disfranchisement of hundreds of voters in 1792 that he might continue governor. A few years later, in 1816, methods quite as disreputable and unscrupulous were practised, that Republicans might continue to control the Council of Appointment. Hamilton's suggestion involved no concealment, as in the case of the Manhattan Bank, which Jay approved; no violation of law, as in the Otsego election case, which Clinton approved; no deliberate fraud, as in the Allen-Fellows case, which Tompkins approved. All this does not lessen the wrong involved in Hamilton's proposed violation of moral ethics, but it places the suggestion in the environment to which it properly belongs, making it appear no worse if no better than the political practices of that day.

CHAPTER IX

MISTAKES OF HAMILTON AND BURR

1800

THE ten months following the Republican triumph in New York on May 2, 1800, were fateful ones for Hamilton and Burr. It is not easy to suggest the greater sufferer, Burr with his victory, or Hamilton with his defeat. Hamilton's bold expedients began at once; Burr's desperate schemes waited until after the election in November; but when the conflict was over, the political influence of each had ebbed like water in a bay after a tidal wave. Although Jay's refusal to reconvene the old Legislature in extra session surprised Hamilton as much as the Republican victory itself, the great Federalist did not despair. He still thought it possible to throw the election of President into the House of Representatives, and to that end he wrote his friends to give equal support to John Adams and Charles C. Pinckney, the candidates of the Federal party. "This is the only thing," he said, "that can possibly save us from the fangs of Jefferson."[\[92\]](#)

But the relations between Adams and Hamilton were now to break. For twelve years Hamilton had kept Adams angry. He began in 1789 with the inconsiderate and needless scheme of scattering the electoral votes of Federalists for second place, lest Washington fail of the highest number, and thus reduced Adams' vote to thirty-four, while Washington received sixty-nine. In 1796 he advised similar tactics, in order that Thomas Pinckney might get first place. For the past three years the President had endured the mortification of having Hamilton control his cabinet advisers. After the loss of New York, however, Adams turned elsewhere for strength, appointing John Marshall secretary of state in place of Timothy Pickering, and Samuel Dexter secretary of war in place of James McHenry. The mutual dislike of Hamilton and Adams had become so intensified that the slightest

provocation on the part of either would make any form of political reconciliation impossible, and Adams' reconstruction of his Cabinet furnished this provocation. Pickering and McHenry were Hamilton's best supporters. They had done more to help him and to embarrass Adams, and their dismissal, because of the loss of New York, made Hamilton thirsty for revenge. Pickering suggested "a bold and frank exposure of Adams," offering to furnish the facts if Hamilton would put them together, and agreeing to arrange with George Cabot and other ultra Federalists of New England, known as the "Essex Junto," to throw Adams behind Charles C. Pinckney in the electoral vote. Their plan was to start Pinckney as the second Federalist candidate, with the hope that parties would be so divided as to secure his election for President. It was nothing more than the old "double chance" manœuvres of 1796, when Thomas Pinckney was Hamilton's choice for President; but the iniquity of the scheme was the deception practised upon the voters who desired Adams.

Of course, Adams soon learned of the revival of this old conspiracy, and passionately and hastily opened a raking fire upon the "Essex Junto," calling them a "British faction," with Hamilton as its chief, a designation to which the Republican press had made them peculiarly sensitive. This aroused Hamilton, who, preliminary to a quarrel, addressed the President, asking if he had mentioned the writer as one who belonged to a British faction. Receiving no reply, he again wrote the President, angrily repelling all aspersions of the kind. This the President likewise ignored.

Then Hamilton listened to Timothy Pickering. Fiery as his temper had often proved, and grotesquely obstinate as he had sometimes shown himself, Hamilton's most erratic impulse appears like the coolness of Jay when contrasted with the conduct upon which he now entered. The letter he proposed to write, ostensibly in justification of himself, was apparently intended for private circulation at some future day among Federal leaders, to whom it would furnish reasons why electors should unite in preferring Pinckney. It is known, too, that Hamilton's coolest and ablest advisers opposed such a letter, recalling the congressional caucus agreement, which he had himself advised, to vote fairly for both Adams and Pinckney. Besides, to impair confidence in Adams just at that moment, it was argued, would impair confidence in the Federal party, while at best such a letter could only produce confusion without compensatory results. But between

Adams and Jefferson, Hamilton now preferred the latter. "I will never be responsible for him by my direct vote," he wrote in May, 1800, "even though the consequence be the election of Jefferson."^[93] Moreover, Hamilton was accustomed to give, not to receive orders. Had Washington lived, Hamilton would doubtless never have written the letter, but now he wrote it, printed it, and in a few days was forced to publish it, since garbled extracts began appearing in the press. Many theories have been advanced as to how it fell into the hands of a public printer, some fanciful, others ridiculous, and none, perhaps, absolutely truthful. The story that Burr unwittingly coaxed a printer's errand boy to give him a copy, is not corroborated by Matthew L. Davis; but, however the publication happened, it was not intended to happen in that way and at that time.

It was an ugly letter, not up to Hamilton's best work. The vindication of himself and the Pinckneys lost itself in the severity of the attack upon Adams, whose career was reviewed from the distant day of an unsound judgment ventured in military affairs during the Revolution, to the latest display of a consuming egotism, vanity, and jealousy as President. In a word, all the quarrels, resentments, and antagonisms which had torn and rent the Federal party for four years, but which, thanks to Washington, had not become generally known, were now, in a moment, officially exposed to the whole country, to the great astonishment of most Federalists, and to the great delight of all Republicans. "If the single purpose had been to defeat the President," said John Adams, "no more propitious moment could have been chosen." Fisher Ames declared that "the question is not how we shall fight, but how we shall fall." In vain did Hamilton journey through New England, struggling to gain votes for Pinckney; in vain did the "Essex Junto" deplore the appearance of a document certain to do their Jacobin opponents great service. The party, already practically defeated by its alien and sedition legislation, and now inflamed with angry feelings, hastened on to the inevitable catastrophe like a boat sucked into the rushing waters of Niagara, while the party of Jefferson, united in principle, and encouraged by the divisions of their adversaries, marched on to easy victory. When the result was known, Jefferson and Burr had each seventy-three electoral votes, Adams sixty-five, Pinckney sixty-four, and Jay one.

It is difficult to realise the arguments which persuaded Hamilton to follow the suggestion of the fallen minister. Hot-tempered and impatient of

restraint as he was, he knew Adams' attack had only paid him in kind. Nor is mitigation of Hamilton's conduct found in the statement, probably true, that the party could not in any case have carried the election. The great mass of Federalists believed, as Hamilton wrote Jay when asking an extra session of the Legislature, that the defeat of Jefferson was "the only means to save the nation from more disasters," and they naturally looked to him to accomplish that defeat. Of all men that ever led a political party, therefore, it was Hamilton's duty to sink personal antipathy, but in this attack upon Adams he seems deliberately to have sinned against the light. This was the judgment of men of his own day, and at the end of a century it is the judgment of men who cherish his teachings and revere his memory.

While Hamilton wrote and worried and wrestled, Aaron Burr rested on the well-earned laurels of victory. It had been a great fight. George Clinton did not take kindly to Thomas Jefferson, and stubbornly resisted allowing the use of his name to aid the Virginian's promotion; Horatio Gates and other prominent citizens who had left the political arena years before, if they could be said ever to have entered it, were also indisposed to head a movement that seemed to them certain to end in rout and confusion; but Burr held on until scruples disappeared, and their names headed a winning ticket. It was the first ray of light to break the Republican gloom, and when, six months later, the Empire State declared for Jefferson and Burr it added to the halo already surrounding the grandson of Jonathan Edwards.

It was known that Jefferson and Burr had run very evenly, and by the middle of December, 1800, it became rumoured that their vote was a tie. "If such should be the result," Burr wrote Samuel Smith, a Republican congressman from Maryland, "every man who knows me ought to know that I would utterly disclaim all competition. Be assured that the Federalist party can entertain no wish for such an exchange. As to my friends, they would dishonour my views and insult my feelings by a suspicion that I would submit to be instrumental in counteracting the wishes and the expectations of the people of the United States. And I now constitute you my proxy to declare these sentiments if the occasion should require."^[94] At the time this letter was much applauded at public dinners and other Republican gatherings as proof of Burr's respect for the will of the people.

But the Federalists had plans of their own. "To elect Burr would be to cover the opposition with chagrin, and to sow among them the seeds of a morbid division," wrote Harrison Gray Otis of Massachusetts.^[95] Gradually this sentiment took possession of New England and the Middle States, until it seemed to be the prevailing opinion of the Federal party. "Some, indeed most of our eastern friends are warm in support of Burr," said Gouverneur Morris, which James A. Bayard of Delaware corroborated in a note to Hamilton. "There appears to be a strong inclination in a majority of the Federal party to support Burr," he said.^[96] "The current has already acquired considerable force, and is manifestly increasing." John Rutledge, governor of South Carolina, thought "his promotion will be prodigiously afflicting to the Virginia faction, and must disjoint the party. If Mr. B.'s Presidency be productive of evils, it will be very easy for us to get rid of him. Opposed by the Virginia party, it will be his interest to conciliate the Federalists."^[97] Theodore Sedgwick, speaker of the House of Representatives, likewise declared that "most of the Federalists are for Burr. It is very evident that the Jacobins dread this appointment more even than that of General Pinckney. If he be elected by the Federalists against the hearty opposition of the Jacobins, the wounds mutually given and received will probably be incurable. Each will have committed the unpardonable sin. Burr must depend on good men for his support, and that support he cannot receive, but by a conformity to their views. At first, I confess, I was strongly disposed to give Jefferson the preference, but the more I have reflected, the more I have inclined to the other."^[98]

To such a course Hamilton was bitterly opposed, not only because he distrusted Burr more than he did Jefferson, but because the Federalists should leave the responsibility of a selection to the Republicans and thus in nowise be answerable for the consequences. "If the anti-Federalists who prevailed in the election," he wrote Bayard of Delaware, "are left to take their own man, they remain responsible, and the Federalists remain free, united, and without stain, in a situation to resist with effect pernicious measures. If the Federalists substitute Burr, they adopt him, and become answerable for him. Whatever may be the theory of the case, abroad and at home, Mr. Burr must become, in fact, the man of our party; and if he acts ill, we must share in the blame and disgrace. By adopting him, we do all we can to reconcile the minds of Federalists to him, and we prepare them for

the effectual operation of his acts. He will, doubtless, gain many of them; and the Federalists will become a disorganised and contemptible party. Can there be any serious question between the policy of leaving the anti-Federalists to be answerable for the elevation of an objectionable man, and that of adopting him ourselves, and becoming answerable for a man who, on all hands, is acknowledged to be a complete Catiline? 'Tis enough to state the question to indicate the answer, if reason, not passion, presides in the decision."[\[99\]](#)

Gouverneur Morris, now a United States senator, had already taken a similar position. Bayard of Delaware, who carried the vote of the little State in his pocket, and several other leading Federalists, listened with profound respect; but the great portion of the party, maddened by reverses, eager for revenge, and not yet mindless of Hamilton's campaign indiscretion, was in no temper to follow such prudent advice. As already indicated, the disposition was "to cover the opposition with chagrin," and "to sow among them the seeds of morbid division." Nor did they agree with Hamilton's estimate of Burr, which seemed to them attributable to professional and personal feuds, but maintained that he was a matter-of-fact man, artful and dexterous to accomplish his ends, and without pernicious theories, whose very selfishness was a guard against mischievous foreign predilection, and whose local situation was helpful to his appreciation of the utility of the country's commercial and federal systems, while his elevation to the Presidency would be a mortal stab to the Jacobins, breeding invincible hatred and compelling him to lean on the Federalists, who had nothing to fear from his ambition, since it would be checked by his good sense, or from any scheme of usurpation that he might attempt.

In vain did Hamilton combat these points, insisting that Burr was a man of extreme and irregular ambition, selfish to a degree which even excluded social affection, and decidedly profligate. He admitted that he was far more artful than wise, far more dexterous than able, but held that artfulness and dexterity were objections rather than recommendations, while he thought a systematic statesman should have a theory. "No general principles," he said, "will work much better than erroneous ones."[\[100\]](#) As to foreign predilection, he thought Burr as warm a partisan of France as Jefferson, and instead of leaning on good men, whom he knew would never support his bad projects, he would endeavour to disorganise both parties, and from the

wreck form a third out of conspirators and other men fitted by character to carry out his schemes of usurpation. As the campaign advanced he became more emphatic, insisting that Burr's election would disgrace the country abroad, and that no agreement with him could be relied upon. "As well think to bind a giant by a cobweb as his ambition by promises."[\[101\]](#)

In the meantime the electoral count, as already anticipated, had thrown the election into the House of Representatives, where it would be decided on the 11th of February, 1801. In the House the Republicans controlled eight States to the Federalists' six, with Maryland and Vermont without a majority of either party. To elect Jefferson, therefore, an additional State must be secured, and to prevent it, if possible, the Federalists, by a party caucus held in January, resolved to support Burr, Bayard and three others, any one of whom could decide the choice for Jefferson, reserving the right to limit the contest to March 4, and thus avoid the risk of general anarchy by a failure to elect.

Very naturally the Republicans became alarmed and ugly. Jefferson wrote Madison of the deplorable tie, suggesting that it had produced great dismay and gloom among Republicans and exultation among Federalists, "who openly declare they will prevent an election."[\[102\]](#) James Gunn, a United States senator from Georgia and a Federalist, advised Hamilton that "the Jacobins are determined to resist the election of Burr at every hazard, and I am persuaded they have taken their ground with a fixed resolution to destroy the government rather than yield their point."[\[103\]](#) Madison thought if the then House of Representatives did not choose Jefferson, the next House would do so, supported as he was by the great body of the people, who would no longer submit "to the degradation of America by attempts to make Burr the President."[\[104\]](#)

Not a word came from Burr. Jefferson tried repeatedly to bring him to an explicit understanding without avail. His only published utterance on the subject, save the letter to Samuel Smith, was in a family note of January 15 to his son-in-law, Joseph Allston of South Carolina, in which he spoke of the tie as exciting great speculation and much anxiety, adding, "I believe that all will be well, and that Jefferson will be our President."[\[105\]](#) Five days before this, Speaker Sedgwick informed Hamilton that "Burr has expressed his displeasure at the publication of his letter by Samuel Smith,"[\[106\]](#) which,

wrote Bayard on January 7, "is here understood to have proceeded either from a false calculation as to the result of the electoral vote, or was intended as a cover to blind his own party."^[107] But there was no danger of Joseph Allston publishing his note, at least not until the fight was over.

Burr's letter to his son-in-law bore date at Albany. Being a member of the Legislature he had gone there early in January, where he not only kept silent but mysteriously aloof, although his lobbyists thronged Washington in such numbers that Senator Morris, on February 14, asked his colleague, John Armstrong, "how it happened that Burr, who is four hundred miles off, has agents here at work with great activity, while Mr. Jefferson, who is on the spot, does nothing?"^[108] That these agents understood their mission and were quite as active as Morris represented, was evident by the reports sent from time to time to Hamilton, who remained in New York. "Some who pretend to know his views," wrote Morris, "think he will bargain with the Federalists."^[109] Bayard was also approached. "Persons friendly to Mr. Burr state distinctly that he is willing to consider the Federalists as his friends, and to accept the office of President as their gift."^[110] As early as January 10 Governor Rutledge wrote that "we are assured by a gentleman who lately had some conversation with Mr. Burr on this subject that he is disposed to maintain and expand our systems."^[111]

As the campaign proceeded it became evident to Burr that Republicans were needed as well as Federalists, and a bright young man, William P. Van Ness, who had accompanied Burr to Albany as a favourite companion, wrote Edward Livingston, the brilliant New York congressman, that "it is the sense of the Republicans in this State that, after some trials in the House, Mr. Jefferson should be given up for Mr. Burr."^[112] This was wholly conjectural, and Burr and his young friend knew it; but it was a part of the game, since Burr, so Hamilton wrote Morris, "perfectly understands himself with Edward Livingston, who will be his agent at the seat of government," adding that Burr had volunteered the further information "that the Federalists might proceed in the certainty that, upon a second ballot New York and Tennessee would join him."^[113] There is no doubt Burr believed then, and for some time afterward, that Edward Livingston was his friend, but he did not know that Jefferson had offered the secretaryship of the navy to Edward's brother, the powerful Chancellor,^[114] or that the Chancellor's young brother was filling Jefferson's diary with the doings and sayings of

those who were interested in Burr's election. Edward got a United States attorneyship for his treachery, and soon after became a defaulter for thirty thousand dollars under circumstances of culpable carelessness, as the Treasury thought.[115]

The voting began on February 11. On the first ballot eight States voted for Jefferson and six for Burr, Vermont and Maryland being neutralised by an even party division. In this manner the voting continued for six days, through thirty-five ballots, the House taking recesses to give members rest, caucuses opportunity to meet, and the sick time to be brought in on their beds. Finally, on the thirty-sixth ballot, the Vermont Federalist withdrew, and the four Maryland Federalists, with Bayard of Delaware, put in blanks, giving Jefferson ten States and Burr five.

Burr had played his game with the skill of a master. The tactics that elected him to the United States Senate in 1791 and made him a gubernatorial possibility in 1792 were repeated on a larger scale and shrouded in deeper mystery. He had appeared to disavow any intention of supplanting Jefferson, and yet had played for Federalist and Republican support so cleverly that Jefferson pronounced his conduct "honourable and decisive, and greatly embarrassing" to those who tried to "debauch him from his good faith." In the evening of the inauguration, President and Vice President received together the congratulations of their countrymen at the presidential mansion. At Albany banqueting Republicans drank the health of "Aaron Burr, Vice President of the United States; his uniform and patriotic exertions in favour of Republicanism eclipsed only by his late disinterested conduct."

But when soberer thoughts came the Republican mind was disturbed with the question why Burr, after the Federalists had openly resolved to support him, did not proclaim on the housetop what he had written to Samuel Smith before the tie was known. Gradually the truth began to dawn as men talked and compared notes, and before three months had elapsed Jefferson's estimate of Burr's character corresponded with Hamilton's. It is of record that from 1790 to 1800 Jefferson considered him "for sale," and when the Virginians, after twice refusing to vote for him, finally sustained him for Vice President, they did so repenting their act.[116]

It is not easy to indicate the source of Burr's inherent badness. His father, a clergyman of rare scholarship and culture, became, at the age of thirty-two, the second president of Princeton College, while Jonathan Edwards, his maternal grandfather, whose "Freedom of the Will" made him an intellectual world-force, became its third president; but if one may accept contemporary judgment, Aaron Burr had scarcely one good or great quality of heart. Like Lord Chesterfield, his favourite author, he had intellect without truth or virtue; like Chesterfield, too, he was small in stature and slender.^[117] Here, however, the comparison must end if Lord Hervey's description of Chesterfield be accepted, for instead of broad, rough features, and an ugly face, Burr's personal appearance, suggested by the delicately chiselled features in the marble, was the gift of a mother noted for beauty as well as for the inheritance of her father's great intellectuality. Writers never forget the large black eyes, keen and penetrating, so irresistible to gifted and beautiful women. They came from the Edwards side; but from whence came the absence of honour that distinguished this son and grandson of the Princeton presidents, tradition does not inform us.

CHAPTER X

JOHN JAY AND DeWITT CLINTON

1800

THE election that decided the contest for Jefferson, returned DeWitt Clinton to the State Senate, and a Republican majority to the Assembly. As soon as the Legislature met, therefore, Clinton proposed a new Council of Appointment. Federalists shrieked in amazement at such a suggestion, since the existing Council had served little more than half its term. To this Republicans replied, good naturedly, that although party conditions were reversed, arguments remained the same, and reminded them that in 1794, when an anti-Federalist Council had served only a portion of its term, the Federalists compelled an immediate change. Whatever was fair for Federalists then, they argued, could not be unfair for Republicans now. If it was preposterous, as Josiah Ogden Hoffman had asserted, for a Council to serve out its full term in 1794, it was preposterous for the Council of 1800 to serve out its full term; if Schuyler was right that it was a dangerous and unconstitutional usurpation of power for the anti-Federalist Council to continue its sittings, it was a dangerous and unconstitutional usurpation of power for the Federalist Council of 1800 to continue its sittings. Of course Federalists were wrong in 1794, and Republicans were wrong in 1800, but there was as much poetic justice in the situation as a Republican could desire. As soon as the Assembly had organised, therefore, DeWitt Clinton, Ambrose Spencer, Robert Roseboom, and John Sanders became the Council of Appointment. Sanders was a Federalist, but Roseboom was a Republican, whose pliancy and weakness made him the tool of Clinton and Spencer.

DeWitt Clinton had at last come to his own. Until now his life had been unchecked by important incident and unmarked by political achievement.

He had run rapidly through the grammar school of Little Britain, his native town; through the academy at Kingston, the only one then in the State; through Columbia College, which he entered as a junior at fifteen and from which he graduated at the head of his class; and through his law studies with Samuel Jones. In 1789 came an appointment as private secretary to his uncle, George Clinton. When Governor Jay sought the assistance of another in 1795, Clinton resumed the law; but he continued to practise politics for a living, and at last found himself in the Assembly of 1797. He was then twenty-eight, strong, handsome, and well equipped for any struggle. He had devoted his leisure moments to reading, for which he had a passion that lasted him all his lifetime. He was especially fond of scientific studies, and of the active-minded Samuel L. Mitchill, six years his senior, who gave scientific reputation to the whole State.

In spite of his love for science, DeWitt Clinton was a born politician, with all the characteristic incongruities incident to such a life. He had the selfishness of Livingston, the inconsistency of Spencer, the imperiousness of Root, and the ability of a statesman. Unlike most other men of his party, he did not rely wholly upon discipline and organisation, or upon party fealty and courtesy. Hamilton had cherished the hope that Clinton might become a Federalist, not because he was a trimmer, or would seek a party in power simply for the spoils in sight, but because he had the breadth and liberality of enlightened opinions, the prophetic instinct, and the force of character to make things go his way, without drifting into success by a fortunate turn in tide and wind. He was not a mere day-dreamer, a theorist, a philosopher, a scholar, although he possessed the gifts of each. He was, rather, a man of action—self-willed, self-reliant, independent—as ambitious as Burr without his slippery ways, and as determined as Hamilton with all his ability to criticise an opponent. Clinton relied not more upon men than upon measures, and in the end the one thing that made him superior to all his contemporaries of the nineteenth century was a never-failing belief in the possibility of success along lines marked out for his life's work. He had faults and he committed errors. His one great political defect filled him with faults. He would be all or nothing. Attachment to his interests was the one supreme and only test of fitness for favours or friendship, and at one time or another he quarrelled with every friend who sought to retain independence of action.

Just now Clinton was looking with great expectancy into the political future. From defeat in 1796 he had reached the Assembly in 1797, and then passed to the State Senate in 1798; and from defeat in 1799 he passed again into the Senate in 1800. Thus far his record was without blemish. As a lad of eighteen he sided with his uncle in the contest over the Federal Constitution; but once it became the supreme law of the land he gave it early and vigorous support, not even soiling his career by a vote for the Kentucky resolutions. Unlike the Livingstons, he found little to commend in the controversy with Genet and the French, and in Jay's extra session of the Legislature he voted arms and appropriations to sustain the hands of the President and the honour of the flag. But he condemned the trend of Federalism as unwise, unpatriotic, and dangerous to the liberty of the citizen and to the growth of the country; and with equal force he opposed the influence of the French Revolution, maintaining that deeds of violence were unnecessary to startle the public into the knowledge that suffering exists, and that bad laws and bad social conditions result in hunger and misery. If he had been a great orator he would have charmed the conservatives who hated Federalism and dreaded Jacobinism. Like his uncle he spoke forcibly and with clearness, but without grace or eloquence; his writing, though correct in style and sufficiently polished, lacked the simplicity and the happy gift of picturesque phrase which characterised the letters of so many of the public men of that day. Yet he was a noble illustration of what may be accomplished by an indomitable will, backed by a fearless independence and a power to dominate people in spite of antagonism of great and successful rivals.

Clinton was now only at the opening of his great career. Even at this time his contemporaries seem to have made up their minds that he had a great career before him, and when he and Governor Jay met as members of the new Council of Appointment, on February 11, 1801, it was like Greek meeting Greek. If Jay was the mildest mannered man in the State, he was also one of the firmest; and on this occasion he did not hesitate to claim the exclusive right of nomination for office as had Governor Clinton in 1794. Clinton, on the other hand, following the course pursued by Philip Schuyler, boldly and persistently claimed a concurrent right on the part of the senatorial members. The break came when Jay nominated several Federalists for sheriff of Orange County, all of whom were rejected. Then

Clinton made a nomination. Instead of putting the question Jay made a further nomination, on which the Council refused to vote. This ended the session. Jay asked for time to consider, and never again convened the Council; but two days later he sent a message to the Assembly, reviewing the situation and asking its advice. He also requested the opinion of the Chancellor and the Supreme Court Judges. The Assembly replied that it was a constitutional question for the Governor and the Council; the Judges declined to express an opinion on the ground that it was extra-judicial. Three weeks later Clinton, Spencer, and Roseboom reported to the Assembly, with some show of bitterness, that they had simply followed the precedent of Egbert Benson's appointment to the Supreme Court in 1794, an appointment, it will be remembered, which was made on the nomination of Philip Schuyler and confirmed, over the protest of Governor Clinton, by a majority of the Council.

Jay's failure to reconvene the Council seemed to gratify Clinton—if, indeed, his action had not been deliberately taken to provoke the Governor into such a course. Appointments made under such conditions could scarcely satisfy an ambitious leader who had friends to reward; and, besides, the election of a new governor in the following month would enable him to appoint a corps of men willing to do the bidding of their new master. On the other hand, Governor Jay closed his official career as he began it. His first address to the Legislature discovered an intention of adhering to the dogmas of civil service, and so far as directly responsible he seems to have maintained the principle of dismissing no one for political reasons.

The closing days of Jay's public life included an act for the gradual abolition of domestic slavery. It cannot be called an important feature of his administration, since Jay was entitled to little credit for bringing it about. Although he had been a friend of emancipation, and as president of an anti-slavery society had characterised slavery as an evil of "criminal dye," his failure to recommend emancipation in his messages emphasises the suggestion that he was governed by the fear of its influence upon his future political career. However this may be, it is certain that he resigned the presidency of the abolition society at the moment of his aroused ambition immediately preceding his nomination for governor in 1792. His son explains that the people of the State did not favour abolition; yet the reform apparently needed only the vigorous assistance of the Governor, for in 1798

a measure similar to the act of 1799 failed in the Assembly only by the casting vote of the chairman in committee of the whole.

One thing, though, may be assumed, that a man so animated by high principles as John Jay must have felt amply justified in taking the course he did. Of all distinguished New Yorkers in the formative period of the government, John Jay, perhaps, possessed in fullest measure the resplendent gifts that immortalise Hamilton. Nevertheless, it was the purity of his life, the probity of his actions, the excellence of his public purposes, that commended him to the affectionate regard of everybody. "It was never said of him," wrote John Quincy Adams, "that he had a language official and a language confidential." During a political career of eight and twenty years, if he ever departed from the highest ideal of an irreproachable uprightness of character, it is not of record. His work was criticised, often severely, at times justly, but his character for honesty and goodness continued to the end without blemish.

It is difficult to say in what field Jay did the best work. He excelled in whatever he undertook. He had poise, forcefulness, moderation, moral earnestness, and mental clearness. Whether at home or abroad the country knew his abiding place; for his well-doing marked his whereabouts as plainly as smoke on a prairie indicates the presence of a camp. He has been called the draftsman of the Continental Congress, the constitution-maker of New York, the negotiator of the peace treaty, and dictator under the Confederation, and he came very near being all that such designations imply. In a word, it may be said that what George Washington was in the field, in council, and as President, John Jay was in legislative halls, in diplomatic circles, and as a jurist.

The crowning act of his life was undoubtedly the peace treaty of 1783. But great as was this diplomatic triumph he lived long enough to realise that the failure to include Canada within the young Republic's domain was ground for just criticism. In his note to Richard Oswald, preliminary to any negotiations, Franklin suggested the cession of Canada in token "of a durable peace and a sweet reconciliation," having in mind England's desire that loyalists in America be restored to their rights. This was one of the three essentials to peace, and to meet it Franklin's note proposed that compensation be paid these loyalists out of the sale of Canada's public

lands. Subsequent revelations made it fairly certain that had such cession, with its concessions to the loyalists, been firmly pressed, Canada would have become American territory. Why it was not urged remains a secret. There is no evidence that Franklin ever brought his suggestion to Oswald to the attention of Jay,^[118] but it is a source of deep regret that Jay's profound sagacity did not include a country whose existence as a foreign colony on our northern border has given rise to continued embarrassment. The feeling involuntarily possesses one that he, who owned the nerve to stop all negotiations until Englishman and American met on equal terms as the representatives of equal nations, and dared to break the specific instructions of Congress when he believed France favoured confining the United States between the Atlantic and the Alleghanies, would have had the temerity to take Canada, had the great foresight been his to discern the irritating annoyances to which its independence would subject us.

Jay's brief tenure of the chief-justiceship of the United States Supreme Court gave little opportunity to test his real ability as a jurist. The views expressed by him pending the adoption and ratification of the Federal Constitution characterised his judicial interpretation of that instrument, and he lived long enough to see his doctrine well established that "government proceeds directly from the people, and is ordained and established in the name of the people." His distinguishing trait as chief justice was the capacity to confront, wisely and successfully, the difficulties of any situation by his own unaided powers of mind, but it is doubtful if the Court, under his continued domination, would have acquired the strength and public confidence given it by John Marshall. Jay believed that "under a system so defective it would not obtain the energy, weight, and dignity essential to its affording due support to the general government." This was one reason for his declining to return to the office after he ceased to be governor; he felt his inability to accomplish what the Court must establish, if the United States continued to grow into a world power. Under these circumstances, it was well, perhaps, that he gave place to John Marshall, who made it a great, supporting pillar, strong enough to resist state supremacy on the one side, and a disregard of the rights of States on the other; but Jay did more than enough to confirm the wisdom of Washington, who declared that in making the appointment he exercised his "best judgment."

CHAPTER XI

SPOILS AND BROILS OF VICTORY

1801-1803

JOHN JAY, tired of public life, now sought his Westchester farm to enjoy the rest of an honourable retirement, leaving the race for governor in April, 1801, to Stephen Van Rensselaer. On the other hand, George Clinton, accepting the Republican nomination, got onto his gouty legs and made the greatest run of his life.^[119] Outside of New England, Federalism had become old-fashioned in a year. Following Jefferson's sweeping social success, men abandoned knee breeches and became democratic in garb as well as in thought. Henceforth, New York Federalists were to get nothing except through bargains and an occasional capture of the Council of Appointment.

The election of George Clinton gave the party of Jefferson entire control of the State. It had the governor, the Legislature, and the Council of Appointment. It only remained to empower the Council to nominate as well as to confirm, and the boss system, begun in 1794, would have the sanction of law. For this purpose delegates, elected by the people, met at Albany on the 13th of October, 1801, and organised a constitutional convention by the election of Aaron Burr as president. Fortune had thus far been very good to Burr. At forty-five he stood one step only below the highest place in the nation, and now by a unanimous vote he became president of the second constitutional convention of the Empire State. His position was certainly imposing, but when the convention declared, as it did, that each member of the Council had the right to nominate as well as to confirm, Burr sealed DeWitt Clinton's power to overthrow and humiliate him.

In its uncompromising character DeWitt Clinton's dislike of Burr resembled Hamilton's, although for entirely different reasons. Hamilton thought him a dangerous man, guided neither by patriotism nor principle, who might at any moment throttle constitutional government and set up a dictatorship after the manner of Napoleon. Clinton's hostility arose from the jealousy of an ambitious rival who saw no room in New York for two Republican bosses. Accordingly, when the Council, which Jay had refused to reassemble, reconvened under the summons of Governor Clinton, it quickly disclosed the policy of destroying Burr and satisfying the Livingstons.^[120] President Jefferson had already sent the Chancellor to France, and the Legislature had made John Armstrong, his brother-in-law, a United States senator. But enough of the Chancellor's family remained to fill other important offices, and the Council made Edward, a brother, mayor of New York; Thomas Tillotson, a brother-in-law, secretary of state; Morgan Lewis, a fourth brother-in-law, chief justice, and Brockholst Livingston, a cousin, justice of the Supreme Court.

Out of the spoils that remained, and there was an abundance, DeWitt Clinton and Ambrose Spencer helped themselves; and then they divided the balance between their relatives and supporters. Sylvanus Miller, an ardent and lifelong friend of the former, became surrogate of New York; Elisha Jenkins, who deserted the Federalists in company with Spencer, took John V. Henry's place as state comptroller; Richard Riker, the friend and second of Clinton in his famous duel with John Swartout, became district attorney in place of Cadwallader D. Colden, a worthy grandson of "Old Silver Locks," the distinguished colonial lieutenant-governor; John McKisson, a protégé of Spencer, took the clerkship of the Circuit Court from William Coleman, subsequently the brilliant editor of the *Evening Post*, established by Jay and Hamilton; and William Stewart, a brother-in-law of George Clinton, displaced Nathan W. Howell as assistant attorney-general. Thus the work of the political guillotine went on. It took sheriffs and surrogates; it spared neither county clerks nor justices of the peace; it left not a mayor of a city, nor a judge of a county. Even the residence of an appointee did not control. Sylvanus Miller of Ulster was made surrogate of New York with as much disregard of the people's wishes as Ruggles Hubbard of Rensselaer, who had visited the city but twice and knew nothing of its people or its life, was afterward made its sheriff.

When Clinton and Spencer finished their work a single Federalist, Josiah Ogden Hoffman, the attorney-general, remained in office, and he survived only until Ambrose Spencer could take his place. Soon afterward Spencer was advanced to the Supreme Court in place of Jacob Radcliff, a promotion that filled Federalists with the greatest alarm. Looking back upon the distinguished career of Chief Justice Spencer, it seems strange, almost ridiculous, in fact, that his appointment to the bench should have given rise to such fears; but Spencer had been the rudest, most ferocious opponent of all. The Federalists were afraid of him because they believed with William P. Van Ness, the young friend of Burr, that he was "governed by no principles or feelings except those which avarice and unprincipled ambition inspired."^[121] Van Ness wrote with a pen dipped in gall, yet, if contemporary criticism be accepted, he did not exaggerate the feeling entertained for Spencer by the Federalists of that day. Like DeWitt Clinton, he was a bad hater, often insolent, sometimes haughty, and always arbitrary. After he left the Federalist party and became a member of the celebrated Council of 1801, he seemed over-zealous in his support of the men he had recently persecuted, and unnecessarily severe in his treatment of former associates. "The animosity of the apostate," said Van Ness, "cannot be controlled. Savage and relentless, he thirsts for vengeance. Such is emphatically the temper of Ambrose Spencer, who, after his conversion, was introduced to a seat in the Legislature, by his new friends, for the express purpose of perplexing and persecuting his old ones."^[122] Spencer never got over being a violent partisan, but he was an impartial, honest judge. The strength of his intellect no one disputed, and if his political affiliations seemed to warp his judgment in affairs of state, it was none the less impartial and enlightened when brought to bear on difficult questions of law.

The timely resignation of John Armstrong from the United States Senate made room for DeWitt Clinton, who, however, a year later, resigned the senatorship to become mayor of New York. The inherent strength of the United States Senate rested, then as now, upon its constitutional endowment, but the small body of men composing it, having comparatively little to do and doing that little by general assent, with no record of their debates, evidently did not appreciate that it was the most powerful single chamber in any legislative body in the world. It is doubtful if the framers of

the Constitution recognised the enormous power they had given it. Certainly DeWitt Clinton and his resigning colleagues did not appreciate that the combination of its legislative, executive, and judicial functions would one day practically dominate the Executive and the Congress, for the reason that its members are the constitutional advisers of the President, without whose assent no bill can become a law, no office can be filled, no officer of the government impeached, and no treaty made operative.

In taking leave of the United States Senate, Clinton probably gave little thought to the character of the place, whether it was a step up or a step down to the mayoralty. Just then he was engaged in the political annihilation of Aaron Burr, and he felt the necessity of entering the latter's stronghold to deprive him of influence. Out of six or seven thousand appointments made by the Council of Appointment not a friend of Aaron Burr got so much as the smallest crumb from the well-filled table. Even Burr himself, and his friend, John Swartout, were forced from the directorate of the Manhattan Bank that Burr had organised. "With astonishment," wrote William P. Van Ness, "it was observed that no man, however virtuous, however unspotted his life or his fame, could be advanced to the most unimportant appointment, unless he would submit to abandon all intercourse with Mr. Burr, vow opposition to his elevation, and like a feudal vassal pledge his personal services to traduce his character and circulate slander."[\[123\]](#)

Governor Clinton feebly opposed this wholesale slaughter by refusing to sign the minutes of the Council and by making written protests against its methods; but greater emphasis would doubtless have availed no more, since the constitutional convention had reduced the governor to the merest figurehead. His one vote out of five limited the extent of his prerogative. Power existed in the combine only, and so well did DeWitt Clinton control that when the famous Council of 1801 had finished its work nothing remained for succeeding Councils to do until Clinton, the prototype of the party boss, returned in 1806 to crush the Livingstons.

Occasionally a decapitated office-holder fiercely resented the Council's action, and, to make it sting the more, complimented the Governor for his patriotic and unselfish opposition. John V. Henry evidenced his disgust by ever after declining public office, though his party had opportunities of

recognising his great ability and rewarding his fidelity. Ebenezer Foote, a bright lawyer, who took his removal from the clerkship of Delaware County very much to heart, opened fire on Ambrose Spencer, charging him with base and unworthy motives in separating from the Federalists. To this Spencer replied with characteristic rhetoric. "Your removal was an act of justice to the public, inasmuch as the veriest hypocrite and the most malignant villain in the State was deprived of the power of perpetuating mischief. If, as you insinuate, your interests have by your removal been materially affected, then, sir, like many men more honest than yourself, earn your bread by the sweat of your brow."^[124]

At Washington, Jefferson had rewarded friends as openly as DeWitt Clinton took care of them in Albany. In telling the story, James A. Bayard of Delaware produced an oratorical sensation in the House of Representatives. "And now, sir, let me ask the honourable gentleman," said the congressman, in reply to William Giles' defence of the Virginia President, "what his reflections and belief will be when he observes that every man on whose vote the event of Mr. Jefferson's election hung has since been distinguished by presidential favour. Mr. Charles Pinckney of South Carolina was one of the most active, efficient and successful promoters of the election of the present chief magistrate, and he has since been appointed minister plenipotentiary to the court of Madrid—an appointment as high and honourable as any within the gift of the Executive. I know what was the value of the vote of Mr. Claiborne of Tennessee; the vote of a State was in his hands. Mr. Claiborne has since been raised to the high dignity of governor of the Mississippi Territory. I know how great, and how greatly felt, was the importance of the vote of Mr. Linn of New Jersey. The delegation of the State consists of five members; two of the delegation were decidedly for Mr. Jefferson, two were decidedly for Mr. Burr. Mr. Linn was considered as inclining to one side, but still doubtful; both parties looked up to him for the vote of New Jersey. He gave it to Mr. Jefferson; and Mr. Linn has since had the profitable office of supervisor of his district conferred upon him. Mr. Lyon of Vermont was in this instance an important man; he neutralised the vote of Vermont; his absence alone would have given the State to Mr. Burr. It was too much to give an office to Mr. Lyon; his character was low; but Mr. Lyon's son has been handsomely provided for in one of the executive offices. I shall add to the catalogue but the name of one

more gentleman, Mr. Edward Livingston of New York. I knew well—full well I knew—the consequence of this gentleman. His means were not limited to his own vote; nay, I always considered more than the vote of New York within his power. Mr. Livingston has been made the attorney for the district of New York; the road of preferment has been opened to him, and his brother has been raised to the distinguished place of minister plenipotentiary to the French Republic."[\[125\]](#)

Albert Gallatin, Jefferson's secretary of the treasury, thought Burr less selfish than either the Clintons or the Livingstons, and, on the score of office-seeking, Gallatin was probably correct. But Burr, if without relatives, had several devoted friends whom he pressed for appointment, among them John Swartout for marshal, Daniel Gelston for collector, Theodorus Bailey for naval officer, and Matthew L. Davis for supervisor. Swartout succeeded, but DeWitt Clinton, getting wind of the scheme, entered an heroic protest to Jefferson, who quickly concurred in Clinton's wishes without so much as a conference with Gallatin or Burr. The latter, hearing rumours of the secret understanding, sent a sharp letter to Gallatin, pressing Davis' appointment on the ground of good faith, with a threat that he would no longer be trifled with; but Gallatin was helpless as well as ignorant, and the President silent. Davis' journey to Monticello developed nothing but Jefferson's insincerity, and on his return to New York the press laughed at his credulity.

This ended Burr's pretended loyalty to the Administration. On his return to Washington, in January, 1802, he quietly watched his opportunity, and two weeks later gave the casting vote which sent Jefferson's pet measure, the repeal of the judiciary act of 1801, to a select committee for delay, instead of to the President for approval. Soon after, at a Federalist banquet celebrating Washington's birthday, Burr proposed the toast, "The union of all honest men." This was the fatal stab. The country didn't understand it, but to Jefferson and the Clintons it meant all that Burr intended, and from that moment DeWitt Clinton's newspaper, the *American Citizen and Watchtower*, owned by his cousin and edited by James Cheetham, an English refugee, took up the challenge thus thrown down, and began its famous attack upon the Vice President.

Burr's conduct during those momentous weeks when Federalists did their utmost to make him President, gave his rivals ample ground for creating the

belief that he had evidenced open contempt for the principles of honest dealing. Had he published a letter after the Federalists decided to support him, condemning their policy as a conspiracy to deprive the people of their choice for President, and refusing to accept an election at their hands if tendered him, it must have disarmed his critics and smoothed his pathway to further political preferment; but his failure so to act, coupled with his well-known behaviour and the activity of his friends, gave opponents an advantage that skill and ability were insufficient to overcome.

James Cheetham handled his pen like a bludgeon. Even at this distance of time Cheetham's "View of Aaron Burr's Political Conduct," in which is traced the Vice President's alleged intrigues to promote himself over Jefferson, is interesting and exciting. Despite its bitter sarcasm and torrent of vituperation, Cheetham's array of facts and dates, the designation of persons and places, and the bold assumptions based on apparent knowledge, backed by foot-notes that promised absolute proof if denial were made, impress one strongly. There is much that is weak, much that is only suspicion, much that is fanciful. A visit to an uncle in Connecticut, a call upon the governor of Rhode Island, a communication sent under cover to another, letters in cipher, pleasant notices in Federalist newspapers, a journey of Timothy Green to South Carolina—all these belong to the realm of inference; but the method of blending them with well established facts was so artful, the writer's sincerity so apparent, and the strokes of the pen so bold and positive, that it is easy to understand the effect which Cheetham's accusation, taken up and ceaselessly repeated by other papers, would have upon the political fortunes of Burr.

Nevertheless the Vice President remained silent. He did not feel, or seem to feel, newspaper criticism with the acuteness of a sensitive nature trying to do right. "They are so utterly lost on me that I should never have seen even this," he wrote Theodosia, "but that it came inclosed to me in a letter from New York." Still Cheetham kept his battery at work. After his "Narrative" came the "View," and then, in 1803, "Nine Letters on the Subject of Burr's Defection," a heavier volume, a sort of siege-gun, brought up to penetrate an epidermis heretofore apparently impregnable. Finally, the *Albany Register* took up the matter, followed by other Republican papers, until their purpose to drive the grandson of Jonathan Edwards from the party could no longer be mistaken.^[126]

Burr's coterie of devoted friends so understood it, and when the gentle Peter Irving, whose younger brother was helping the newly established *Chronicle* into larger circulation by his Jonathan Oldstyle essays, showed an indisposition as editor of the Burrite paper to vituperate and lampoon in return, William P. Van Ness, the famous and now historic "Aristides," appeared in the political firmament with the suddenness and brilliancy of a comet that dims the light of stars.

Van Ness coupled real literary ability with political audacity, putting Cheetham's fancy flights and inferences to sleep as if they were babes in the woods. It was quickly seen that Cheetham was no match for him. He had neither the finish nor the venom. Compared to the sentences of "Aristides," as polished and attractive as they were bitter and ill-tempered, Cheetham's periods seemed coarse and tame. The letters of Junius did not make themselves felt in English political life more than did this pamphlet in the political circles of New York. It was novel, it was brilliantly able, and it drove the knife deeper and surer than its predecessors. What Taine, the great French writer, said of Junius might with equal truth be said of "Aristides," that if he made his phrases and selected his epithets, it was not from the love of style, but in order the better to stamp his insult. No one knew then, nor until long afterward, who "Aristides" was—not even Cheetham could pierce the *incognito*; but every one knew that upon him the full mind of Aaron Burr had unloaded a volume of information respecting men, their doings and sayings, which enriched the work and made his rhetoric an instrument of torture. It bristled with history and character sketches. Whatever the Vice President knew, or thought he knew, was poured into those eighty pages with a staggering fulness and disregard of consequences that startled the political world and captivated all lovers of the brilliant and sensational in literature. Confidences were revealed, conversations made public, quarrels uncovered, political secrets given up, and the gossip of Council and Legislature churned into a story that pleased every one. What Hamilton's attack on Adams did for Federalists, "Aristides'" reply to Cheetham did for the Republicans; but the latter wrote with a ferocity unknown to the pages of the great Federalist's unfortunate letter.

"Aristides" struck at everybody and missed no one. The Governor "has dwindled into the mere instrument of an ambitious relative;" Tillotson was "a contemptible shuffling apothecary, without ingenuity or devise, or spirit

to pursue any systematic plan of iniquity;" Richard Riker was "an imbecile and obsequious pettifogger, a vain and contemptible little pest, who abandoned the Federal standard on the third day of the election, in April, 1800;" John McKisson, "an execrable compound of every species of vice," was the man whom Clinton "exultingly declared a great scoundrel." The attack thus daringly begun was steadily maintained. Ambrose Spencer was "a man as notoriously infamous as the legitimate offspring of treachery and fraud can possibly be;" Samuel Osgood, "a born hypocrite, propagated falsehood for the purpose of slander and imposition;" Chancellor Livingston, "a capricious, visionary theorist," was "lamentably deficient in the practical knowledge of a politician, and heedless of important and laborious pursuits, at which his frivolous mind revolted."

The greatest interest of the pamphlet, however, began when "Aristides," taking up the cause of Burr, struck at higher game than Richard Riker or Ambrose Spencer. DeWitt Clinton was portrayed as "formed for mischief," "inflated with vanity," "cruel by nature," "an object of derision and disgust," "a dissolute and desperate intriguer," "an adept in moral turpitude, skilled in all the combination of treachery and fraud, with a mind matured by the practice of iniquity, and unalloyed with any virtuous principle." "Was it not disgraceful to political controversy," continues "Aristides," with an audacity of denunciation and sternness of animosity, "I would develop the dark and gloomy disorders of his malignant bosom, and trace each convulsive vibration of his wicked heart. He may justly be ranked among those, who, though destitute of sound understandings, are still rendered dangerous to society by the intrinsic baseness of character that engenders hatred to everything good and valuable in the world; who, with barbarous malignity, view the prevalence of moral principles, and the extension of benevolent designs; who, foes to virtue, seek the subversion of every valuable institution, and meditate the introduction of wild and furious disorders among the supporters of public virtue. His intimacy with men who have long since disowned all regard to decency and have become the daring advocates of every species of atrocity; his indissoluble connection with those, who, by their lives, have become the finished examples of profligacy and corruption; who have sworn enmity, severe and eternal, to the altar of our religion and the prosperity of our government, must infallibly exclude him from the confidence of reputable men. What sentiments can be

entertained for him, but those of hatred and contempt, when he is seen the constant associate of a man whose name has become synonymous with vice, a dissolute and fearless assassin of private character, of domestic comfort, and of social happiness; when he is known to be the bosom friend and supporter of the profligate and abandoned libertine, who, from the vulgar debauches of night, hastens again to the invasion of private property. Who, through the robbery of the public revenue, and the violation of private seals, hurries down the precipice of deep and desperate villainy."

This parting shot at Cheetham penetrated the most secret corners of private life, and leaves an impression that Cicero's denunciation of Catiline had delighted the youth of "Aristides." It would be fruitless to attempt the separation of the truth from the undeserved reproaches of Van Ness, but at the end of the discussion, Burr's character had not benefited. However unscrupulous and selfish the Clintons and the Livingstons might be, Burr's unprincipled conduct was fixed in the mind of his party, not by Cheetham's indulgence in fancy and inference, but by the well known and well established facts of history, which no rhetoric could wipe out, and no denunciation strengthen.

In the days of the duello such a war of words could hardly go on for two or three years without a resort to the pistol. Cheetham's pen had stirred up the tongues of men who resented charge with countercharge, and the high spirited United States marshal, John Swartout, the only friend of Burr in office, was quick to declare that DeWitt Clinton's opposition to the Vice President was based upon unworthy and selfish motives. Clinton answered promptly and passionately. The Governor's nephew displayed a fondness for indulging the use of epithets even in mature years, after he had quarrelled with William L. Marcy and Martin Van Buren. In those calmer days when age is supposed to bring a desire for peace, he was accustomed to call Erastus Root "a bad man," Samuel Young "much of an imbecile," Marcy "a scoundrel," and Van Buren "the prince of villains." Just now, however, Clinton was younger, only thirty-two years old, about the age of Swartout, and on hearing of the latter's criticism he trebled his epithets, pronouncing him "a liar, a scoundrel and a villain." Swartout quickly demanded a retraction, which Clinton declined unless the Marshal first withdrew his offensive words. Thereupon, the latter sent a challenge, and Clinton, calling in his friend, Richard Riker, the district attorney, met his adversary the next

day at Weehawken and exchanged three shots without effect. On the fourth Clinton's bullet struck Swartout's left leg just below the knee, and while the surgeon was cutting it out, the Marshal renewed his demand for an apology. Clinton still refused, although expressing entire willingness to shake hands and drop the matter. On the fifth shot, the Marshal caught Clinton's ball in the same leg just above the ankle. Still standing steadily at his post and perfectly composed, Swartout demanded further satisfaction; but Clinton, tired of filling his antagonist with lead, declined to shoot again and left the field. In the gossip following the duel, Riker reported Clinton as saying in the course of the contest, "I wish I had the principal here."[\[127\]](#) The principal, of course, was Burr, to whose house the wounded Swartout was taken. "No one ever explained," says Henry Adams,[\[128\]](#) "why Burr did not drag DeWitt Clinton from his ambush and shoot him, as two years later he shot Alexander Hamilton with less provocation."

Out of this quarrel grew another, in which Robert Swartout, John's younger brother, fought Riker, wounding him severely. William Coleman of the *Evening Post*, in letting fly some poisoned arrows, also got tangled up with Cheetham. "Lie on Duane, lie on for pay, and Cheetham, lie thou too; more against truth you cannot say, than truth can say 'gainst you." The spicy epigrams ended in a challenge, but Cheetham made such haste to adjust matters that a report got abroad of his having shown the white feather. Harbour-Master Thompson, an appointee of Clinton, now championed Cheetham's cause, declaring that Coleman had weakened. Immediately the young editor sent him a challenge, and, without much ado, they fought on the outskirts of the city, now the foot of Twenty-first Street, in the twilight of a cold winter day, exchanging two shots without effect. Meantime, the growing darkness compelled the determined combatants to move closer together, and at the next shot Thompson, mortally wounded, fell forward into the snow.[\[129\]](#)

CHAPTER XII

DEFEAT OF BURR AND DEATH OF HAMILTON

1804

THE campaign for governor in 1804 was destined to become historic. Burr was driven from his party; George Clinton, ambitious to become Vice President, declined re-election;[\[130\]](#) and the Federalists, beaten into a disunited minority, refused to put up a candidate. This apparently left the field wide open to John Lansing, with John Broome for lieutenant-governor.

For many years the Lansing family had been prominent in the affairs of the State and influential in the councils of their party. The Chancellor, some years younger than Livingston, a large, handsome, modest man, was endowed with a remarkable capacity for public life. The story of his career is a story of rugged manhood and a tragic, mysterious death. He rose by successive steps to be mayor of Albany, member of the Assembly of which he was twice speaker, member of Congress under the Confederation, judge and chief justice of the Supreme Court, and finally chancellor. Indeed, so long as he did the bidding of the Clintons he kept rising; but the independence that early characterised his action at Philadelphia in 1787 and at Poughkeepsie in 1788 became more and more pronounced, until it separated him at last from the faction that had steadily given him support. Perhaps his nearest approach to a splendid virtue was his stubborn independence. Whether this characteristic, amounting almost to stoical indifference, led to his murder is now a sealed secret. All that we know of his death is, that he left the hotel, where he lived in New York, to mail a letter on the steamer for Albany, and was never afterward seen. That he was murdered comes from the lips of Thurlow Weed, who was intrusted with the

particulars, but who died with the secret untold. Lansing disappeared in 1829 and Weed died in 1882, yet, after the lapse of half a century, the latter did not feel justified in disclosing what had come to him as a sort of father confessor, years after the tragedy. "While it is true that the parties are beyond the reach of human tribunals and of public opinion," he said, "yet others immediately associated with them, and sharing in the strong inducement which prompted the crime, survive, occupying high positions and enjoying public confidence. To these persons, should my proof be submitted, public attention would be irresistibly drawn."[\[131\]](#)

Lansing had the instinct, equipment, and training for a chancellor. It has been truly said of him that he seemed to have no delights off the bench except in such things as in some way related to the business upon it. He had the unwearied application of Kent, coupled with the ability to master the most difficult details, and, although he lacked Livingston's culture, he was as resolute, and, perhaps, as restless and suspicious; but it is doubtful if he possessed the trained sagacity, the native shrewdness, and the diplomatic zeal to have negotiated the Louisiana treaty. Lansing began the study of law in 1774, and from that moment was wedded to its principles and constant in his devotions. His mysterious murder must have been caused by an irresistible longing to trace things to their source, bringing into his possession knowledge of some missing link or defective title, which would throw a great property away from its owner, but which, by his death, would again be buried from the ken of men. This, of course, is only surmise; but Weed indicates that property prompted the crime, and that the heirs of the murderer profited by it. Lansing was in his seventy-sixth year when the fatal blow came, yet so vigorous that old age had not set its seal upon him.

In 1804 Lansing hesitated to exchange the highest place on the bench, which would continue until the age limit set him aside in 1814, for a political office that would probably end in three years; but he finally consented upon representations that he alone could unite his party. Scarcely, however, had his name been announced before a caucus of Republican legislators named Aaron Burr, with Oliver Phelps of Ontario for lieutenant-governor—nominations quickly ratified at public meetings in New York and Albany. Among Burr's most conspicuous champions were Erastus Root of Delaware, James Burt of Orange, Peter B. Porter of Ontario, and Marinus Willett of New York.

If it is surprising that these astute and devoted friends did not appreciate, in some measure, at least, the extent to which popular esteem had been withdrawn from their favourite, it is most astonishing that Burr himself did not recognise the strength of the Clinton-Livingston-Spencer machine as it existed in 1804. Its managers were skilled masters of the political art, confident of success, fearless of criticism, unscrupulous in methods, and indefatigable in attention to details. They controlled the Council of Appointment, its appointees controlled the Assembly, and the Assembly elected the Council, an endless chain of links, equally strong and equally selfish. To make opposition the more fruitless, the distrust of Burr, hammered into the masses by Cheetham's pen, practically amounted to a forfeiture of party confidence. One cannot conceive a more inopportune time for Burr to have challenged a test of strength, yet Lansing's selection had hardly sounded in the people's ears before Burr's "Little Band," burning with indignation and resentment at his treatment, gathered about the tables in the old Tontine Coffee House at Albany and launched him as an independent candidate.

Rarely has a candidate for governor encountered greater odds; but with Burr, as afterward with DeWitt Clinton, it was now or never. In one of his dramas Schiller mourns over the man who stakes reputation, health, everything upon success—and no success in the end. Even Robert Yates, the coalition candidate in 1789, started with the support of a Federalist machine and the powerful backing of Hamilton. But in 1804 Burr found himself without a party, without a machine, and bitterly opposed by Hamilton.

When the sceptre passed from Federalist to Republican in 1801, Hamilton gave himself to his profession with renewed zeal, earning fifteen thousand dollars a year, and a reputation as a lawyer scarcely surpassed by Daniel Webster. "In creative power Hamilton was infinitely Webster's superior," says Chief Justice Ambrose Spencer, before whom both had practised.^[132] Erastus Root, possibly looking through the eyes of Theodosia, thought Burr not inferior to Hamilton as a lawyer, although other contemporaries who knew Burr at his best, regarded him as an indefatigable, tireless, adroit lawyer rather than a profound and learned one. This put him in a different class from Hamilton. As well might one compare Offenbach with Mozart as Burr with Hamilton.

Hamilton journeyed to Albany in February, 1804, to argue the case of Harry Crosswell, so celebrated and historic because of Hamilton's argument. Crosswell, the editor of the *Balance*, a Federalist newspaper published at Hudson, had been convicted of libelling President Jefferson. Chief Justice Lewis, before whom the case was originally tried, declined to permit the defendant to prove the truth of the alleged libel. To this point, in his argument for a new trial, Hamilton addressed himself, contending that the English doctrine was at variance with common sense, common justice, and the genius of American institutions. "I have always considered General Hamilton's argument in this cause," said his great contemporary, Chancellor Kent, "as the greatest forensic effort he ever made. He had come prepared to discuss the points of law with a perfect mastery of the subject. He believed that the rights and liberties of the people were essentially concerned. There was an unusual solemnity and earnestness on his part in this discussion. He was at times highly impassioned and pathetic. His whole soul was enlisted in the cause, and in contending for the rights of the jury and a free press, he considered that he was establishing the surest refuge against oppression. He never before in my hearing made any effort in which he commanded higher reverence for his principles, nor equal admiration of the power and pathos of his eloquence."^[133] Such a profound impression did his argument make, that, although the Court declined to depart from the settled rule of the common law, the Legislature subsequently passed a statute authorising the truth to be given in evidence, and the jury to be the judges of the law as well as of the facts in libel cases.

It was during the argument of this case at Albany that Hamilton, joining his Federalist friends at Lewis' Tavern, gave his reasons for preferring Chancellor Lansing to Aaron Burr for governor. There was something new in these reasons. In 1801 he preferred Jefferson to Burr because the latter, as he wrote Gouverneur Morris, "has no principles, public or private; could be bound by no argument; will listen to no monitor but his ambition; and for this purpose will use the worst portion of the community as a ladder to climb to permanent power, and an instrument to crush the better part. He is sanguine enough to hope everything, daring enough to attempt everything, wicked enough to scruple nothing."^[134]

Nothing had occurred in the intervening years to change this opinion, but much was now happening to strengthen it. A Federalist faction in New

England, led by Pickering in the United States Senate and Roger Griswold in the House, thought a dissolution of the Union inevitable to save Federalism, and for months the project had been discussed in a stifled, mysterious manner. "It (separation) must begin in Massachusetts," wrote Pickering to George Cabot, "but New York must be the centre of the confederacy."^[135] To Rufus King, Pickering became more specific. "The Federalists have in general anxiously desired the election of Burr—and if a separation should be deemed proper, the five New England States, New York and New Jersey, would naturally be united."^[136] But King disapproved disunion. "Colonel Pickering has been talking to me about a project they have for a separation of the States and a northern confederacy," he said to Adams of Massachusetts; "and he has also been this day talking with General Hamilton. I disapprove entirely of the project, and so, I am happy to tell you, does General Hamilton."^[137] But the conspirators were not to be quieted by disapproving words. Griswold, in a letter to Oliver Wolcott, declared Burr's election and consequent leadership of the Federalist party "the only hope which at this time presents itself of rallying in defence of the Northern States,"^[138] and in order not to remain longer inactive, he entered into a bargain with Burr, of which he wrote Wolcott fully. Wolcott sent the letter to Hamilton.^[139]

It was plain to Hamilton that these timid conspirators wanted a bold chief to lead them into secession, and that since he would have nothing to do with them, they had invoked the aid of Aaron Burr. Thus, to his former desire to defeat Burr, was now added a determination to defeat incipient disunion, and in the Lewis Tavern conference he argued that Burr, a Democrat either from principle or calculation, would remain a Democrat; and that, though detested by leading Clintonians, it would not be difficult for a man of his talents, intrigue and address, possessing the chair of government, to rally under his standard the great body of the party, and such Federalists as, from personal goodwill or interested motives, may give him support. The effect of his elevation, with the help of Federalists would, therefore, be to reunite, under a more adroit, able and daring chief, not only the now scattered fragments of his own party, but to present to the confidence of the people of Federalist New England the grandson of President Edwards, for whom they had already a strong predilection. Thus he would have fair play to

disorganise the party of Jefferson, now held in light esteem, and to place himself at the head of a northern party favouring disunion.

"If he be truly, as the Federalists have believed, a man of irregular and insatiable ambition," continued Hamilton, "he will endeavour to rise to power on the ladder of Jacobin principles, not leaning on a fallen party, unfavourable to usurpation and the ascendancy of a despotic chief, but rather on popular prejudices and vices, ever ready to desert a government by the people at a moment when he ought, more than ever, to adhere to it. On the other hand, Lansing's personal character affords some security against pernicious extremes, and, at the same time, renders it certain that his party, already much divided and weakened, will disintegrate more and more, until in a recasting of parties the Federalists may gain a great accession of force. At any rate it is wiser to foster schism among Democrats, than to give them a chief, better able than any they have yet had, to unite and direct them."[\[140\]](#)

Within a week after the Lewis Tavern conference Burr's chances brightened by the sudden withdrawal of Lansing, because the latter would not allow the Clintons to dictate his appointments. This was a great surprise to Republicans and a great grief to Hamilton—the more so since it was not easy to find an available successor. The mention of DeWitt Clinton raised the cry of youth; Ambrose Spencer had too recently come over from the Federalists; Morgan Lewis lacked capacity and fitness. Thus the contention continued, but with a leaning more and more toward Morgan Lewis, a brother-in-law of Chancellor and Edward Livingston.

Lewis' youth had promised a brilliant future. He graduated with high honours at Princeton, and when the guns of Bunker Hill waked the country he promptly exchanged John Jay's law office for John Jay's regiment. In the latter's absence he retained command as major until ordered to the northern frontier, when he suddenly dropped into a place as assistant quartermaster-general, useful and important enough, but stripped of the glory usually preferred by the hot blood of a gallant youth. In time, the faithful, efficient quartermaster became a plodding, painstaking lawyer, a safe, industrious attorney-general, and a dignified, respectable judge; but he had not distinguished himself, nor did he possess the striking, showy characteristics of mind or manner often needed in a doubtful and bitterly contested

campaign. Heretofore place had sought him by appointment. He became attorney-general when Aaron Burr gave it up for the United States Senate; and a year later, by the casting vote of Governor Clinton, the Council made him a Supreme Court judge. In 1801 the chief-justiceship dropped into his lap when Livingston went to France and Lansing became chancellor, just as the chancellorship would probably have come to him had Lansing continued a candidate for governor. In 1803 he wanted to be mayor of New York.

But with all his ordinariness no one else in sight seemed so available a candidate for governor. The Livingstons, already jealous of DeWitt Clinton's growing influence, secretly nourished the hope that Lewis might develop sufficient independence to check the young man's ambition. On the other hand, DeWitt Clinton, equally jealous of the power wielded by the Livingstons, thought the Chief Justice, a kind, amiable man of sixty, without any particular force of character, sufficiently plastic to mould to his liking. "From the moment Clinton declined," wrote Hamilton to Rufus King, "I began to consider Burr as having a chance of success. It was still my reliance, however, that Lansing would outrun him; but now that Chief Justice Lewis is his competitor, the probability, in my judgment, inclines to Burr."[\[141\]](#)

Burr's friends, knowing his phenomenal shrewdness in cloaking bargains and intrigues until the game was bagged, now relied upon him with confidence to bring victory out of the known discord and jealousy of his opponents, and for a time it looked as if he might succeed. Lansing's withdrawal and Hamilton's failure to put up Rufus King as he contemplated, gave Burr the support of Lansing's sympathy and a clear field among Federalists, except as modified by Hamilton's influence. In addition, his friends cited his ability and Revolutionary services, his liberal patronage of science and the arts, his distinguished and saintly ancestry, his freedom from family connections to quarter upon the public treasury, and his honest endeavour to free himself from debt by disposing of his estate. Especially in New York City did he meet with encouragement. His headquarters in John Street overflowed with ward workers and ward heelers, eager to elect the man upon whom they could rely for favours and with whom they doubtless sincerely sympathised. It was the contest of April, 1800, over again, save that Hamilton did not speak or openly oppose.

As the fight continued it increased in bitterness. Cheetham pounded Burr harder than ever, accusing him of seduction and of dancing with a buxom wench at a "nigger ball" given by one of his coloured servants at Richmond Hill. Jefferson was quoted as saying that Burr's party was not the real democracy, a statement that the *American Citizen* printed in capitals and kept standing during the three days of the election. With great earnestness Hamilton quietly warned the Federalists not to elevate a man who would use their party only to strengthen their opponents. In the up-counties, where the influence of the Clinton-Livingston-Spencer combine held the party together with cords of steel, every appointee, from judge of the Supreme Court to justice of the peace, was ranged on the side of Livingston's brother-in-law.

But Burr, too, had powerful abettors. In Orange and Dutchess he had always been a favourite; in Delaware, Erastus Root gave all his influence and all his gifts with the devotion that animated John Swartout and Marinus Willett in New York; in Ontario, Oliver Phelps, the great land speculator, endowed with an unconquerable energy and the strategy of a tactician, was backed by Peter B. Porter, the young and exceedingly popular clerk of that county, soon to be dismissed for his independence; in Albany, John Van Ness Yates, remembering Burr's support of his father's candidacy in 1789, also came to his assistance. Zealous and active, however, as these and other friends were, they were few and weak compared to the army of office-holders shouting and working for Morgan Lewis. When the returns, therefore, were in, although Burr carried New York by one hundred, he lost the State by over eight thousand.^[142] A comparison of the vote with the senatorial returns of 1803 showed that for every Republican voting for Burr, a Federalist, influenced by Hamilton, voted for Lewis.

It was Burr's Waterloo. He had staked everything and lost. Bankrupt in purse, disowned by his party, and distrusted by a large faction of the leading Federalists, he was without hope of recovery so long as Hamilton blocked the way. There is no evidence that Burr ever saw Hamilton's confidential letters to Morris and other trusted Federal leaders, or knew their contents, but he did know that Hamilton bitterly opposed him, and that his influence was blighting. To get rid of him, therefore, Burr now seems to have deliberately determined to kill him.^[143]

While in Albany in February to argue the Croswell case, Hamilton had dined with John Taylor, in company with Dr. Charles D. Cooper, who wrote a friend that, in the course of the dinner, Hamilton had declared, in substance, that he looked upon Burr as a dangerous man—one who ought not to be trusted with the reins of government. "I could detail to you," continued Cooper, "a still more despicable opinion which General Hamilton has expressed of Mr. Burr." This letter found its way into the newspapers, and in a note, dated June 18, 1804, Burr called Hamilton's attention to the words "more despicable," and added: "You must perceive, sir, the necessity of a prompt and unqualified acknowledgment or denial of the use of the expression which could warrant the assertions of Dr. Cooper."^[144] This note, purposely offensive in its tone, was delivered by William P. Van Ness, a circumstance clearly indicating an intention to follow it with a challenge. Two days later, Hamilton replied, declining to make the acknowledgment or denial, since he could attach no meaning to the words used in the letter, nor could he consent to be interrogated as to the inferences drawn by third parties, but he was ready to avow or disavow any definite opinion with which he might be charged. "I trust on further reflection," concluded Hamilton, "you will see the matter in the same light with me. If not, I can only regret the circumstances and must abide the consequences."^[145]

Burr's answer, which plainly shows the rhetoric of "Aristides," was more offensive than his initial letter. After replying to it, Hamilton prepared a note to be informally communicated to Burr, in which he stated that if the latter chose to inquire into the purport of any conversation between himself and Dr. Cooper, he would be able to reply with truth that it turned wholly on political topics, and had no relation to Burr's private character, adding that he was ready to make an equally frank answer with regard to any other conversation which Burr would specify.^[146] When Burr pronounced this honourable proposition "a mere evasion," his purpose was as evident as it became on June 27th, the day he sent the challenge.

Hamilton's acceptance of the challenge was inevitable. For a hundred years men have regretted and mourned that he did not dare to stand alone against duelling, as he had dared to stand alone for economic and patriotic principles against the clamour of mobs and the malice of enemies. But absurd and barbarous as was the custom, it flourished in Christian America, as it did in every other Christian country, in spite of Christian ethics; and it

would not permit a proud, sensitive nature, jealous of his honour, especially of his military honour, to ignore it. Lorenzo Sabine's list of duellists includes a score of prominent Englishmen, Frenchmen and Americans, many of them contemporary with Hamilton, and some of them as profoundly admired, who succumbed to its tyranny. Proof of his valour at Monmouth and at Yorktown would no more placate the popular contempt and obloquy sure to follow an avoidance of its demands than would the victory at Waterloo have excused Wellington had he declined to challenge Lord Winchilsea. All this did not make duelling right, but it excuses a noble soul for yielding "to the force of an imperious custom," as Dr. Knott put it—a custom that still exists in France and Germany, and in some parts of America, perhaps, though now universally execrated by Christian people and pronounced murder by their laws. Even at that time Hamilton held it in abhorrence. In a paper drawn for publication in the event of death, he announced his intention of throwing away his fire, and in extenuation of yielding, he adds: "To those who, with me, abhorring the practice of duelling, may think that I ought on no account to have added to the number of bad examples, I answer that my relative situation, as well in public as in private, enforcing all the considerations which constitute what men of the world denominate honour, imposed on me, as I thought, a peculiar necessity not to decline the call. The ability to be in the future useful, whether in resisting mischief, or effecting good, in those crises of our public affairs which seem likely to happen, would probably be inseparable from a conformity with public prejudice in this particular."^[147] The pathway of history is strewn with the wrecks of customs and superstitions which have held men in their grip, compelling obedience and demanding regularity; but no custom ever had a firmer hold upon gifted men than duelling, making them its devotees even when their intellects condemned it, their hearts recognised its cruelty, and their consciences pronounced it wrong.

Because of Hamilton's engagements in court, the hostile meeting was deferred until Wednesday, July 11th. In the meantime the principals went about their vocations with apparent indifference to the coming event. On the evening of July 4th, Hamilton and Burr attended the annual dinner of the Society of the Cincinnati, of which the former had succeeded Washington as president. The occasion was remembered as the gayest and most hilarious in the society's history. Hamilton leaped upon the table and sang

"The Drum," an old camp song that became historic because of his frequent rendition of it. It was recalled afterward that Burr withdrew before the festivities had ended. On Saturday evening Hamilton dined Colonel Trumbull, one of Washington's first aides, and on Monday attended a reception given by Oliver Wolcott, John Adams' secretary of the treasury. Tuesday evening he prepared the paper already quoted, and addressed a letter to Theodore Sedgwick, one of Pickering's sternest conspirators, warning him against disunion. "Dismemberment of our empire," he said, "will be a clear sacrifice of great positive advantages, without any counterbalancing good; administering no relief to our real disease, which is democracy—the poison of which, by a subdivision, will only be the more concentrated in each part, and consequently the more virulent."^[148]

Meantime the secret had been confined to less than a dozen persons, and to none of Hamilton's intimate friends. Troup remained with him until a late hour Monday night without suspecting anything, the gaiety of his manner leading his friend to think his health was mending. Had Troup divined the hostile meeting, it might not have occurred. When John Swartout entered Burr's room at daylight on that fatal 11th of July, he found him sound asleep.

It was seven o'clock Wednesday morning, a hot July day, that Hamilton crossed the Hudson to Weehawken, with Pendleton, his second, and Dr. Hosack, Burr and Van Ness having preceded them. It took but a moment to measure ten paces, load the pistols, and place the principals in position. As the word was given, Burr took deliberate aim and fired. Instantly Hamilton reeled and fell forward headlong upon his face, involuntarily discharging his pistol. "This is a mortal wound, Doctor," he gasped, and immediately sank into a swoon. An examination showed that the ball had penetrated the right side. Burr, sheltered by Van Ness under an umbrella, hurried from the scene, while Hamilton, conveyed in his boat to the city, gradually recovered consciousness. "My vision is indistinct," he murmured; but soon after, catching sight of a pistol near him, cautioned them to take care of it. "It is undischarged and still cocked," he said; "it may go off and do harm. Pendleton knows I did not intend to fire at him." As the boat neared the wharf, he asked that Mrs. Hamilton be sent for. "Let the event be gradually broken to her," he said, "but give her hopes." Thus he lingered for thirty-one

hours in great agony, but retaining his self-command to the last, and dying in the midst of his stricken family and sorrowing friends.

If Washington and Lincoln be excepted, it is doubtful if an American was ever more deeply mourned. Had he been President, he could not have been buried with greater pomp, or with manifestations of more profound sorrow. Although he had been hated by his enemies, and at times misunderstood by some of his friends, at his death the people, without division, instantly recognised that his life had been passionately devoted to his country, and they paid him the tribute only accorded the memory of a most illustrious patriot. Such demonstrations were not confined to New York. The sorrow became national; speeches, sermons, and poems without number, were composed in his honour; in every State, some county or town received his name; wherever an American lived, an expression of sympathy found record. It was the consensus of opinion that the life which began in January, 1757 and ended in July, 1804, held in the compass of its forty-seven years the epitome of what America meant for Americans in the days of its greatest peril and its greatest glory. "Had he lived twenty years longer," said Chancellor Kent, "I have very little doubt he would have rivalled Socrates or Bacon, or any other of the sages of ancient or modern times, in researches after truth and in benevolence to mankind. The active and profound statesman, the learned and eloquent lawyer, would probably have disappeared in a great degree before the character of the sage and philosopher, instructing mankind by his wisdom, and elevating the country by his example."^[149]

Burr became a name of horror.^[150] When Hamilton's death was announced there came a cry of execration on his murderer, which the publication of the correspondence intensified. A coroner's jury pronounced him a murderer, the grand jury instructed the district attorney to prosecute, and the Vice President found it necessary to take refuge in concealment until the first fury of the people had subsided. Cheetham's pen, following him remorselessly, charged that he ransacked the newspapers for the grounds of a challenge; that for three months he daily practised with a pistol; and that while Hamilton lay dying, he sat at the table drinking wine with his friends, and apologising that he had not shot him through the heart.

Within two years Burr was arrested for treason, charged with an attempt to place himself at the head of a new nation formed from the country of the Montezumas and the valley of the Mississippi, and, although he was acquitted, his countrymen believed him guilty of a treasonable ambition. In the State where he had found his chief support, he ever after ranked in infamy next to Benedict Arnold. Thenceforth he became a stranger and a wanderer on the face of the earth. His friends left him and society shunned him. "I have not spoken to the damned reptile for twenty-five years," said former Governor Morgan Lewis, in 1830.[\[151\]](#)

For the moment, one forgets the horrible tragedy of July 11, 1804, and thinks only of the lonely man who lived to lament it. He was in his eighty-first year when he died. On his return from Europe in 1812, only one person welcomed him. This was Matthew L. Davis, his earliest political friend and biographer. Burr made Davis his literary executor, and turned over to him the confidential female correspondence that had accumulated in the days of his popularity as United States senator and Vice President, and that he had carefully filed and indorsed with the full name of each writer. The treachery, falsehood, and desertion with which these letters charged him, seemed to this unnatural man to add to their value, and he gave them to his executor without instructions, that the extent of his gallantries, his power of fascination, and the names of the gifted and beautiful victims of his numerous amours might not become a secret in his grave. One can conceive nothing baser. The preservation of letters to satisfy an erotic mind is low enough, but deliberately to identify each anonymous or initialled letter with the full name of the writer, for the use of a biographer, is an act of treachery of which few men are capable. To the credit of Davis, these letters were either returned to their writers or consigned to the flames.

Burr was a politician by nature, habit and education. In his younger days he easily enlisted the goodwill and sympathy of his associates, surrounding himself with a large circle of devoted, obedient friends; and, though neither a great lawyer nor a brilliant speaker, his natural gifts, supplemented by industry and perseverance, and a very attractive presence, made him a conspicuous member of the New York bar and of the United States Senate. He was, however, the ardent champion of nothing that made for the public good. Indeed, the record of his whole life indicates that he never possessed a great thought, or fathered an important measure. Throughout the long,

and, at times, bitter controversy over the establishment of the Union, his silence was broken only to predict its failure within half a century.

It is doubtful if he was ever a happy man. In the very hours when he was the most famous and the most flattered, he described himself as most unhappy. So long, though, as Theodosia lived, he was never alone. When she died, he suffered till the end. There has hardly ever been in the world a more famous pair of lovers than Burr and his gifted, noble daughter, and there is nothing in history more profoundly melancholy than the loss of the ship, driven by the pitiless wind of fate, on which Theodosia had taken passage for her southern home. Yet one is shocked at the unnatural parent who instructs his daughter to read, in the event of his death in the duel with Hamilton, the confidential letters which came to him in the course of his love intrigues and affairs of gallantry. It imports a moral obliquity that, happily for society, is found in few human beings. As he lived, so he died, a strange, lonely, unhappy man, out of tune with the beautiful world in which he was permitted to exist upward of four score years. He had done a great deal of harm, and, except as a Revolutionary soldier, no good whatever.

CHAPTER XIII

THE CLINTONS AGAINST THE LIVINGSTONS

1804-1807

WHEN Morgan Lewis began his term as governor tranquillity characterised public affairs in the State and in the nation. The Louisiana Purchase had strengthened the Administration with all classes of people; Jefferson and George Clinton had received 162 electoral votes to 14 for Pinckney and Rufus King; Burr had gone into retirement and was soon to go into obscurity; the Livingstons, filling high places, were distinguishing themselves at home and abroad as able judges and successful diplomatists; DeWitt Clinton, happy and eminently efficient as the mayor of New York, seemed to have before him a bright and prosperous career as a skilful and triumphant party manager; while George Clinton, softened by age, rich in favouring friends, with an ideal face for a strong, bold portrait, was basking in the soft, mellow glow that precedes the closing of a stormy life. Never before, perhaps never since, did a governor enter upon his duties, neither unusual nor important, under more favourable auspices; yet the story of Lewis' administration is a story of astonishing mistakes and fatal factional strife.

The Governor inaugurated his new career by an unhappy act of patronage. The appointment of Maturin Livingston, his son-in-law, and the removal of Peter B. Porter, the friend of Burr, showed a selfish, almost malevolent disregard of public opinion and the public service, a trait that, in a way, characterised his policy throughout. Livingston was notoriously unfitted for recorder of New York. He was unpopular in his manners, deficient in a knowledge of law, without industry, and given to pleasure rather than

business, but, because of his relationship, the Governor forced him into that responsible position. In like manner, although until then no change had occurred within the party for opinion's sake, Lewis voted for the removal of Peter B. Porter, the young and popular clerk of Ontario County. Porter's youth indicated an intelligence that promised large returns to his country and his party, and the Governor lived long enough to see him honourably distinguished in Congress, highly renowned when his serious career began on the Niagara frontier in the War of 1812, and, afterward, richly rewarded as secretary of war in the Cabinet of John Quincy Adams. But in 1805 the Governor cheerfully voted for his removal, thus establishing the dangerous precedent that a member of one's political household was to be treated with as little consideration as a member of the opposite party.

Although Lewis' conduct in the case of Maturin Livingston and Peter B. Porter was not the most foolish act in a career of folly, it served as a fitting preface to his policy in relation to the incorporation of the Merchants' Bank of New York, a policy that proved fatal to his ambition and to the influence of the Livingstons. Already doing business under the general laws, two Republican Legislatures had refused to incorporate the Merchants' Bank. But during the legislative session of 1805 the bank people determined to have their way, and in the efforts that followed they used methods and means common enough afterward, but probably unknown before that winter. Although in no wise connected with the scandal growing out of the controversy, Lewis favoured the incorporation of the bank. On the other hand, DeWitt Clinton opposed it, maintaining that two banks in New York City were sufficient. However, the Governor, backed by the Federalists and a small Republican majority, was successful. In the Council of Revision, Ambrose Spencer opposed the act of incorporation on the ground that existing banks, possessing five million dollars of capital, with authority to issue notes and create debts to the amount of fifteen million more, were sufficient, especially as the United States had suffered an alarming decrease of specie, and as no one save a few individuals, inspired solely by cupidity, had asked for a new bank. Spencer, however, relied principally in his attack upon affidavits of Obadiah German, the Republican leader of the Assembly, and Stephen Thorn of the same body, charging that Senator Ebenezer Purdy, the father of the measure, had offered them large rewards for their votes, German having Purdy's admission that he had become convinced of the

propriety of incorporating the bank after a confidential conference with its directors. From this it was to be inferred, argued Spencer, that before such improper means were made use of, Purdy himself, whose vote was necessary to its passage, was averse to its incorporation. "To sanction a bill thus marked in its progress through one branch of the Legislature with bribery and corruption," concluded the Judge, "would be subversive of all pure legislation, and become a reproach to a government hitherto renowned for the wisdom of its councils and the integrity of its legislatures."^[152] But Spencer's opposition and Purdy's resignation, to avoid an investigation, did not defeat the measure, which had the support of Chief Justice Kent, a Federalist, and two members of the Livingston family, a majority of the Council.

DeWitt Clinton had not approved the Governor's course. The flagrant partiality shown Lewis' family in the unpopular appointment of Maturin Livingston, his son-in-law, displeased him, and the removal of Porter seemed to him untimely and vindictive. In killing Hamilton, Clinton reasoned, Burr had killed himself politically, and out of the way himself there was no occasion to punish his friends who would now rejoin and strengthen the Republican party. Clinton, however, remained passive in his opposition until the incorporation of the bank furnished a plausible excuse for an appeal to the party; then, with a determination to subjugate the Livingstons, he caused himself and his adherents to be nominated and elected to the State Senate upon the platform that "a new bank has been created in our city, and its charter granted to political enemies." It was a bold move, as stubborn as it was dangerous. Clinton had little to gain. The Livingstons were not long to continue in New York politics. Maturin was insignificant; Brockholst was soon to pass to the Supreme Court of the United States; Edward had already sought a new home and greater honours in New Orleans; and the Chancellor, having returned from France, was without ambition to remain longer in the political arena. Even the brothers-in-law were soon to disappear. John Armstrong was in France; Smith Thompson, who was to follow Brockholst upon the bench of the United States Supreme Court, refused to engage in party or political contests, and the gifts of Tillotson and Lewis were not of quality or quantity to make leaders of men. On the other hand, Clinton had much to lose by forcing the fight. It condemned him to a career of almost unbroken opposition for the

rest of his life; it made precedents that lived to curse him; and it compelled alliances that weakened him.

Lewis resented Clinton's imperious methods, but he made a fatal mistake in furnishing him such a pretext for open opposition. He ought to have known that in opposing the Merchants' Bank, Clinton represented the great majority of his party which did not believe in banks. Undoubtedly Clinton's interest in the Manhattan largely controlled his attitude toward the Merchants', but the controversy over the latter was so old, and its claims had been pressed so earnestly by the Federalists in their own interest, that the question had practically become a party issue as much as the contest over the Bank of the United States. Already two Republican Legislatures had defeated it, and in a third it was now being urged to success with the help of a solid Federalist vote and a system of flagrant bribery, of which the Governor was fully advised. A regard for party opinion, if no higher motive, therefore, might well have governed Lewis' action. After the fight had been precipitated, resulting in a warfare fatal to Lewis, the Governor's apologists claimed that in favouring the bank he had simply resisted Clinton's domination. The Governor may have thought so, but it was further evidence of his inability either to understand the sentiment dominating the party he sought to represent, or successfully to compete with Clinton in leadership. DeWitt Clinton, with all his faults, and they were many and grave, had in him the gifts of a master and the capacity of a statesman. Lewis seems to have had neither gifts nor capacity.

In January, 1806, DeWitt Clinton, securing a majority of the Council of Appointment by the election of himself and two friends, sounded the signal of attack upon the Governor and his supporters. He substituted Pierre C. Van Wyck for Maturin Livingston and Elisha Jenkins for Thomas Tillotson. The Governor's friends were also evicted from minor office, only men hostile to Lewis' re-election being preferred. Nothing could be less justifiable, or, indeed, more nefarious than such removals. They were discreditable to the Council and disgraceful to DeWitt Clinton; yet sentiment of the time seems to have approved them, regarding Clinton's conduct merely as a stroke of good politics. In the midst of this wretched business it is pleasant to note that Jenkins' transfer from comptroller to secretary of state opened a way for the appointment of Archibald McIntyre, whose safe custody of the purse in days when economies and husbandries

were in order, distinguished him as a faithful official, and kept him in office until 1821.

After such drastic treatment of the Governor, it is not without interest to think of Lewis in Albany and Clinton in New York keeping their eyes upon the election in April, 1806, both alike hopeful of finding allies in the party breakup. The advantage seemed to be wholly with the Mayor and not with the Governor. Indeed, Republicans of all factions were so well assured of Clinton's success that it required the faith of a novice in politics to believe that Lewis had any chance. But DeWitt Clinton had to deal with two classes of men, naturally and almost relentlessly opposed to him—the friends of Burr and the Federalists. It was of immense importance that the former should stand with him, since the Federalists were certain to side with the Lewisites or "Quids," as the Governor's friends came to be known, and to secure such an advantage Clinton promptly made overtures to the Burrrites, of whom John Swartout, Peter Irving and Matthew L. Davis were the leaders.

There is some confusion as to details, but Davis is authority for the statement that in December, 1805, Theodorus Bailey, as Clinton's agent, promised to aid Burr's friends through the Manhattan Bank, to recognise them as Republicans, to appoint them to office on the same footing with the most favoured Clintonian, and to stop Cheetham's attacks in the *American Citizen*. Clinton pronounced the story false, but it was known that the Manhattan Bank loaned eighteen thousand dollars to a prominent Burrrite; that on January 24, 1806, Clinton met Swartout, Irving and Davis at the home of Bailey; and that afterward, on February 20, leading Clintonians banqueted the Burrrites at Dyde's Hotel in the suburbs of New York in celebration of their union. There were many reasons for maintaining the profoundest secrecy as to this alliance and Dyde's Hotel had been selected for the purpose of avoiding publicity, but the morning's papers revealed the secret with an exaggerated account of their doings and sayings. Immediately, other Burrrites, joining the Lewisites at Martling's Long-room, a popular meeting-place, organised a protestant faction, afterward known as Martling Men, whose enmity was destined to follow Clinton to his downfall.

As election day approached the Quids made a decisive struggle against Clinton. They rehearsed the charges of "Aristides;" they denounced him as cold and imperious; they charged that he had an almost boundless political ambition; that he maintained his own councils regardless of his associates, and accepted no suggestion not in harmony with his own policy. The Martling Men accused him of duplicity, and of a desire only for place and pay. In aid of Lewis, Chancellor Lansing took this opportunity of revealing the secret that led him to withdraw from the gubernatorial race in 1804, charging that George Clinton had sought "to pledge him to a particular course of conduct in the administration of the government of the State." When the latter denied the statement, Lansing, becoming more specific, affirmed that the venerable statesman had mentioned DeWitt Clinton as a suitable person for chancellor. It is not surprising, perhaps, that DeWitt Clinton's reply that if tendered the office he would have declined it, fell upon incredulous ears, since the young man at that very moment was holding three offices and drawing three salaries.

But the contest did not become seriously doubtful until the Quids received the active support of the Federalists, just then led by William W. Van Ness, who seems to have leaped into prominence as suddenly as did "Aristides," his cousin. If we may estimate the man by the praises of his contemporaries, William W. Van Ness' eloquence delighted the Assembly of which he had become a member in 1805, not more than his pointed and finished wit charmed every social gathering which he honoured with his presence. Indeed, as a popular orator he seems to have had no rival. Though his passion for distinction was too ardent and his fondness for sensual pleasure immoderate, sober minded men were carried away with the fascinating effervescence of his public utterances and the brilliancy of his conversation. He had a commanding presence, almost a colossal form, and a voice marvellous for its strength and for the music of its intonations. He was neither profound nor learned. The common school at Claverack, where he was born in independence year, furnished him little more than the rudiments of English, and at the age of twenty he closed the door to further advancement by prematurely burdening himself with a family; yet he seemed to know without apparent effort everything that was necessary to know, and to exert a gentle, unconscious, unpretending power that was resistless. A sweetness of temper and a native dignity of manner cast a grace

and charm about him which acted as a spell upon all who came within its influence. Hammond, the historian, thought him the possessor of every gift that nature and fortune could bestow—wit, beauty, good nature, suave manners, eloquence, and admirable conversation. Such a combination gave him leadership, and he led his followers solidly to Lewis, with the result that the coalition of Federalists and Quids won out by a small majority.

When the Legislature assembled, in January, 1807, the intense bitterness of the fight exhibited itself in the defeat of Solomon Southwick for clerk of the Assembly. Southwick possessed the amiable, winning qualities that characterised William W. Van Ness. He was associated with his brother-in-law in the management of the *Albany Register*, and from his earliest youth had been as zealous a Republican as he was warm and disinterested in his friendships. To friend and foe he was alike cordial and generous. He possessed an open mind, not so eloquent as Van Ness, and less brilliant, perhaps, in conversation; but the fluent splendour of his speech and the beauty of his person and manners went as far toward the attainment of his ambition. He had been elected clerk of the Assembly continuously since 1803, until his popularity among the members, whom he served with uniform politeness and zeal, seemed proof against the attacks of any adversary. Just now, however, the enemies of DeWitt Clinton were the opponents of Solomon Southwick, while his rival, Garret Y. Lansing, the nephew of the Chancellor, had become the bitterest and most formidable enemy the Clintons had to encounter. Popular as he was, Southwick could not win against such odds, although it turned out that a change of four votes would have elected him.

A Lewis Council of Appointment made a clean sweep of the Governor's enemies and of DeWitt Clinton's friends. Clinton himself gave up the mayoralty of New York, Maturin Livingston again assumed the duties of recorder, and Thomas Tillotson was restored to the office of secretary of state. Perhaps Clinton thought he stood too high to be in danger from Lewis' hand. If he did he found out his mistake, for Lewis struck him down in the most unsparing and humiliating way. Public affront was added to political deprivation. Without warning or explanation, the first motion put at the first meeting of the new Council, on February 6, 1807, made him the first sacrifice. Had he been a justice of the peace in a remote western county he could not have been treated more rudely; and, it may be added, if better

reason than that already existing were needed to seal the fate of Lewis, Clinton's removal furnished it. New York has seldom been roused to greater passion by a governor's act. It could even then be said of Clinton that his name was associated with every great enterprise for the public good. Less than a year before, in his efforts to educate the children of the poor, unprovided for in parochial schools, he had laid the foundation of the public school system, heading the subscription list for the purchase of suitable quarters. In spite of his faults he was a great executive, and before the sun went down on the day of his removal a large majority of the Republican members of the Legislature, guided by the deposed mayor, had nominated Daniel D. Tompkins for governor in place of Morgan Lewis.

In disposing of the mayoralty, Lewis recognised the importance of keeping it in the family, and offered it to Smith Thompson, both of whose wives were Livingstons; but only once in forty years did Thompson's love for the judiciary give way to political preferment, and then Martin Van Buren defeated him for governor. The mayoralty finally went to Marinus Willett, an officer of distinguished service in the Revolutionary war, whose gallantry at Fort Schuyler in the summer of 1777 won him a sword from Congress and the admiration of General Washington. But the steadfast, judicious qualities that commended him as a soldier seem to have forsaken him as a politician. He supported Burr, he followed Lewis, and he finally ran for lieutenant-governor against DeWitt Clinton, the regular nominee of his party, losing the election by a large majority; yet his amiability and war services kept him a favourite in spite of his political wavering. It was hard for a lover of his country to dislike a real hero of the Revolution, even though he forfeited the confidence of his party.

Clinton, who had kept his head cool in victory, did not lose it in defeat; but the Governor found himself in an awkward and humiliating position. Although the Federalists had made it possible for him to organise the Legislature and elect a friendly Council, he dared not appoint one of them to office, and the few ambitious Republicans who had marshalled under his standard proved inferior, inexperienced, or indiscreet. Only one Federalist fared well, and he succeeded in spite of Lewis. William W. Van Ness aspired to the Supreme Court judgeship made vacant by Brockholst Livingston's appointment to the Supreme Court of the United States. The Governor, favouring, of course, a member of his own family, proposed

Maturin Livingston. To this Thomas Thomas of the Council agreed, but Edward Savage proposed John Woodworth; John Nicholas inclined to Jonas Platt, and James Burt, the fourth member of the Council, preferred Van Ness. Platt was a Federalist, and in his way a remarkable man. His father, Zephaniah Platt, served in the Continental Congress, and as judge of the Circuit Court had pushed his way to the northern frontier, founded Plattsburg, and advocated a system of canals connecting the Hudson with the lakes. The son, following his example, studied law and emigrated to the western frontier, settling in Herkimer County, at Whitesboro. He had already served one term in the Legislature and one in Congress, and was destined to receive other honourable preferment. But just now Nicholas, his political backer, a recent comer from Virginia, who had served with him in Congress, was no match for the adroit Burt, whose shrewd management in the interest of Aaron Burr had recently sent Theodorus Bailey to the United States Senate over John Woodworth. Burt convinced Nicholas that Platt's candidacy would result in the election of Livingston or Woodworth, and having thus destroyed the Herkimer lawyer, he appealed to Savage to drop Woodworth in favour of Van Ness. Savage was a Republican of the old school, a supporter of George Clinton, an opponent of the Federal Constitution, who had apparently followed Lewis for what he could make out of it; but he was indisposed to add to the sin of rebellion against DeWitt Clinton the folly of voting for Maturin Livingston, and so he joined Burt and Nicholas in support of Van Ness. Thus it happened that the popular young orator became a member of the Supreme Court at the early age of thirty-one, being the youngest member of the court, save Daniel D. Tompkins, to serve on the old, conservative Council of Revision.

News of this bad business intensified the angry feeling against the Governor. A place on the Supreme Court, valued then even more highly than now, had been lost to the party because of his arrogant and consuming nepotism, and men turned with enthusiasm to Daniel D. Tompkins, whose nomination for governor brought him champions that had heretofore avoided all appearance of violent partisanship. Tompkins was accepted as the exponent of all that Republicans most prized; Lewis as their most obstinate and offensive opponent. Thus, at last, the Clintons faced the Livingstons on a fair field.

CHAPTER XIV

DANIEL D. TOMPKINS AND DEWITT CLINTON

1807-1810

HAD DeWitt Clinton succeeded to the governorship in 1807, his way to the Presidency, upon which his eye was already fixed, might have opened easily and surely. But the bitterness of the Livingstons and the unfriendly disposition of the Federalists compelled him to flank the difficulty by presenting a candidate for governor who was void of offence. If it was humiliating to admit his own ineligibility, it was no less so to meet the new condition, for Lewis' election in 1804 had discovered the scarcity of available material, and developed the danger of relying upon another to do his bidding. Just now Clinton wanted a candidate with no convictions, no desires, no ambitions, and no purposes save to please him. There were men enough of this kind, but they could neither conceal their master's hand, nor command the suffrages of a majority on their own account. In this crisis, therefore, he selected, to the surprise of all and to the disgust of some, Daniel D. Tompkins, the young and amiable justice of the Supreme Court, who had taken the place of James Kent on the latter's promotion to chief justice.

Thus it happened that the day which witnessed DeWitt Clinton's removal from the New York mayoralty, welcomed into larger political life this man of honourable parentage, who was destined to play a very conspicuous part in affairs of state. Daniel D. Tompkins, a youth of promise and a young man of ripening wisdom, had been for some years in the public eye, first as a member of the constitutional convention of 1801, afterward as a successful candidate for Congress, and later as a judge of the Supreme Court. His rise

had been phenomenally rapid. He passed from the farm to the college at seventeen, from college to the law office at twenty-one, from the law office to the constitutional convention at twenty-seven, and thence to Congress and the Supreme Court at thirty. He was now to become governor at thirty-three. But with all his promise and wisdom and rapid advancement, no one dreamed in 1807 that he was soon to divide political honour and power with DeWitt Clinton, five years his senior.

Tompkins was on the farm when Clinton was in Columbia College; but if the plow lengthened his days, study shortened his nights, and five years after Clinton graduated, Tompkins entered the same institution. Just then it was a stern chase. Clinton had the advantage of family, Tompkins the disadvantage of being a stranger. When the former entered the Legislature, the latter had only opened a law office. Then, but four years later, they met in the constitutional convention, Clinton on the winning side and Tompkins on the right side. The purpose of this convention, it will be recalled, had been to give each member of the Council of Appointment the power to nominate candidates for office—Clinton holding that the Council had the right to nominate as well as to confirm appointments; Tompkins, with barely a dozen associates, took the ground, maintained by Governors Clinton and Jay, that its power was limited to confirmation. This position showed the nerve as well as the independence of the younger man, and he was able proudly to refer to it when, twenty years later, the constitutional convention of 1821, inspired by the popular contempt, achieved the abolition of the Council, and with it the political corruption and favouritism to which it had given rise.

The record of New York politics is a record of long and bitter contests between these chiefs of two antagonistic Republican factions. What the struggle between Stalwarts and Half Breeds was to our own time, the struggle between Clinton and Tompkins was to our ancestors of two and three generations ago. Two men could hardly be more sharply contrasted. The one appeared cold and reserved, the other most gracious and gentle; Clinton's self-confidence destroyed the fidelity of those who differed in opinion, Tompkins' urbanity disarmed their disloyalty; Clinton was unrelenting, dogged in his tenacity, quick to speak harshly, moving within lines of purpose regardless of those of least resistance. Although he often changed his associates, like Lord Shaftesbury, he never changed his

purposes. Tompkins, always firm and dignified, was affable in manner, sympathetic in speech, overflowing with good nature, and unpretending to all who approached him. It used to be said that Tompkins made more friends in refusing favours than Clinton did in granting them.

The two men also differed as much in personal appearance as in manner. Tompkins, shapely and above the ordinary height, had large, full eyes, twinkling with kindness, a high forehead wreathed with dark, curly hair, and an oval face, easily and usually illuminated with a smile; Clinton had a big frame, square shoulders, a broad, full forehead, short, pompadour hair, dark penetrating eyes, and a large mouth with lips firmly set. It was a strong face. A dullard could read his character at a glance. To his intimate friends Clinton was undoubtedly a social, agreeable companion; but the dignified imperiousness of his manner and the severity of his countenance usually overcame the ordinary visitor before the barriers of his reserve were broken. Tompkins, on the contrary, carried the tenderness of a wide humanity in his face.

It was hardly creditable to Clinton's knowledge of human nature that he selected Daniel D. Tompkins for a gubernatorial candidate, if he sought a man whom he might control. The memory of the constitutional convention, or a glance into the history of the elder Tompkins, who had stood firm and unyielding in the little settlement of Fox Meadows in Winchester after the American defeat on Long Island, when all his neighbours save two had faltered in the cause of independence, would have enlightened him respecting the Tompkins character. The farmer boy's determined, patient preparation for public life, and his fortitude in the face of conscious disadvantages, ought also to have suggested that the young man was made of sterner stuff than the obedient Theodorus Bailey. Still more surprising is it that Clinton should overlook, or insufficiently consider the fact that Tompkins was now the son-in-law of Mangle Minthorne, a wealthy citizen of New York, and the leader of the Martling Men, of whose opposition he had already been apprised, and whose bitter hostility he was about to experience. If he thought to disarm the enmity of Minthorne by helping the son-in-law, his hopes were raised only to be dashed to earth again.

It is certain DeWitt Clinton had no one save himself to thank for taking this Hercules, whose political direction was conspicuously inevitable from the

first. But Clinton wanted an assured victor against Morgan Lewis and the Livingstons, with their Federalist supporters, and, although some people inclined to the opinion that Tompkins had already been promoted too rapidly, Clinton believed his services on the bench had made him the most available man in the party. For three years this young judge, substituting sympathy for severity, had endeared himself to all who knew him. The qualities of fairness and fitness which Greek wisdom praised in the conduct of life were characteristic of his life. From what we know of his work it is fair to presume, had he tarried upon the bench until 1821, he would have been a worthy associate of Smith Thompson and Ambrose Spencer.

Sixty-five Republican members of the Legislature signed the address, drawn by DeWitt Clinton, putting Tompkins into the race for governor; forty-five indorsed the platform on which Governor Lewis stood for re-election. The Clinton address gave no reason for preferring Tompkins to Lewis, but the latter's weakness as an executive, foreshadowed a defeat which each day made plainer, and when the votes, counted on the last day of April, gave Tompkins 4085 majority, the result was as gratifying to Clinton as it was disastrous to Lewis.^[153] It was not a sweeping victory, such as Lewis had won over Burr three years before, for the former's weakness was less offensive than the latter's wickedness, but it launched the successful candidate on his long period of authority, which was not to be ended until he was broken in health, if not in character.

Daniel D. Tompkins had the good fortune to begin his administration at a time when England and the United States were about to quarrel over the former's insistence on impressing American seamen into its service, thus giving the people something to think about save offices, and dividing them again sharply into two parties. Indeed, while the election was pending in April, three deserters from the *Melampus*, a British sloop-of-war, by enlisting on the *Chesapeake*, a United States frigate of thirty-eight guns, became the innocent cause of subjecting the United States to gross insult. The American government, smarting under England's impressment of its seamen, refused to surrender these deserters, inquiries showing that they were coloured men of American birth, two of whom had been pressed into the British service from an American vessel in the Bay of Biscay. When the *Chesapeake* sailed, therefore, the *Leopard*, an English man-of-war mounting fifty guns, followed her to the high seas and demanded a return of

the deserters. Receiving a prompt refusal, the Englishman raked the decks of the *Chesapeake* for the space of twelve minutes, killing three men and wounding eighteen, among them the commander. The *Chesapeake* was not yet ready for action. Her crew was undrilled in the use of ordnance, her decks littered, appliances for reloading were wanting, and at the supreme moment neither priming nor match could be found. Under these distressing circumstances, the boarding officer of the *Leopard* took the deserters and sailed for Halifax. The sight of the dismantled *Chesapeake*, with its dead and dying, aroused the people irrespective of party into demanding reparation or war. "This country," wrote Jefferson, "has never been in such a state of excitement since the battle of Lexington."^[154] Immediately the most exposed ports were strengthened, and the States were called upon to organise and equip 100,000 militia ready to march. Among other things, Jefferson ordered British cruisers to depart from American waters, forbidding all aid and intercourse with them.

On the day of Governor Tompkins' inauguration the crippled *Chesapeake* sailed back into Norfolk; and before the New York Legislature assembled in the following January, England had published its Orders in Council, forbidding all neutral trade with France. Napoleon had also promulgated his Milan Decree, forbidding all neutral trade with England, and the Congress of the United States, with closed doors, in obedience to the recommendation of the President, had ordered an embargo forbidding all foreign-bound American vessels to leave United States ports.

For several years American commerce, centring chiefly in New England and New York, and occupying a neutral position toward European belligerents, had enjoyed unparalleled prosperity. Reaching all parts of the world, it had, indeed, largely engrossed the carrying trade, especially of France and the European powers. As restraints increased, the Yankee skippers became sly and cunning—risking capture, using neutral flags, and finding other subterfuges for new restrictions. The embargo would tie up the ships to rot, throw seamen out of employment, destroy perishable commodities like breadstuffs, and paralyse trade. From the moment of its passage, therefore, merchants and shipowners resisted it, charging that Napoleon's Decree had provoked the British Orders, and that if the former would recede, the latter would be modified. It revived the old charge of Jefferson's enmity to commerce. In the excitement, DeWitt Clinton opposed

it, and Cheetham, with his bitter, irritating pen, sustained him. He thought American commerce might be left to solve the difficulty for itself, by allowing merchants to arm their vessels or otherwise encounter the risks and perils at their own discretion, rather than be compelled to abandon the highway of nations to their British rivals, whose sole purpose, he maintained, was to drive us from the ocean and capture French supplies being transported in French vessels.

But the Republicans in Congress stood firmly by the embargo, holding that if George Canning would modify the Orders in Council, which were intended to drive American commerce from the ocean, Napoleon would modify his decrees, which were provoked by the British Orders. It was not a question of avoiding sacrifices, said Governor Tompkins, in his speech to the Legislature, in January, 1808, but whether one sacrifice might not better be borne than another. The belligerents had issued decrees regardless of our rights. If we carried for England, France would confiscate; if for France, England would confiscate. England exacted tribute, and insisted upon the right of search; France demanded forfeiture if we permitted search or paid tribute; between the two the world was closed to us. But the belligerents needed our wheat and breadstuffs, and while the embargo was intended only for a temporary expedient, giving the people time for reflection, and keeping our vessels and cargoes from spoliation, it must prevail in the end by making Europe feel the denial of neutral favours. "What patriotic citizen," he concluded, "will murmur at the temporary privations and inconveniences resulting from this measure, when he reflects upon the vast expenditure of national treasure, the sacrifice of the lives of our countrymen, the total and permanent suspension of commerce, the corruption of morals, and the distress and misery consequent upon our being involved in the war between the nations of Europe? The evils which threaten us call for a magnanimous confidence in the efforts of our national councils to avert them, and for a firm, unanimous determination to devote everything that is dear to us to maintain our right and national honour."[\[155\]](#)

Governor Tompkins' views, sustained by decided majorities in both branches of the Legislature, hastened DeWitt Clinton's change of attitude; and, to the great disgust of Cheetham, he now swung into line. Deceived by the first outcry against Jefferson's policy, Clinton had presided at an opposition meeting, while Cheetham, following his lead, had assailed it in

the *American Citizen*. In the same spirit George Clinton, the Vice President, imprudently and impulsively attacked it in letters to his friends; but DeWitt Clinton, seeing his mistake, quickly jumped into line with his party, leaving Cheetham and his uncle to return as best they could. It was an ungracious act, since Cheetham, who had devoted the best of his powers in justifying the conduct of Clinton, was now left in the air, without the means of gracefully getting down.

Meantime, the new Council of Appointment, elected in February, and controlled by DeWitt Clinton, had reversed the work of Lewis. Marinus Willett surrendered the mayoralty to DeWitt Clinton, Maturin Livingston gave up the recordership, Thomas Tillotson turned over the secretaryship of state to Elisha Jenkins, Sylvanus Miller again became surrogate of New York, and John Woodworth was dismissed from the office of attorney-general. Under the Constitution, the Legislature elected the treasurer of the State, an office which Abraham G. Lansing, brother of the Chancellor and father of Garrett, had held continuously since the defalcation of McClanan in 1803. Lansing was wealthy, and, like his brother, a man of the highest character for integrity and correct business methods, but he had followed Lewis to defeat and now paid the penalty by giving place to David Thomas, who, like McClanan, was also to prove a defaulter. Thus, within a year after Tompkins' inauguration, an entire change of persons holding civil offices in the State had taken place, the Governor shrewdly strengthening himself by assuming to have helped the winners, and weakening Clinton by permitting the disappointed to charge their failure to the Mayor.

The nomination of a Republican candidate to succeed Jefferson, gave Tompkins further opportunity of strengthening himself at the expense of DeWitt Clinton. For months the latter had been urging the claims of George Clinton for President, on the ground of the Vice President's hitherto undisputed right to promotion, and because Virginia had held the office long enough. But a congressional caucus, greatly to the disgust of Monroe and the Clintons, and without the knowledge of the Vice President, hastily got together according to the custom of the day and nominated James Madison for President and George Clinton for Vice President. The disappointed friends of Monroe and Clinton charged that the caucus was irregular, only eighty-nine out of one hundred and thirty-nine Republican representatives and senators having attended it, and could they have agreed

upon a candidate among themselves Madison must have been beaten. Leading Federalists waited until late in April for DeWitt Clinton to make some arrangement which their party might support, but, while Federalists waited, the threatened Republican bolt wasted itself in a fruitless endeavour to unite upon a candidate for first place. Monroe's friends would not have George Clinton, whom they pronounced too old and too infirm, and Clinton's friends declined to accept Monroe, who was objectionable, if for no other reason, because he was a Virginian. Finally, the Federalists nominated Charles C. Pinckney of South Carolina for President and Rufus King of New York for Vice President, making Madison's election absolutely certain.

This ought to have ended the strife in Republican ranks. Under similar circumstances any ordinary politician would have hastened to re-establish himself with his party. But DeWitt Clinton, carrying the contest to the New York Legislature, called to appoint presidential electors, insisted that the vote of the State be given to his uncle. The strong affection for the venerable statesman insured the suggestion favourable consideration by a large portion of the Republican party, but Tompkins assailed it with unanswerable argument. Without being of the slightest use to George Clinton, he contended, such a course would exhibit an unhappy division in Republican ranks, excite the jealousy of Madison's friends, impair the influence of New York Republicans with the Administration, and make them appear ridiculous to their brethren in other States. This was the talk of a wise politician. The contest was squarely between James Madison, regularly nominated by the method then accepted, and Charles C. Pinckney, the candidate of the Federalists; and a vote for Clinton meant a Republican vote thrown away out of pique. DeWitt Clinton understood this; but he could not curb a disposition to have things his way, and, upon his insistence, it was finally agreed that each elector should vote his preference. Under this arrangement, George Clinton received six votes out of the nineteen, Ambrose Spencer leading the minority. Of the votes cast for President, Madison received 122, Clinton 6, and Pinckney 48; for Vice President, George Clinton had 113, Rufus King 48, John Langdon of New Hampshire 9, and Madison and Monroe three each, the votes of Judge Spencer and his five associates.

Within a twelve-month DeWitt Clinton had plainly made a series of serious mistakes. He had opposed the embargo, he had antagonised Madison, who still resented the Clintons' opposition to the Federal Constitution, and he had forced a discovery of Tompkins' superior management and political wisdom. To add to his embarrassment, the Lewisites, the Burrites, and the Martling Men now openly charged him with hostility to Madison and with insincere support of Jefferson and Tompkins, since he continued on friendly terms with Cheetham, who still bitterly opposed the embargo. If these three political groups of men, having a bond of union in their common detestation of DeWitt Clinton, could have found a leader able to marshal them, they must have compassed the latter's political overthrow long before he prostrated himself. Already it was whispered that Tompkins approved their attacks, a suspicion that found many believers, since Minthorne had set to work to destroy Clinton. But the Governor was too wise to be drawn openly into gladiatorial relations with DeWitt Clinton at this time, although, as it afterward appeared, Madison and Tompkins even then had an understanding to which Clinton was by no means a stranger.

Clinton, however, continued seemingly on good terms with Tompkins; and to disprove the attacks of the Martling Men he introduced a series of resolutions in the State Senate, to which he had been elected in the preceding April, approving the administration of President Madison and pledging support to Governor Tompkins. To make his defence the more complete, he backed the resolutions with an elaborately prepared speech, in which he bitterly assailed the Federalists, who, he declared, thought it "better to reign in hell than serve in heaven." Clinton may be excused for getting in accord with his party; but since his change disclosed an absence of principle, it was bad manners, to say the least, to denounce, with Miltonic quotation, those who consistently held to the views formerly entertained by himself. Of Clinton it could scarcely be said, that he was a favourite in the Legislature. He frequently allowed his fierce indignation to get the better of his tongue. His sharp sarcasms, his unsparing ridicule, and his heedless personalities, sometimes withered the effect of his oratory; yet it is quite certain that the fury of his assaults and the exuberance of his anger aroused the keenest interest, and that when the Martling Men finally prevented his return to the Legislature his absence was generally regretted.

Clinton's speech did not convince Federalists that embargo was the product of profound statesmanship. Abraham Van Vechten, the leader of the Federalists in the Legislature, was a powerful and logical reasoner, and an orator of singular eloquence. His success as an advocate at the bar followed him to the Assembly, and in every debate he proved a formidable antagonist. He had a gift of sarcasm that made an adversary exceedingly uncomfortable; and as he shattered the reasoning of Clinton, he exposed the imperious and domineering trimmer to ridicule and jest. Van Vechten ranked among the ablest men of New York. His tall, erect, and dignified figure was well known throughout the State, and although he did not assume to lead his party, the Federalists recognised his right to share in its leadership. Governor Jay offered him a place on the Supreme bench; but he preferred the bar and the brief sessions of the Legislature.

By the side of Van Vechten sat Daniel Cady, at that time thirty-six years of age, already renowned as a lawyer, the rival of Ogden Hoffman and Marcus T. Reynolds, and, in the estimation of his contemporaries, one of the most generous and gifted men of his time. Three terms in the Legislature and one in Congress measured, until his election to the Supreme Court in 1847, his career in public life; but brief as was this service, his great ability adorned the State and strengthened his party. His distinguished daughter, Elizabeth Cady Stanton, whose achievements covered more than half of the last century, represented in a marked degree his gifts, his accomplishments, and the sweetness of his nature.

Under the lead of Van Vechten and Cady, the Federalists tormented DeWitt Clinton and the friends of embargo, by contrasting the busy wharves in 1807, covered with bales of cotton, barrels of flour, and hogsheads of sugar, with the stagnation that characterised all avenues of commerce in 1809. Ropewalks were deserted, sailmakers idle, draymen without business, and sailors without bread. If England bled, they declared, the United States bled faster. An ocean whitened with American sails had been turned over to British ships which were absorbing the maritime trade. France showed an indifference to America's commerce and England boasted an independence of America's trade. As a weapon of coercion, exclaimed Cady, embargo has been a failure—as a measure of defence it has been suicidal. What would happen if our ships were suffered to go to Europe and the Indies? Some would reach Europe and find a market; others would go to England, obtain

a license to sail to a Baltic port, and then sell at great profit. Out of a hundred ships, two would probably be seized by the French. Better to lose two by seizure than the destruction of all by embargo.

Obadiah German had much to say in defence of the justice and prudence of the embargo. There was nothing brilliant about German; but ample evidence of his parliamentary ability lines the pathway of his public career. Without eloquence or education, he had the full courage of his convictions and an intellectual vigour sufficient to back them. He came to the Legislature in 1798, and, in 1809, very unexpectedly succeeded Samuel L. Mitchill as United States senator. Later he served one term as speaker of the Assembly. Just now he was the recognised leader of the Republican majority in that body, and in his wise, uncouth way dealt many a hard blow with telling effect.

Nathan Sanford also assisted in repelling the assaults of Cady and Van Vechten. Sanford was the pet of the Martling Men and the enemy of DeWitt Clinton. He had been appointed United States attorney upon the resignation of Edward Livingston in 1803, holding the office until his election to the United States Senate to succeed Obadiah German in 1815. In the meantime he served two terms in the Assembly, one of them as speaker, and three terms in the State Senate. Afterward, he became chancellor for two or three years, and then took another term as United States senator. His activity gave him strength, and his loyalty to the Martling Men, now known as Tammany, supplied him with backers enough to keep him continuously in office for thirty years. Despite his titles of Senator and Chancellor, however, and his long public service, he did not leave a memory for eloquence, scholarship, or for great ability; though he was a ready talker and a willing friend, quick to catch the favouring breeze and ready to adopt any political method that promised success. In upholding embargo, Sanford admitted its seriousness, but emphasised its necessity. He recalled how England had searched our ships, impressed our seamen, killed our citizens, and insulted our towns. The ocean, he argued, had become a place of robbery and national disgrace, since Great Britain, by its orders in Council, had provoked France into promulgating the Berlin Decree of November, 1806, and the Milan Decree of December, 1807, which denationalised any ship that touched an English port, or suffered an English search, or paid an English tax—whether it entered a French port, or fell into the power of a French privateer. Thus,

since England had blockaded one-half of Europe and France the other half, he thought it time for dignified retirement, until England felt the need of additional supplies, and France awoke to the loss of its luxuries.

At the close of the spirited debate, DeWitt Clinton's resolutions were adopted by both houses—in the Senate without a division; in the Assembly by a vote of sixty-one to forty-one. But almost before the result was announced, American wheat dropped from two dollars to seventy cents a bushel, turning the election of April, 1809, into a Federalist victory. It was a great surprise to Tompkins and his party, whose only gleam of hope grew out of the failure of the Federalists to return senators from the middle and eastern districts, thus preventing, as they assumed, a Federalist majority in the new Council of Appointment and a wholesale removal of Republican officials. But the Federalists understood their work. After welcoming to the speakership their old friend, William North of Duansburgh, who had served in the same capacity in 1795 and again in 1796, the Assembly elected to the Council, two Federalists and two Republicans, including Robert Williams of the middle district. Williams had been a Lewisite, a Burrite, and a Clintonian. With the help of a Federalist governor in 1799, he became sheriff of Dutchess County, and, although he bore the reputation of a trimmer, he seems to have concealed the real baseness of his character until the meeting of the new Council, when his casting vote turned out of office every Republican in the State. By this treachery his son-in-law, Thomas J. Oakley, of whom we shall hear much hereafter, became surrogate of Dutchess County; Jacob Radcliff, the great chancery lawyer, mayor of New York; Abraham Van Vechten, attorney-general, and Abraham G. Lansing, treasurer of state. From the moment of his apostacy Robert Williams, classified by his neighbours with Judas Iscariot and ignored by men of all parties, passed into obscurity.

CHAPTER XV

TOMPKINS DEFEATS JONAS PLATT

1810

THOUGH DeWitt Clinton again lost the mayoralty of New York, he was still in the Senate; and to maintain an appearance of friendship with the Governor, he wrote the address to the people, signed by the Republican members of the Legislature, placing Tompkins in the race for re-election. The Federalists, encouraged by their gains in April, 1809, had with confidence nominated Jonas Platt for governor, and Nicholas Fish for lieutenant-governor. Fish is little known to the present generation except as the father of Hamilton Fish, the able secretary of state in President Grant's Cabinet; but in his day everybody knew of him, and everybody admitted his capacity and patriotism. His distinguished gallantry during the Revolution won him the confidence of Washington and the intimate friendship of Hamilton, after whom he named his illustrious son. For many years he was adjutant-general of the State, president of the New York Society of the Cincinnati, and a representative Federalist. It is said that Aaron Burr felt rebuked in his presence, because he recognised in him those high qualities of noble devotion to principle which the grandson of Jonathan Edwards well knew were wanting in his own character. Just now Fish was fifty-two years old, a member of the New York Board of Aldermen, and an inveterate opponent of Republicanism, chafing under DeWitt Clinton's dictatorship in the State and Tammany's control in the city.

Jonas Platt had borne an important part in propping up falling Federalism. He was a born fighter. Though somewhat uncouth in expression and unrefined in manner, he had won for himself a proud position at the bar of his frontier home, and was rapidly writing his name high on the roll of New York statesmen. He had proved his popularity by carrying his senatorial

district in the preceding election; and he had demonstrated his ability as a debater by replying to the arguments of DeWitt Clinton with a power that comes only from wide information and a consciousness of being in the right. He could not be turned aside from the real issue. Whatever or whoever had provoked the British Orders in Council, he declared, one thing was certain, those orders could not have driven American commerce from the ocean had not the embargo established British commerce in its place. This was the weak point in the policy of Jefferson, and the strong point in the argument of Jonas Platt. Five hundred and thirty-seven vessels, aggregating over one hundred and eighty thousand tons, had been tied up in New York alone; and the public revenues collected at its custom house had dropped from four and a half millions to nothing. History concedes that embargo, since it required a much greater sacrifice at home than it caused abroad, utterly failed as a weapon for coercing Europe; and with redoubled energy and prodigious effect, Platt drove this argument into the friends of the odious and profitless measure, until the Governor's party in the election of 1809 had gone down disastrously.

To Obadiah German, a living embodiment of the Jeffersonian spirit, the most extravagant arguments in support of the embargo came naturally and clearly. To a man of DeWitt Clinton's high order of intellect, however, it must have been difficult, in the presence of Jonas Platt's logic, backed as it was by an unanswerable array of facts, to believe that the arguments in favour of embargo were those which history would approve. As if, however, to establish Platt's position, Congress, in the midst of the New York campaign, voted to remove the embargo, and to establish in its stead, non-intercourse with Great Britain and France—thus reopening trade with the rest of Europe and indulging those merchants who desired to take the risks of capture. For the moment, this was a great blow to Clinton and a great victory for Platt, giving him a prestige that his party thought entitled him to the governorship.

In the legislative session of 1810, however, Jonas Platt developed neither the strength nor the shrewdness that characterised his conduct on the stump during the campaign of 1809. William Erskine, the British minister, a son of the distinguished Lord Chancellor, whose attachment to America was strengthened by marriage, had negotiated a treaty with the United States limiting the life of the Orders in Council to June 10, 1809. This treaty had

been quickly disavowed by the English government, and, in referring to it in his message, Governor Tompkins accused England of wilfully refusing to fulfil its stipulations. "With Great Britain an arrangement was effected in April last," wrote the Governor, "which diffused a lively satisfaction through the nation, and presaged a speedy restoration of good understanding and harmony between the two countries. But our hopes were blasted by an unexpected disavowal of the agreement, and an unqualified refusal to fulfil its stipulations on the part of England. Since the recall of the minister who negotiated the arrangement, nothing has occurred to brighten the prospect of an honourable adjustment of our differences. On the contrary, instead of evincing an amicable disposition by substituting other acceptable terms of accommodation in lieu of the disavowed arrangement, the new minister has persisted in impeaching the veracity of our Administration, which a sense of respect for themselves, and for the dignity of the nation they represent, forbade them to brook."

There was nothing in this statement to rebuke. Young Erskine had been displaced by an English minister who had acquired the reputation of being an edged-tool against neutral nations, a curiously narrow, hide-bound politician, whose language was as insolent as his manners were offensive. The Governor's reference, therefore, had not been too severe, nor had his statement overleaped the truth; yet Jonas Platt attacked it with great asperity, arraigning the national administration and charging that the country had more cause for war with France than with Great Britain. This was both unwise and untenable. The Governor had aimed his criticism at France as well as at England. He spoke of one as controlling the destinies of the European continent, of the other as domineering upon the ocean, and of both as overleaping "the settled principles of public law, which constituted the barriers between the caprice, the avarice, or the tyranny of a belligerent, and the rights and independence of a neutral." But Jonas Platt, betrayed by his prejudices against Jefferson and France, went on with an argument well calculated to give his opponents an advantage. His language was strong and clear, his sarcasm pointed; but it gave DeWitt Clinton the opportunity of charging Federalists with taking sides with the British against their own country.

There never was a time when the Federalists, as a national party, were willing to join hands with England to the disadvantage of their country.

They had the same reasons for disliking England that animated their opponents. But their antipathy to Jacobins and to Jefferson, and the latter's partiality for France, drove them into sympathy with Great Britain's struggle against Napoleon, until the people suspected them of too great fondness for English institutions and English principles. Several events, too, seemed to justify such a suspicion, notably the adherence of British Tories to the Federalist party, and the latter's zeal to allay hostile feelings growing out of the Revolutionary war. To such an extent had this sentimental sympathy been carried, that, in the summer of 1805, the Federalists of Albany, having a majority in the common council, foolishly refused to allow the Declaration of Independence to be read as a part of the exercises in celebration of the Fourth of July. Naturally, such a policy quickly aroused every inherited and cultivated prejudice against the British, strengthening the belief that the Federalists, as a party, were willing to suppress the patriotic utterances of their own countrymen rather than injure the feelings of America's hereditary foe.

When DeWitt Clinton, therefore, charged the party of Jonas Platt with taking the side of the British against their own country, the debate revived old tales of cruelty and massacre, growing out of England's alliance with the Indians in the early days of the Revolution; and it gave John Taylor opportunity to recount the horrors which he had witnessed in the days of his country's extreme peril. Taylor was sixty-eight years old. For nearly twenty years he had been a member of the Legislature, and was soon to be lieutenant-governor for nearly ten years more. Before the Revolutionary war, he served in the Provincial Congress; and in Arnold's expedition to Canada, in 1775, he had superintended the commissary department, contributing to the comfort of the shattered remnant who stood with Montgomery on the Plains of Abraham on that ill-fated last day of the year.

Taylor was a man of undoubted integrity and great political sagacity. His character suffered, perhaps, because a fondness for money kept growing with his growing years. "For a good old gentlemanly vice," says Byron, "I think I must take up with avarice." Taylor did not wait to be an old gentleman before adopting "the good old gentlemanly vice," but it did not seem to hurt him with the people, for he kept on getting rich and getting office. He was formed to please. His tall, slender form, rising above the heads of those about him, made his agreeable manners and easy

conversation the more noticeable, gaining him the affection of men while challenging their admiration for his ability.

In 1760, Taylor had followed the British army to Oswego, and there acquired a knowledge of the Indian language. He knew of the alliance between the British and Indians in 1776, and had witnessed the horrible massacres growing out of these treaty relations. The most tragic stories of Indian atrocities begin with the payment of bounties by the British for the scalps of women and children, and for the capture of men and boys who would make soldiers. Often guided by Tories, the fierce Mohawks sought out the solitary farmhouse, scalped the helpless, and, with a few prisoners, started back on their lonely return journey to Canada, hundreds of miles through the forest, simply to receive the promised reward of a few Spanish dollars from their British allies. When DeWitt Clinton, therefore, charged the Federalists with loving the English more than their own country, John Taylor won the Senate by recalling Indian atrocities set on foot by British officers, and often carried out with the assistance of British Tories, now members of the Federalist party. Daniel Parrish, a senator from the eastern district, having more courage than eloquence, came to Platt's support with the most exact and honest skill, repelling the insinuations of Clinton, and indignantly denying Taylor's tactful argument. But when Taylor, pointing his long, well-formed index finger at the eastern senator, expressed surprise and grief to hear one plead the English cause whose father had been foully murdered by an Indian while under British pay and British orders, Parrish lost his temper and Platt his cause.

It was a sad day for Platt. So successfully did Taylor revive the old Revolutionary hatred of the British that the Herkimer statesman's arraignment of Governor Tompkins, offered as a substitute for DeWitt Clinton's friendly answer, was rejected by a vote of twenty-three to six. Coming as it did on the eve of the gubernatorial election it was too late to retrieve his lost position. Moreover, the repeal of the embargo had materially weakened the Federalists and correspondingly strengthened the Republicans, since the commerce of New York quickly revived, giving employment to the idle and bread to the hungry. The conviction deepened, also, that a Republican administration was sincerely impartial in sentiment between the two belligerents, and that the present foreign policy, ineffective as it might be, fitted the emergency better than a bolder one. Added to this,

was the keen desire of the Republicans to recover the offices which had been lost through the apostacy of Robert Williams; and although the Federalists struggled like drowning men to hold their ill-gotten gains, the strong anti-British sentiment, backed by a determination to approve the policy of Madison, swept the State, re-electing Governor Tompkins by six thousand majority^[156] and putting both branches of the Legislature in control of the Republicans. Surely, Jonas Platt was never to be governor.

In the heated temper of the triumphant party, the new Council of Appointment, chosen soon after the Legislature convened in January, 1811, began removing officials with a fierceness that in our day would have brought shame and ruin upon any administration. It was a Clinton Council, and only Clintonians took office. Jacob Radcliff again turned over the New York mayoralty to DeWitt Clinton; Abraham Van Vechten gave up the attorney-generalship to Matthias B. Hildreth; Daniel Hale surrendered the secretaryship of state to Elisha Jenkins; Theodore V.W. Graham bowed his adieus to the recordership of Albany as John Van Ness Yates came in; and James O. Hoffman, Cadwallader D. Colden, and John W. Mulligan, as recorder, district attorney, and surrogate of New York, respectively, hastened to make way for their successors. As soon as an order could reach him, Thomas J. Oakley, surrogate of Dutchess County, vacated the office that the treachery of his father-in-law had brought him. It was another clean sweep throughout the entire State. Even Garrett T. Lansing, because he once belonged to the Lewisites, found the petty office of master in chancery catalogued among the "spoils."

CHAPTER XVI

DEWITT CLINTON AND TAMMANY

1789-1811

THE death of Lieutenant-Governor Broome, in the summer of 1810, created a vacancy which the Legislature provided should be filled at the following election in April. John Broome had been distinguished since the olden days when the cardinal policy of New York was the union of the Colonies in a general congress. He had belonged to the Committee of Fifty-one with John Jay, to the Committee of One Hundred with James Duane, and to the Committee of Observation with Philip Livingston. After the Revolution, he became president of the Board of Aldermen, treasurer of the Chamber of Commerce, and, in 1789, had stood for Congress against James Lawrence, the trusted adjutant-general of Washington. Although Broome's overwhelming defeat for Congress in no wise reflected upon his character as a patriot and representative citizen, it kept him in the background until the Federalists had frittered away their power in New York City. Then he came to the front again, first as state senator, and afterward, in 1804, as lieutenant-governor; but he never reached the coveted governorship. In that day, as in this, the office of lieutenant-governor was not necessarily a stepping stone to higher preferment. Pierre Van Cortlandt served with fidelity for eighteen years without getting the long wished-for promotion; Morgan Lewis jumped over Jeremiah Van Rensselaer in 1804; and Daniel D. Tompkins was preferred to John Broome in 1807. Indeed, with the exception of Enos T. Throop, Hamilton Fish, David B. Hill, and Frank W. Higgins, none of the worthy men who have presided with dignity over the deliberations of the State Senate have ever been elected governor.

DeWitt Clinton now wished to succeed Broome; and a large majority of Republican legislators quickly placed him in nomination. Clinton had first

desired to return to Albany as senator, as he would then have possessed the right to vote and to participate in debate. But the Martling Men, who held the balance of power, put forward Morgan Lewis, his bitterest enemy. It was a clever move on the part of the ex-Governor. Clinton had literally driven Lewis from the party, and for three years his name remained a reminiscence; but, with the assistance of Tammany, he now got out of obscurity by getting onto the ticket with Governor Tompkins. To add, too, to Clinton's chagrin, Tammany also put up Nathan Sanford for the Assembly, and thus closed against him the door of the Legislature. But to carry out his ambitious scheme—of mounting to the Presidency in 1812—Clinton needed to be in Albany to watch his enemies; and, although he cared little for the lieutenant-governorship, the possession of it would furnish an excuse for his presence at the state capital.

The announcement of DeWitt Clinton's nomination raised the most earnest outcries among the Martling Men. They had endeavoured to defeat his reappointment to the mayoralty; but their wild protests had fallen upon deaf ears. Indeed, the hatred of Minthorne, the intriguing genius of Teunis Wortman, and the earnestness of Matthew L. Davis, seemed only to have been agencies to prepare the way for Clinton's triumphant restoration. Now, however, these accomplished political gladiators proposed to give battle at the polls, and if their influence throughout the State had been as potent as it proved within the wards of New York City, the day of DeWitt Clinton's destiny must have been nearly over.

Since its organisation in 1789, the Society of St. Tammany had been an influential one. It was founded for charitable purposes; its membership was made up mostly of native Americans, and its meetings were largely social in their character.

"There's a barrel of porter at Tammany Hall,
And the Bucktails are swigging it all the
night long;
In the time of my boyhood 'twas pleasant to
call
For a seat and cigar 'mid the jovial
throng."

Thus sang Fitz-Greene Halleck of the social customs that continued far into the nineteenth century. Originally, Federalists and anti-Federalists found a welcome around Tammany's council fire; and its bucktail badge, the symbol of liberty, hung from the hat of Clintonian and Hamiltonian alike. But toward the end of Washington's second administration the society became thoroughly partisan and thoroughly anti-Federalist, shifting its wigwam to the historic "Long Room," at the tavern of Abraham Martling, a favourite hostelry which the Federalists contemptuously called "the Pig-Pen." Then it was, that Aaron Burr made Tammany a power in political campaigns. He does not seem to have been its grand sachem, or any sachem at all; nor is it known that he ever entered its wigwam or affiliated as a member; but its leaders were his satellites, who began manufacturing public opinion, manipulating primaries, dictating nominations, and carrying wards.

Out of Burr's candidacy for President sprang Tammany's long and bitter warfare against DeWitt Clinton. The quarrel began in 1802 when Clinton and Cheetham charged Burr with intriguing to beat Jefferson; it grew in bitterness when Clinton turned Burr and the Swartouts out of the directorate of the Manhattan Bank; nor was it softened after the secret compromise, made at Dyde's Hotel, in February, 1806. Indeed, from that moment, Tammany seemed the more determined to harass the ambitious Clinton; and, although his agents, as late as 1809, sought reconciliation, the society expelled Cheetham and made Clinton an object of detestation. Cheetham, who died in 1810, did not live to wreak full vengeance; but he did enough to arouse a shower of brick-bats which broke the windows of his home and threatened the demolition of the *American Citizen*.

Though Cheetham's decease relieved Tammany of one of its earliest and most vindictive assailants, the political death of DeWitt Clinton would have been more helpful, since Clinton's opposition proved the more harmful. As mayor he lived like a prince distributing bounty liberally among his supporters. He was lavish in the gift of lucrative offices, lavish in the loan of money, and lavish in contributions to charity. His salary and fees were estimated at twenty thousand dollars, an extravagant sum in days when eight hundred dollars met the expense of an average family, and the possessor of fifty thousand dollars was considered a rich man. Besides, his wife had inherited from her father, Walter Franklin, a wealthy member of

the Society of Friends, an estate valued at forty thousand dollars, making her one of the richest women in New York.

But Clinton had more than rich fees and a wealthy wife. The foreign element, especially the Irish, admired him because, when a United States senator, he had urged and secured a reduction of the period of naturalisation from fourteen years to five; and because he relieved the political and financial distress of their countrymen, by aiding the repeal of the alien and sedition laws. For a score of years, America had invited to its shores every fugitive from British persecution. But the heroes of 'Ninety-eight, who had escaped the gibbet, and successfully made their way to this country through the cordon of English frigates, were welcomed with laws even more offensive than the coercion acts which they had left behind. The last rebellious uprising to occur in Ireland under the Georges, had sent Thomas Addis Emmet, brother of the famous and unfortunate Irish patriot, a fugitive to the land of larger liberty. To receive this brother with laws that might send him back to death, was to despise the national sentiment of Irishmen; and the men, Clinton declared, who had been indisposed or unable to take account of the force of a national sentiment, were not and never could be fit to carry on the great work of government.

Thoughtful, however, as DeWitt Clinton had been of the oppressed in other lands, he lacked what Dean Swift said Bolingbroke needed—"a small infusion of the alderman." If he thought a man stupid he let him know it. To those who disagreed with him, he was rude and overbearing. All of what is known as the "politician's art" he professed to despise; and while Tammany organised wards into districts, and districts into blocks, Clinton pinned his faith on the supremacy of intellect, and on office-holding friends. The day the news of his nomination for lieutenant-governor reached New York, Tammany publicly charged him with attempting "to establish in his person a pernicious family aristocracy;" with making complete devotion "the exclusive test of merit and the only passport to promotion;" and with excluding himself from the Republican party by "opposing the election of President Madison." There was much truth in some of these charges. Clinton had quarrelled with Aaron Burr; he had overthrown Morgan Lewis; and he was ready to defeat Daniel D. Tompkins. Even Cheetham had left him some months before his death, and Richard Riker, who acted as second in the duel with John Swartout, was soon to ignore the chilly Mayor when

he passed. The estrangement of these friends is pathetic, yet one gets no melancholy accounts of Clinton's troubles. The great clamour of Tammany brought no darkening clouds into his life. He was soon to learn that Tammany, heretofore an object of contempt, was now a force to be reckoned with, but he did not show any qualms of uneasiness even if he felt them.

Tammany bolted Clinton's nomination, selecting for its candidate Marinus Willett, its most available member, and most brilliant historic character. Before and during the Revolution, Willett did much to make him a popular hero. He served the inefficient Abercrombie in his unsuccessful attack on Ticonderoga in 1758; he was with the resolute Bradstreet at the brilliant charge of Fort Frontenac; he led the historic sortie at Fort Schuyler on the 7th of August, 1777. Men were still living who saw his furious assault upon the camp of Johnson's Greens, so sudden and sharp that the baronet himself, before joining the flight of his Indians to the depths of the thick forest, did not have time to put on his coat, or to save the British flag and the personal baggage of Barry St. Leger. The tale was strange enough to seem incredible to minds more sober than those of the Tammany braves, who listened with pride to the achievements of their sachem. With two hundred and fifty men and an iron three-pounder, Willett had fallen so unexpectedly upon the English and Indians, that the advance guard, panic-stricken, suddenly disappeared—officers, men, and savages—leaving twenty-one wagon loads of rich spoil. This heroic deed was a part of Willett's stock in trade, and, although he was wobbly in his politics, the people could not forget his courage and good judgment in war. But Willett's influence was confined to the wards of a city. The rural counties believed in New York's mayor rather than in New York's hero; and when the votes were counted, Clinton had a safe majority. He had fared badly in New York City, being deprived of more than half his votes through the popular candidacy of Nicholas Fish; but, in spite of Tammany, he was able to go to Albany, and to begin work upon a scheme which, until then, had been only a dream. It was to be a gigantic struggle. Lewis and the Livingstons opposed him, Tammany detested him, Tompkins was jealous of him, Spencer deserted him; but he had shown he knew how to wait; and when waiting was over, he showed he knew how to act.

CHAPTER XVII

BANKS AND BRIBERY

1791-1812

DURING the early years of the last century, efforts to incorporate banks in New York were characterised by such an utter disregard of moral methods, that the period was long remembered as a black spot in the history of the State. Under the lead of Hamilton, Congress incorporated the United States Bank in 1791; and, inspired by his broad financial views, the Legislature chartered the Bank of New York in the same year, the Bank of Albany in 1792, and the Bank of Columbia, located at Hudson, in 1793. These institutions soon fell under the management of Federalists, who believed in banks and were ready to aid in their establishment, so long as they remained under Federalist control.

Republicans, on the other hand, disbelieved in banks. They opposed the United States Bank; and by George Clinton's casting vote defeated an extension of its charter, which expired by limitation on March 4, 1811. To them a bank was a combination of the rich against the poor, a moneyed corporation whose power was a menace to free institutions, and whose secret machinations were to be dreaded. At the same time, Republican leaders recognised the political necessity of having Republican banks to offset the influence of Federalist banks, and in order to overcome the deep seated prejudice of their party and to defeat the opposition of Federalists, inducements were offered and means employed which unscrupulous men quickly turned into base and shameless bribery.

In his partisan zeal Burr began the practice of deception. The Republicans needed a bank. The only one in New York City was controlled by the Federalists, who also controlled the Legislature, and the necessities of the

rising party, if not his own financial needs, appealed to Burr's clever management. Under the cover of chartering a company to supply pure water, and thus avoid a return of the yellow fever which had so recently devastated the city, he asked authority to charter the Manhattan Company, with a capital of two million dollars, provided "the surplus capital might be employed in any way not inconsistent with the laws and Constitution of the United States and of the State of New York." The people remembered the terrible yellow fever scourge, and the Legislature considered only the question of relieving the danger with pure and wholesome water; and, although the large capitalisation aroused suspicion in the Senate, and Chief Justice Lansing called it "a novel experiment,"^[157] the bill passed. Thus the Manhattan Bank came into existence, while wells, brackish and unwholesome, continued the only sufficient source of water supply.

That was in 1799. Four years later, the Republicans of Albany, realising the importance of a bank and the necessity of avoiding the opposition of their own party, obtained a charter for the State Bank, by selling stock to Republican members of the Legislature, with an assurance that it could be resold at a premium as soon as the institution had an existence. There was a ring of money in this proposition. Such an investment meant a gift of ten or twenty dollars on each share, and immediately members clamoured, intrigued, and battled for stock. The very boldness of the proposition seemed to save it from criticism. Nothing was covered up. To put the stock at a premium there must be a bank; to make a bank there must be a charter; and to secure a charter a majority of the members must own its stock. The result was inevitable.

It seems incredible in our day that such corruption could go on in broad daylight without a challenge. At the present time a legislator could not carry a district in New York if it were known that his vote had been secured by such ill-gotten gains. Yet the methods of the Republican promoters of the State Bank seem not to have brought a blush to the cheek of the youngest legislator. No one of prominence took exception to it save Abraham Van Vechten, and he was less concerned about the immorality of the thing than the competition to be arrayed against the Federalist bank in Albany. Even Erastus Root, then just entering his first term in Congress, saw nothing in the transaction to shock society's sense of propriety or to break the loftiest code of morality. "There was nothing of mystery in the passage of the

bank," he wrote. "The projectors sought to push it forward by spreading the stock among the influential Republicans of the State, including members of the Legislature, and carry it through as a party measure. It was argued by the managers of the scheme that the stock would be above par in order to induce the members of the Legislature to go into the measure, but nothing in the transaction had the least semblance of a corrupt influence. No one would hesitate from motives of delicacy, to offer a member, nor for him to take, shares in a bank sooner than in a turnpike or in an old canal."[\[158\]](#)

One can hardly imagine Erastus Root serious in the expression of such a monstrous doctrine. His life had been pure and noble. He was a sincere lover of his country; a statesman of high purpose, and of the most commanding talents. No one ever accused him of any share in this financial corruption. Yet a more Machiavellian opinion could not have been uttered. On principle, Republican members of the Legislature opposed banks, and that principle was overcome by profits; in other words, members must be bought, or the charter would fail. That the stock did go above par is evident from Root's keen desire to get some of it. As an influential Republican, he was allowed to subscribe for fifty shares, but when he called for it the papers could not be found. The bank was not a bubble. It had been organised and its stock issued, but its hook had been so well baited that the legislators left nothing for outsiders. Subsequently the directors sent Root a certificate for eight shares, and John Lamb, an assemblyman from Root's home, gave up eight more; but the Delaware congressman, angry because deprived of his fifty shares, refused to accept any. "I had come prepared to take the fifty," he wrote, "and in a fit of more spunk than wisdom, I rejected the whole."[\[159\]](#)

Two years after, in 1805, the Federalists desired to charter the Merchants' Bank of New York City. But the Legislature, largely Republican, was led by DeWitt Clinton, now at the zenith of his power, who resented its establishment because it must become a competitor of the Manhattan, an institution that furnished him fat dividends and large influence. Clinton had undoubtedly acquired a reputation for love of gain as well as of power, but he had never been charged, like John Taylor, with avarice. He spent with a lavish hand, he loaned liberally to friends, and he borrowed as if the day of payment was never to come; yet he had no disposition to help opponents of a bank that must cripple his control and diminish his profits. In this contest,

too, he had the active support of Ambrose Spencer, who fought the proposed charter in the double capacity of a stockholder in the Manhattan and the State, and a member of the Council of Revision. Three banks, with five millions of capital and authority to issue notes and create debts for fifteen millions more, he argued, were enough for one city. He had something to say also about "an alarming decrease of specie," and "an influx of bills of credit," which "tended to further banish the precious metals from circulation."^[160]

Governor Lewis would have been wiser had he joined Clinton and Spencer in their opposition. But Lewis would not play second fiddle in any game with Clinton, and so when he discovered that Clinton opposed the bank, he yielded party principle to personal prejudice and favoured it. With this powerful recruit the managers still lacked a majority, and, to influence others, Ebenezer Purdy, a Republican senator, employed his gifts in offering his legislative associates large rewards and rich benefits. As a statesman, Purdy seems to have been without any guiding principle, or any principle at all. He toiled and pushed and climbed, until he had landed in the Senate; then he pulled and bargained and promised until he became a member of the Council of Appointment, and, later, chairman of the legislative caucus that nominated Chancellor Lansing for governor; but not until the Merchants' Bank wanted a charter did Purdy find an opportunity to develop those aldermanic qualifications which distinguish him in history. He was getting on very well until he had the misfortune to confide his secret to Stephen Thorn, a senator from the eastern district, and Obadiah German, the well-known assemblyman from Chenango, whose views were not as liberal as Erastus Root's. "No one would hesitate, from motives of delicacy, to offer a member shares in a bank," said Root. This was Purdy's view also; but Thorn and German thought such an offer had the "semblance of a corrupt influence," and they made affidavits that Purdy had attempted to corrupt their votes. According to these affidavits the Senator promised German fifty shares of stock, with a profit of twenty dollars a share, and Thorn thirty shares, with a profit of twenty-five dollars a share. Similar affidavits were made by other members.

Erastus Root took exception to such transactions. "The Merchants' Bank in 1805," he says, "had powerful opposition to encounter, and, of course, made use of powerful means to accomplish the object. Then the shares and the

assurance became down-right corruption."^[161] But it is not easy to observe the difference between the methods of the State Bank managers, which Root affirms "had not the least semblance of a corrupt influence," and those of the Merchants' Bank, which he pronounces "down-right corruption," except that the one was open bribery and the other secret bribery. In either case, votes were obtained by the promise of profits. It is likely the methods of the Merchants' would have escaped notice, as did those of the State Bank, had not Clinton, determined to beat it, complained of Purdy's bribery. The latter resigned to escape expulsion, but the bank received its charter. This aroused the public conscience, and in the following winter the Legislature provided suitable punishment for the crime of bribery.

It was not until 1812 that any one had the hardihood to suggest another bank. Then the Federalists sought a charter for the Bank of America, with a capital of six millions, to be located in New York City. The applicants proposed to pay the school fund four hundred thousand dollars, the literature fund one hundred thousand, and the State one hundred thousand, provided no other bank be chartered for twenty years. In addition to this extravagant bonus, its managers agreed to loan the State one million dollars at five per cent. for the construction of canals, and one million to farmers at six per cent. for the improvement of their real estate. This bold and liberal proposal recalls John Law's South Sea Bubble of the century before; for, although the Bank of America sought no monopoly and promised the payment of no national debt, it did seem to be aiming its flight above the clouds, since, counting the Manhattan at two, the united capital of the banks of the State did not exceed five millions. The promoters, anticipating an outcry against the incorporation of such a gigantic institution, employed David Thomas of Washington and Solomon Southwick of Albany to visit members of the Legislature at their homes with the hope of enlisting their active support.

It is doubtful if two men better equipped to supply the necessary legislative majority could have been found in the State. Both were stalwart Republicans, possessing the confidence of DeWitt Clinton and an extensive acquaintance among local party managers. Thomas had caution and rare sagacity. Indeed, his service of four years in the Legislature and eight years in Congress had added to his political gifts such shrewdness and craft that he did not scruple, on occasion, to postpone or hasten an event, even though

such arrangement was made at the expense of some one else. This characteristic had manifested itself in the removal of Abraham G. Lansing as treasurer of state. The Chancellor's brother, by long service, had won the confidence of the people as a keeper of the State's money, and, although his family had followed the fortunes of Governor Lewis, it did not occur to the Legislature to dispossess him of his office until David Thomas wanted a position. Then, the silent, crafty Washingtonian developed so artfully the iniquity of Lansing's political perfidy that he succeeded in obtaining the office for himself. It was because of this craftiness, this unscrupulous use of every weapon of political warfare, that the bank hired him. His gifts, his schemes, his faults, his vices, were alike useful.

Solomon Southwick belonged to a different type. He lacked the caution of Thomas, but nature had given him the appearance and manners which well fitted him for the task of attracting those who came within the range of his influence. He was singularly handsome and graceful. No stranger came near him without feeling an instant desire to know him. He was all the more attractive because there seemed to be nothing artificial or made up about him. He had his intimates, but with an unstudied and informal dignity, he was hail-fellow with every one, keeping none at a distance, and concealing his real feelings behind no mask of conventionalism. It was said of him at this time that he knew more men personally than any other citizen in the State. He had been four times elected clerk of the Assembly, he had served as sheriff of his county, and he was now sole editor and proprietor of the *Albany Register*, the leading and most influential Republican paper. To ability as a writer he also added eloquence of speech. Southwick could not be called a great orator, but he had grace, wit, imagination, and a beauty of style that appealed to the hearts and sympathies of his hearers. In the conduct of his business affairs, nobody could be more careful, more methodical, more precise. Indeed, we may take it for granted, without any biographical information on the subject, that in 1811 Solomon Southwick was on the road to the highest honours in the gift of his State.

But his connection with the Bank of America covered him with suspicion from which he never entirely recovered. It must have occurred to him, when accepting the bank's retainer, that his opposition to the Merchants' Bank would be recalled to the injury of his consistency. In 1805, he had boldly declared in the *Register* that any Republican who voted for a Federalist

bank was justly censurable; in 1812, he so far changed his mind as to hold that any one "who supports or opposes a bank upon the grounds of Federalism or Republicanism, is either deceiver or deceived, and will not be listened to by any man of sense or experience." A little later in the contest, when partisan fury and public corruption were the opposing forces, several sub-agents of the bank were indicted for bribery, among them a former clergyman who was sent to the penitentiary. Then it was whispered that David Thomas, following the example of Purdy in 1805, had scattered his purchase-money everywhere, sowing with the sack and not with the hand. Finally, Casper M. Rouse, a senator from Chenango, accused Thomas of offering him ten shares of stock, with a profit of one thousand dollars, adding that Thomas had told him to call upon Southwick in Albany. Southwick had evidently fallen into bad company, and, although Rouse disclaimed having seen the Albany journalist, a week or two later Alexander Sheldon, speaker of the Assembly, made a charge against Southwick similar to Rouse's accusation against Thomas. Both men were indicted, but the jury preferred accepting the denial of the defendants, since it appeared that Rouse and Sheldon, instead of treating the accused as bribers and men unworthy of confidence, had maintained their former relations with them, subsequently voting for Thomas for treasurer of state, and for Southwick as regent of the State University. As positive proof of bribery was limited in each case to the prosecuting witness, we may very well accept the defendants' repeated declarations of their own integrity and uprightness, although the conditions surrounding them were too peculiar not to leave a stigma upon their memory.

These charges of crime, added to the bank's possession of a solid majority in both branches of the Legislature, aroused the opposition into a storm of indignation and resentment. Governor Tompkins had anticipated its coming, and in a long, laboured message, warned members to beware of the methods of bank managers. Such institutions, he declared, "facilitate forgeries, drain the country of specie, discourage agriculture, swallow up the property of insolvents to the injury of other creditors, tend to the subversion of government by vesting in the hands of the wealthy and aristocratic classes powerful engines to corrupt and subdue republican notions, relieve the wealthy stockholder from an equal share of contribution to the public service, and proportionally enhance the tax on the hard

earnings of the farmer, mechanic and labourer." He spoke of the "intrigue and hollow pretences" of applicants, insisting that the gratification of politicians ought not to govern them, nor the "selfish and demoralising distribution of the stock." "Nor ought we to be unmindful," he continued, "that the prominent men who seek the incorporation of new banks, are the very same men who have deeply participated in the original stock of most of the previously established banks. Having disposed of that stock at a lucrative advance, and their avidity being sharpened by repeated gratification, they become more importunate and vehement in every fresh attempt to obtain an opportunity of renewing their speculations." As if this were not reason enough, he exhorted them not to be deceived by the apparent unanimity of sentiment about the capital, since it "is no real indication of the sentiments of the community at large," but so to legislate as "to retain and confirm public confidence, not only in the wisdom, but also in the unbending independence and unsullied integrity of the Legislature."^[162]

The Governor's arguments were supplemented by others from Ambrose Spencer, whose bank holdings seemed more likely than ever to suffer if this gigantic combination succeeded. Spencer's opposition to the Merchants' Bank in 1805 had been earnest, but now his whole soul was aflame. To counteract the influence of Southwick's *Register*, he established the *Albany Republican*, which ceased to exist at the end of the campaign, but which, during its brief life, struck at every head that favoured the bank. Its editorials, following the line of his objections in the Council of Revision, lifted into prominence the injurious effect likely to flow from such an alarming extension of banking capital at a time when foreign commerce was stagnant, and when the American nation was on the eve of a war in defence of its commercial rights. This was mixed with a stronger personal refrain, discovering the danger to his bank-holdings and revealing the intensity of a nature not yet inured to defeat. A bank controlling three times as much capital as any other, he argued, with unlimited power to establish branches throughout the State, must be a constant menace to minor institutions, which were established under the confidence of governmental protection and upon the legislative faith that no further act should impair or destroy their security. "A power thus unlimited," he declared, "may be exercised not only to prejudice the interests, but to control the operations,

destroy the independence, and impair the security of every bank north of the city of New York. A bill thus improvisory and alarming, giving undefined and unnecessary powers, and leaving the execution of those powers to a few individuals, would materially weaken the confidence of the community in the justice, wisdom, and foresight of the Legislature."^[163]

With Tompkins and Spencer stood John Taylor, whose fear for his stock in the State Bank, of which he was president, made his opposition more conspicuous than it appeared in 1805, when he assaulted Purdy, knocking him down as he left the senate chamber; but in this contest, he did not strike or threaten. He moved among his associates in the Senate with the grace of a younger man, his tall, spare form bending like a wind-swept tree as he reasoned and coaxed. In the same group of zealous opponents belonged Erastus Root, who had just entered the Senate, and whose speech against the Bank of America was distinguished for its suppressed passion and its stern severity. He had waked up, at last, to the scandalous barter in bank charters.

There was, however, one Republican in Albany whose course excited more serious censure than was meted out to all others. At a moment when the methods of bank managers aroused the most bitter hostility of his closest political allies, DeWitt Clinton became conspicuous by his silence. At heart he opposed the Bank of America as bitterly as Ambrose Spencer and for the same reasons; nor did he recognise any difference in the conditions surrounding it and those which existed in 1805 when he drove Ebenezer Purdy from the Senate; but, consumed with a desire to get a legislative indorsement for President, before Madison secured a congressional nomination, he refused to take sides, since the bank people, who dominated the Legislature, refused such an indorsement until the passage of their charter. In vain did Spencer threaten and Taylor plead. He would vote, Clinton said, against the bank if opportunity presented, but he would not be drawn into the bitter contest; he would not denounce Southwick; he would not judge Thomas; he would not even venture to criticise the bank. For fourteen years Clinton and Spencer had been fast political friends; but now, at the supreme moment of Clinton's ambition, these brothers-in-law were to fall under the guidance of different stars.

Governor Tompkins, whose desire to enter the White House no longer veiled itself as a secret, understood the purpose and importance of Clinton's silence, and to give President Madison an advantage, he used a prerogative, only once exercised under the Constitution of 1777, to prorogue the Legislature for sixty days. Ostensibly he did it to defeat the bank; in reality he desired the defeat of Clinton. It is not easy to appreciate the wild excitement that followed the Governor's act. It recalled the days of the provincial governors, when England's hand rested heavily upon the liberties of the people; and the friends of the bank joined in bitter denunciation of such a despotic use of power. Meantime, a congressional caucus renominated Madison. But whatever the forced adjournment did for Clinton, it in no wise injured the bank, which was chartered as soon as the Legislature reassembled on May 21.

While the Bank of America was engrossing the attention of the Legislature and the nomination of a presidential candidate convulsed Congress, George Clinton closed his distinguished career at Washington on the 20th of April, 1812. If he left behind him a memory of long service which had been lived to his own advantage, it was by no means lived to the disadvantage of his country or his State. He did much for both. Perhaps he was better fitted for an instrument of revolution than a governor of peace, but the influence which he exercised upon his time was prodigious. In the two great events of his life—the revolt of the Colonies and the adoption of a Federal Constitution—he undoubtedly swayed the minds of his countrymen to a degree unequalled among those contemporaries who favoured independence and state supremacy. He lacked the genius of Hamilton, the scholarly, refined integrity of Jay, and the statesmanship of both; but he was by odds the strongest, ablest, and most astute man of his party in the State. Jay and Hamilton looked into the future, Clinton saw only the present. The former possessed a love for humanity and a longing for progress which encouraged them to work out a national existence, broad enough and strong enough to satisfy the ambition of a great nation a century after its birth; Clinton was satisfied to conserve what he had, unmoved by the great possibilities even then indistinctly outlined to the eye of the statesman whose vision was fixed intently upon an undivided America. But Clinton wisely conserved what was given to his keeping. As he grew older he grew more tolerant and humane, substituting imprisonment for the death penalty,

and recommending a complete revision of the criminal laws. His administration, too, saw the earliest attempts made in a systematic way toward the spread of education among the multitudes, his message to the Legislature of 1795 urging a generous appropriation to common schools. This was the first suggestion of state aid. Colleges and seminaries had been remembered, but schools for the common people waited until Clinton had been governor for eighteen years.

CHAPTER XVIII

CLINTON AND THE PRESIDENCY

1812

FOR many years DeWitt Clinton had had aspirations to become a candidate for President. He entered the United States Senate in 1802 with such an ambition; he became mayor of New York in 1803 with this end in view; he sought the lieutenant-governorship in 1811 for no other purpose; and, although he had never taken a managing step in that direction, looking cautiously into the future, he saw his way and only waited for the passing of the Vice President. DeWitt Clinton, whatever his defects of character and however lacking he may have been in an exalted sense of political principle, appears to have been sincere in his anxiety to elevate his uncle to the presidential chair. During Jefferson's administration his efforts seem never to have been intermitted, and only when the infirmities of advanced age admonished him that George Clinton's life and career were nearly at an end, did his mind and heart, acquiescing in the appropriation of his relative's mantle, seize the first opportunity of satisfying his unbounded ambition.

The opening presented in the spring of 1812 was not an unattractive one. A new party, controlled by a remarkable coterie of brilliant young men from the South, whose shibboleth was war with England, had sprung up in Congress, and, by sheer force of will and intellect, had dragged to the support of its policies the larger part of the Republican majority.^[164] President Madison was thoroughly in sympathy with these members. He thought war should be declared before Congress adjourned, and, to hasten its coming, he had recommended an embargo for sixty days. "For my own part," he wrote Jefferson, "I look upon a short embargo as a step to immediate war, and I wait only for the Senate to make the declaration."^[165] This did not sound like a peace voice; yet the anti-English party felt little

cordiality for him. His abilities, as the event amply proved, were not those likely to wage a successful war. He was regarded as a timid man, incapable of a burst of passion or a bold act. In place of resolute opinion he courted argument; with an inclination to be peevish and fretful, he was at times arrogantly pertinacious. Although his health, moreover, was delicate and he looked worn and feeble, he exhibited no consciousness of needing support, declining to reconstruct his Cabinet that abler men might lend the assistance his own lack of energy demanded. As time went on Republicans would gladly have exchanged him for a stronger leader, one better fitted by character and temperament to select the men and find a way for a speedy victory. It was no less plain that the conservatives thoroughly disliked him, and if they could have wrought a change without disrupting the party, it would have suited their spirit and temper to have openly opposed his renomination.

DeWitt Clinton understood the situation, and his friends pointed with confidence to his well known character for firmness and nerve. Of Clinton, it may be justly said, that he seems most attractive, not as a politician, not as a mayor solicitous for the good government of a growing city, not as a successful promoter of the canal, but as a rugged, inflexible, determined, self-willed personality. Perhaps not many loved him, or longed for his companionship, or had any feeling of tenderness for him; yet, in spite of his manners or want of manners, there was a fascination about the man that often disarmed censure and turned the critic into a devotee. At this time he undoubtedly stood at the head of his party in the North. He was still young, having just entered his forties, still ambitious to shine as a statesman of the first magnitude. An extraordinary power of application had equipped him with the varied information that would make him an authority in the national life. Even his enemies admitted his capacity as a great executive. He had sometimes been compelled, for the sake of his own career, to regulate his course by a disregard of party creed, especially at a time when the principles of Republicanism were somewhat undefined in their character; but amid all the doubts and distractions of a checkered, eventful political career he was known for his absolute integrity, his clear head, and his steady nerve. His very pride made it impossible for him to condescend to any violation of a promise.

Clinton's New York party friends naturally desired a legislative indorsement for him before Congress could act. But Governor Tompkins' sudden adjournment of the Legislature had stripped him of that advantage, and three days before the houses reassembled, on May 18, Madison was renominated by a congressional caucus, seventeen senators and sixty-six representatives, including three from New York, taking part in its proceedings. Eleven days later, ninety out of ninety-five Republican members of the New York Legislature voted in caucus to support Clinton. [166] If the Madison caucus doubted the wisdom of its action, the Clinton caucus was no less uncertain of the expediency of its decision. Governor Tompkins opposed it; the Livingstons assailed it; the Martling Men, led by Sanford and Lewis, refused to attend; Ambrose Spencer and John Taylor went into it because they were driven; and Erastus Root, in maintaining that Clinton could not, and as a Federal candidate ought not, to succeed, clearly voiced the sentiment of a large minority. In short, the most prominent men in the State opposed the nomination, knowing that Republicans outside of New York could not support it because of its irregularity.

But, at the supreme moment, events greatly favoured Clinton. Pierre Van Cortlandt, Obadiah German, and other members of Congress appeared upon the scene, bringing the story of Madison's unpopularity and bearing letters from Gideon Granger, the postmaster-general, urging the support of Clinton. Granger belonged to Connecticut, and, except William Eustis, about to retire as an inefficient secretary of war, was the only cabinet officer from a northern State. He knew that not a dozen northern members of Congress sincerely favoured war, and that not a man in the party save Madison himself, sincerely favoured the President's renomination; but he also knew that the South had determined to force the issue; and so in a powerful document he demanded the nomination of a man who, when conflict came, could shorten it by a vigorous administration. This appeal lifted the Clinton movement above the level of an ordinary state nomination.

On the day of his selection, DeWitt Clinton believed his chances more than even. Though the declaration of war had popularised Madison in the South and West, and, in a measure, solidified the Republicans in the North, the young aspirant still counted on a majority of malcontents and Federalists. The best obtainable information indicated that three Republicans in

Massachusetts would unite with the Federalists in choosing Clinton electors; that the rest of New England would act with Massachusetts; and that Clinton would also obtain support in Maryland, Ohio, North Carolina, Delaware, New Jersey, and, possibly, Virginia. "If Pennsylvania should be combined," Clinton said to Gouverneur Morris, "I would come out all right." As late, too, as the middle of September, Rufus King ventured the opinion to Christopher Gore that while North Carolina was still uncertain, Delaware, New Jersey and Maryland would probably become Clintonian, although Pennsylvania and Vermont would be "democratic and Madisonian."

To the Federalist leaders, Clinton called himself an American Federalist. If chosen President he engaged to make immediate peace with England, and to oppose the views of those Southern States which sought to degrade the Northern States by oppressing commerce.^[167] It was this suggestion that led to a secret conference between Clinton, John Jay, Rufus King and Gouverneur Morris, held at the latter's home on August 5, to consider the advisability of forming a peace party. Few scenes in political history are more dramatic than this meeting of Clinton and the three Federalist leaders of the Empire State. King at first objected to taking any part. He looked on Clinton, he said, as one who could lead only so long as he held the views and prejudices of his followers, and who, unless a large body of Republicans came with him, was not worth accepting. But King finally consented to be present, after Jay, although in ill health, promised to join them. Morris was pleased to undertake his part, for association with Clinton upon the Canal Commission had made them somewhat intimate. It was agreed to exclude every topic except the plan of forming a peace party. The hour fixed was two in the afternoon; but it was five o'clock before Clinton entered the stately library at Morrisania.

In opening the interview, Morris simply read the resolutions prepared for a peace meeting. "Then Clinton observed," says Rufus King, "that he did not differ from us in opinions respecting public affairs, and that he entirely approved the resolutions; but, as his friends, comprehending a great majority of the Republican party in the State, were divided in their opinions respecting the war—prejudices against England leading some of them to approve the war—time was necessary to bring them to one opinion. Disastrous events had already happened, and owing to the incapacity of the

national administration still further misfortunes would occur, and would serve to produce an union of opinion respecting the war; that for these reasons the proposed peace meeting should be deferred four or five weeks; in the interim he would confer with his friends for the purpose of bringing about a common opinion, and apprise the movers of his ulterior views on Monday, August 10, when the canal commissioners would hold a meeting."
[168]

During the now historic interview, Clinton said that the President's incapacity made it impossible for him longer to continue his party relation; and he pledged his honour that the breach between them was irreparable. Yet, on account of his friends as well as his own account, he said, he deemed it expedient to avoid publicity on the subject. He spoke of Spencer with bitterness, styling him "his creature," whom Armstrong governed, and who, in turn, influenced Tompkins and John Taylor. "Armstrong," he repeated, "while engaged in measures to procure a peace meeting in Dutchess County over which he had promised to preside, had been bought off by the miserable commission of a brigadier-general." [169]

As the campaign grew older, the Federalists were perplexed and distracted by an increasing uncertainty as to what they should do. This was especially true of those who sighed for power and despaired of getting it through the continuance of a Federalist party. Rufus King, clear as to the course which ought to be followed, earnestly advised his friends to nominate a respectable Federalist, not with the expectation of succeeding in the election, but for the purpose of keeping the Federal body unbroken in principle; that its character and influence might be reserved for the occasion which, in the present course of affairs, he said, could not fail to arrive. King, however, failed to influence his friends. On September 15, in a convention of sixty or more delegates from all the States north of the Potomac, it was recommended that, as it would be inexpedient to name a Federal candidate because impractical to elect one, Federalists should co-operate in the election of a President who would be likely to pursue a different policy from Madison.

This resolution was largely due to the eloquence of Harrison Gray Otis. He urged that the defeat of Madison would speedily lead to a peace, for which the door stood open in the repeal of the Orders in Council. Rufus King

insisted that the name all had in mind be given in the resolution; although, he admitted, no one knew whether Clinton would pursue a policy different from Madison's. No man in the country, he said, was more equivocal in his character. He had disapproved the embargo and then receded from his opinion; and, to restore himself to the confidence of his party, he had published a tirade against the Federalists. "If we succeed in promoting his election," thundered the orator, "I fear we may place in the chair a Cæsar Borgia instead of a James Madison."^[170] These were bitter words, recalling Hamilton's famous criticism of Aaron Burr, but they were spoken without the wealth of Hamilton's experience to support them. That Clinton would sacrifice his own interests and his own ambition for the sake of any political cause no one could believe; that he had played fast and loose for a time with the great question of embargo was too well known to be denied; but that anything had occurred in his public career to justify Rufus King's simile, his worst enemies could not seriously credit. Even Christopher Gore was compelled to admit that the Federal leaders of Massachusetts "are favourably impressed with the character and views of Clinton. Indeed, since last spring I have scarcely heard any one speak of him but extolled the excellence of his moral character and the purity of his present political views."^[171] To this King simply replied: "I stated my sentiments to the meeting, a great majority of whom thought them incorrect. Time, which reveals truth, must decide between us."^[172]

By the middle of September, Clinton exhibited lamentable weakness as a political organiser. Opposing him, he had the whole power of state and national administrations, and the most prominent men of the party, led by Erastus Root. Besides, a new Legislature, elected in the preceding April, had a Republican majority on joint ballot divided between Clintonians and Madisonians; and, still further to perplex the situation, twenty Republican assemblymen absolutely refused to vote unless Madison were given a fair division of the electors. This meant the surrender of one elector out of three, an arrangement to which Clinton dared not consent.

Clinton, though seriously impressed by the gravity of his position, seems to have done nothing to clear the way; but the hour of crisis brought with it the man demanded. During recent years a new and very remarkable figure in political life had been coming to the front. Martin Van Buren, afterward President of the United States, was establishing his claim to the position of

commanding influence he was destined to hold during the next three decades. His father, an innkeeper in the village of Kinderhook, gave him a chance to learn a little English at the common schools, and a little Latin at the academy. At the age of fourteen, he began sweeping an office and running errands for a country attorney, who taught him the law. Then he went to New York City to finish his education in the office of William P. Van Ness, an old Columbia County neighbour, at that time making his brilliant and bitter attack as "Aristides" upon the Clintons and the Livingstons. A year later, in 1803, Van Buren celebrated his twenty-first birthday by forming a partnership in Kinderhook with a half-brother, James J. Van Alen, already established in the practice. In 1808, he became surrogate; and when the Legislature convened in November, 1812, he took a seat in the Senate, the youngest man save one, it is said, until then elected to that body.

Martin Van Buren had shown unusual sagacity as a politician. Born under conditions which might have disheartened one of different mould, bred in a county given up to Federalism, and taught in the law for six years by an uncompromising follower of Hamilton, he nevertheless held steadfastly to the Jeffersonian faith of his father. Nor would he be moved in his fealty to the Clintons, although Van Ness, his distinguished law preceptor, worshipped Burr and hated his enemies. As a very young man, Van Buren was able to see that the principles of Republicanism had established themselves in the minds of the great majority of the people interested in political life, and if he had been persuaded that Aaron Burr and his Federalist allies were to be restored to power in 1804, he was far too shrewd to be tempted by the prospects of such a coalition. He had also shown, from his first entrance into politics, a remarkable capacity for organisation. He had courage, a social and cheerful temper, engaging manners, and extraordinary application. He also had the happy faculty of guiding without seeming to dictate; he could show the way without pushing one along the path. Finally, back of all, was the ability that soon made him the peer of Elisha Williams, the ablest lawyer in a county famous for its brilliant men, enabling him quickly to outgrow the professional limitations of Kinderhook, and to extend his practice far beyond the limits of the busy city of Hudson.

Martin Van Buren cannot be ranked as a great orator. He spoke too rapidly, and he was wanting in imagination, without which eloquence of the highest character is impossible. Besides, although his head was well formed and his face singularly attractive, his small figure placed him at a disadvantage. He possessed, however, a remarkable command of language, and his graceful, persuasive manner, often animated, sometimes thrilling, frequently impassioned, inspired confidence in his sincerity, and easily classed him among the ablest speakers. His best qualities consisted in his clearness of exposition, his masterly array of forcible argument, his faculty for balancing evidence, for acquiring and comparing facts, and for appreciating tendencies.

When Van Buren entered the State Senate he was recognised as the Republican leader of his section. A recent biographer says that his skill in dealing with men was extraordinary, due no doubt to his temper of amity and inborn genius for society. "As you saw him once," wrote William Allen Butler, "you saw him always—always punctilious, always polite, always cheerful, always self-possessed. It seemed to any one who studied this phase of his character as if, in some early moment of destiny, his whole nature had been bathed in a cool, clear, and unruffled depth, from which it drew this lifelong serenity and self-control."^[173] Any intelligent observer of public life must have felt that Martin Van Buren was only at the opening of a great political career. Inferior to DeWitt Clinton in the endowments which obtain for their possessor the title of a man of genius, he could, though thirteen years younger, weigh the strength of conflicting tendencies in the political world with an accuracy to which Clinton could not pretend.

On reaching Albany, in November, 1812, Van Buren saw the electoral situation at a glance; and naturally, almost insensibly, he became Clinton's representative. He slipped into leadership as easily as Bonaparte stepped into the history of Europe, when he seized the fatal weakness in the well defended city of Toulon. Van Buren had approved embargo, non-intercourse, and the war itself. The discontent growing out of Jefferson's severe treatment of the difficulties caused by the Orders in Council and the Berlin and Milan Decrees, seems never to have shaken his confidence in Republican statesmanship, or aroused the slightest animosity against the congressional caucus nominee for President. But he accepted Clinton as the regular and practically the unanimous nominee of the Republican members

of a preceding Legislature. Although Madison's nomination had come in the way then accepted, he had a stronger sense of allegiance to the expressed will of his party in the State. His adversaries, of whom he was soon to have many, charged him with treachery to the President and to the party. There came a time when it was asserted, and, apparently, with some show of truth, that he had neither the courage nor the heart to keep the side of his convictions boldly and finally; that he was always thinking of personal interests, and trying to take the position which promised the greatest advantage and the greatest security. We shall have occasion, in the course of these pages, to study the basis of such criticism. But, in the present crisis, had he not been thoroughly sincere and single-hearted, he could easily have thrown in his fortunes with the winning side; for at that time he must have had little faith in the chances of Clinton's election. Vermont had been given up, Pennsylvania was scarcely in doubt, and the South showed unmistakable signs of voting solidly for Madison.^[174]

Van Buren's work not only encouraged several Federalists to vote for Clinton electors, but it compelled the Madisonians not to vote at all. It seemed easy, when a master hand guided the helm, to bring order out of chaos. Upon joint ballot, the Clintonian electors received seventy-four votes to the Federalists' forty-five; twenty-eight blanks represented the Madison strength. Van Buren, however, could not control in other States. If some one in Pennsylvania, of equal tact in the management of men, could have supplemented his work, Clinton must easily have won. But it is not often given a party, or an individual, to have the assistance of two such men at the same time. After the votes were counted, it appeared that Clinton had carried New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, and had five votes in Maryland—eighty-nine in all. The remaining one hundred and twenty-eight belonged to Madison.

In estimating the discontent excited by the declaration of war Clinton had failed to foresee that there is something captivating to a spirited people about the opening of a new war. He had also failed to notice that military failures could not affect Madison's strength. The surrender of Detroit, Dearborn's blunder in wasting time, and the inefficiency of the secretary of war had raised a storm of public wrath sufficient to annihilate Hull and to shake the earth under Eustis; but it passed harmlessly over the head of the President. The foreign policy of Jefferson and Madison, approved by the

Republican party, was on trial, and the defeat of the Administration meant a want of confidence in the party itself. Here, then, was a contingency against which Clinton had never thought of providing, and, as so often happens, the one thing not taken into consideration, proved decisive in the result.

CHAPTER XIX

QUARRELS AND RIVALRIES

1813

AFTER Clinton's loss of the Presidency, it must have been clear to his friends and enemies alike that his influence in the Republican party was waning. A revolution in sentiment did not then sweep over the State with anything like the swiftness and certainty of the present era of cheap newspapers and rapid transit. Yet, in spite of his genius, which concealed, and, for a time, checked the suddenness of his fall, the rank and file of the party quickly understood what had happened. Friends began falling away. For several months Ambrose Spencer had openly and bitterly denounced him, and Governor Tompkins took a decisive part in relieving his rival of the last hope of ever again reckoning on the support of Republicans.

The feeling against Clinton was intensified by the common belief that the election of Rufus King, as United States senator to succeed John Smith, on March 4, 1813, paid the Federalists their price for choosing Clinton electors. The Republicans had a majority on joint ballot, and James W. Wilkin, a senator from the middle district, was placed in nomination; but when the votes were counted King had sixty-four and Wilkin sixty-one. It looked treacherous, and it suggested gross ingratitude, since Wilkin had presided at the legislative caucus which nominated Clinton for President; but, as we have seen, events had been moving in different ways, events destined to produce a strange crop of political results. In buying its charter, the Bank of America had contracted to do many things, and the election of a United States senator was not unlikely among its bargains. This theory seems the more probable since Clinton, whom Rufus King had denounced as a dangerous demagogue, would have preferred putting King into a position of embarrassment more than into the United States Senate. Wilkin

himself so understood it, or, at least, he believed that the Bank, and not Clinton, had contributed to his defeat, and he said so in a letter afterward found among the Clinton papers.

Hostile Republicans were, however, now ready to believe Clinton guilty of any act of turpitude or ingratitude; and so, on February 4, when a legislative caucus renominated Daniel D. Tompkins for governor by acclamation, Clinton received only sixteen votes for lieutenant-governor. There is no evidence that Van Buren took part in Clinton's humiliation; but it is certain he did not act with all the fairness that might have been expected. He could well have said that Clinton was no worse than the majority of his party who had nominated him; that his aim, like theirs, was a vigorous prosecution of the war in the interest of an early peace; that he had no intention of separating himself from the Republican party, and that his renomination for lieutenant-governor would reunite the party, making it more potent to create and support war measures. But Van Buren himself was not beyond danger. Tammany's mutterings and Spencer's violent denunciations threatened to exclude others from the party, and to escape their hostility, this rising young statesman found it convenient to drop Clinton and shout for Tompkins. A less able and clear-headed man might have gone wrong at this parting of the ways, just as did Obadiah German and other friends of Clinton; but Van Buren never needed a guide-post to point out to him the safest political road to travel. The better to prove his party loyalty, he consented to draft the usual grandiloquent address issued by the legislative caucus to Republican electors, always a sophomoric appeal, but quite in accord with the rhetoric of the time. If any doubt existed as to the orthodoxy of Van Buren's Republicanism, this address must have dissipated it. It sustained the general government by forcible argument, and it appealed with fervid eloquence and deep pathos to the patriotism of the people to continue their support of the party.

How great a part Clinton was yet to play in the history of his State no one could foresee. Much speculation has been indulged by writers as to the probable course of history had he been elected President, but the mere fact that he was able to inspire so small a fraction of his party with full faith in his leadership is decisive evidence that he was not then the man of the hour. It is certain that his enemies believed his political life had been brought to an ignoble close. Clinton probably felt that he would have no difficulty in

living down the opprobrium put upon him by partisan hostility; and to prove that he was still in the political arena, a little coterie of distinguished friends, led by Obadiah German and Pierre Van Cortlandt, made a circle about him. From this vantage ground he defied his enemies, attacking Madison's conduct of the war with great severity, and protesting against the support of Tompkins and Taylor as the mere tools of Madison.

Clinton's usual good fortune also attended him. As we have seen, the April elections in 1812 returned a Federalist Assembly, which selected a Council of Appointment opposed to Clinton's removal from the mayoralty. It displaced everybody else throughout the State. Clintonians and Madisonians alike suffered, including the able and distinguished Thomas Addis Emmet, an ardent friend of Clinton who had been urged to accept the attorney-generalship after the death of Matthias B. Hildreth in the preceding August. But Clinton had the support of Jonas Platt, the leading member of the Council, and Platt refused to permit his removal. Doubtless the latter hoped to fill up the Federalist ranks with Clintonian recruits; and so with greater confidence than usual the Federalists, when their turn came, nominated Stephen Van Rensselaer for governor and George Huntington of Oneida County for lieutenant-governor.

Aside from the result of the elections of the preceding November, which had given Federalists twenty out of thirty congressmen, it is difficult to understand upon what the party of Hamilton really based its confidence. Before the campaign was a month old, it must have been evident that the defeated candidate for President had as little influence as Van Rensselaer, who, as a major-general of militia in command at Fort Niagara, was a miserable failure. After shivering with fear for sixty days lest Hull's fate overtake him, Van Rensselaer, apparently in sheer desperation, had suddenly ordered a small part of his force across the river to be shot and captured in the presence of a large reserve who refused to go to the assistance of their comrades. The news of this defeat led Monroe to speak of him as "a weak and incompetent man with high pretensions." Jefferson thought Hull ought to be "shot for cowardice" and Van Rensselaer "broke for incapacity."[\[175\]](#)

But the Federalists, unmindful of the real seriousness of that disaster, contested the election with unusual vehemence, until the best informed men

of both parties conceded their advantage. The Government's incapacity was abundantly illustrated in the failure of its armies and in the impoverished condition of its treasury, and if the home conditions had been disturbed by distress, the confidence of the Federalists must have been realised. The people of the State, however, had seen and felt nothing of actual warfare. In spite of embargoes and blockades, ample supplies of foreign goods had continued to arrive; and, except along the Niagara frontier, occupied by a few hundred scattered settlers, the farms produced their usual harvests and the industries of life were not impaired. Under these conditions, the voters of the country districts saw no reason for defeating a governor whom they liked, for a man whose military service added nothing to his credit or to the lustre of the State. So, when the election storm subsided, it was found, to the bitter mortification of the Federalists, that while the chief towns, New York, Hudson and Albany, were strong in opposition, Tompkins and Taylor had triumphed by the moderate majority of 3606 in a total vote of over 83,000.^[176] The Senate stood three to one in favour of the Republicans. The Assembly was lost by ten votes.

Tompkins was now at the zenith of his political career. He was one of those men not infrequently observed in public life, who, without conspicuous ability, have a certain knack for the management of men, and are able to acquire influence and even a certain degree of fame by personal skill in manipulating patronage, smoothing away difficulties, and making things easy. Nature had not only endowed him with a genius for political diplomacy, but good fortune had favoured his march to popularity by disassociating him with any circumstances of birth or environment calculated to excite jealousy or to arouse the suspicion of the people. He was neither rich nor highly connected. The people knew him by the favourite title of the "farmer's boy," and he never appeared to forget his humble beginnings. "He had the faculty," says James Renwick, formerly of Columbia College, who knew him personally, "of never forgetting the name or face of any person with whom he had once conversed; of becoming acquainted and appearing to take an interest in the concerns of their families; and of securing, by his affability and amiable address, the good opinion of the female sex, who, although possessed of no vote, often exercise a powerful indirect influence." Thus, while still in the early prime of life, he had risen to a position in the State which, even in the case of men

with superior intellectual endowments, is commonly the reward of maturer years and longer experience.

From the moment Tompkins became governor in 1807 the strongest ambition of his mind was success in the great game of politics; and, although never a good hater, his capacity for friendship depended upon whether the success of his own career was endangered by the association. Having laid Clinton in the dust, his eye rested upon John Armstrong, who had recently won the appointment of secretary of war. Armstrong had been recalled from Paris at the request of Napoleon, just in time to get in the way of both Clinton and Tompkins. At first he was a malcontent, grumbling at Madison, and condemning the conduct of public affairs generally; but, after the declaration of war, he supported the Administration, and, on July 6, 1812, to the surprise and indignation of Clinton, he accepted a brigadiership, with command of New York City and its defences. Then came the period of danger and urgency following the surrender of Detroit, and Armstrong, on the 6th of February, 1813, to the great embarrassment of Tompkins, obtained quick promotion to the head of the war department.

There seems to have been no reason why Tompkins should have harboured the feeling of rivalry toward Armstrong that he cherished for Clinton. The former was simply a pretentious occupier of high places, without real ability for great accomplishment. His little knowledge of the theory and practice of war was learned on the staff of General Gates, who, Bancroft says, "had no fitness for command and wanted personal courage." It was while Armstrong was dwelling in the tent of this political, intriguing adventurer, that he wrote the celebrated "Newburgh Letters," stigmatised by Washington. These events, coupled with his want of scruples and known capacity for intrigue and indolence, made him an object of such distrust that the Senate, in spite of his social and political connections, barely confirmed him.

Could Tompkins, looking two years into the future, have foreseen Armstrong passing into disgraceful retirement after the capture of the city of Washington, he might easily have dismissed all rivalry from his mind; but just now the two men who seemed to stand most in his way were Armstrong and Spencer. He thought Spencer in too close and friendly alliance with Armstrong, and that Armstrong, whose strength in the State

greatly depended upon Spencer's influence, was the only obstacle in his path to the White House. Thus there arose in his mind a sentiment of rivalry for Armstrong, and a strong feeling of distrust and dislike for Spencer. The latter, who now possessed little more real liking for Tompkins than Clinton did, soon understood the Governor's feeling toward him; and he also learned that Van Buren, with an intellect for organisation and control far superior to anything the Republicans of the State had heretofore known, had come into the political game to stay.

By phenomenal luck, DeWitt Clinton's good fortune still continued to attend him. In April, 1813, the Federalists had again carried the Assembly, and, although without senators in the middle and western districts to serve upon the Council of Appointment, Clinton found a friend in Henry A. Townsend, who answered the purpose of a Federalist. Townsend would support Jonas Platt for a judgeship if Clinton was retained as mayor.

Townsend had come into the Senate in 1810 as a Clinton Republican, but his brief legislative career had not been as serene as a summer's day. He fell out with Tompkins and Spencer when he fell in with Thomas and Southwick, and whether or not the favours distributed by the Bank of America actually became a part of his assets, the bank's opponents took such violent exception to his vote that poor Townsend had little to hope for from that faction of his party. It was commonly believed at the time, therefore, that a desire to please Clinton and possibly to gain the favour of Federalists in the event of their future success, influenced him to support Platt, conditional on the retention of Clinton. It is quite within the range of probability that some such motive quickened his instinct for revenge and self-preservation, although it led to an incident that must have caused Clinton keen regret and mental anguish.

Townsend's Republican colleague in the Council was none other than Morgan Lewis, who saw an opportunity of creating trouble by nominating Richard Riker as an opposing candidate to Platt. Tompkins had probably something to do with making this nomination—or, at all events, with giving his friend Lewis the idea of bringing it forward just then. Surely, they thought, Clinton would reverence Riker, who acted as second in the Swartout duel and recently headed the committee to promote his election to the Presidency. Clinton felt the sting of his enemies. There was a time when

Clinton had supported Tompkins against Lewis; now Lewis, in supporting Tompkins against Clinton, was thrusting the latter through with a two-edged knife; for if Townsend voted for Riker, the Federalists would drop Clinton; if he voted for Platt, Riker would drop him. In vain did Clinton wait for Riker to suggest some avenue of escape. The plucky second wanted a judgeship which meant years of good living, as much as Clinton wanted the mayoralty that might be lost in another year. Clinton had not yet drunk the dregs of the bitter cup. False friends and their unpaid security debts were still to bankrupt him; but he had already seen enough to know that the setting sun is not worshipped. Under these circumstances his friendship for Riker was not strong enough to induce him to throw away his last chance of holding the mayoralty and its fat fees; and so when Townsend voted for Platt, Riker's affection for Clinton turned to hate.

CHAPTER XX

A GREAT WAR GOVERNOR

1812-1815

THE assumption of extraordinary responsibilities during the War of 1812, justly conferred upon Daniel D. Tompkins the title of a great war governor. There is an essential difference between a war governor and a governor in time of war. One is enthusiastic, resourceful, with ability to organise victory by filling languishing patriotism with new and noble inspiration—the other simply performs his duty, sometimes respectably, sometimes only perfunctorily. George Clinton illustrated, in his own person, the difference between a great war governor and a governor in time of war. If he failed to win renown on the battlefield, his ability to inspire the people with confidence, and to bring glory out of threatened failure and success out of apparent defeat, made him the greatest war governor the country had yet known. Daniel D. Tompkins served his State no less acceptably. In the moment of greatest discouragement he displayed a patriotic courage in borrowing money without authority of law that made his Administration famous.

Yet Tompkins' patriotism scarcely rose to that sublime height which suffers its possessor unselfishly to advance a rival even for the public welfare. There is no doubt of DeWitt Clinton's conspicuous devotion to the interests of his country throughout the entire war. He exceeded his power as mayor in inducing the Common Council to borrow money on the credit of the city and loan it to the United States; at the supreme moment of a great crisis, when the national treasury was empty and a British fleet threatened destruction to the coast, an impressive address which he drafted, accompanied by a subscription paper which he headed, resulted in raising a fund of over one million dollars for the city's defence. The genius of

Clinton had never been more nobly employed than in his efforts to sustain the war, winning him universal esteem throughout the municipality for his patriotic unselfishness and unlimited generosity. Tompkins must have known that such a man, already holding the rank of major-general in the militia, would be absolute master of any situation. He was not the one to throw up the cards because the chances of the game were going against him. His was a fighting spirit, and his impulse was ever, like that of Macbeth, to try to the last. But Tompkins could not fail to observe the party's growing dislike for Clinton, and, much as he wanted military success, he graciously declined Clinton's request, brought to him by Thomas Addis Emmet, to be assigned to active service in the field.

Tompkins had little to encourage him at the outset of the war. The election in April, 1812, had turned the Assembly over to the Federalists, who not only wasted the time of an extra session, called in November of that year, but carried their opposition through the regular session begun in January, 1813. The emergency was pressing. New England Federalists had declined to make the desired loans to the general government, and the governor of New York wished his State to relieve the situation by advancing the needed money. It was a patriotic measure. Whether right or wrong, the declaration of war had jeopardised the country. Soldiers, poorly equipped, scantily clothed, without organisation, and without pay, were scattered for hundreds of miles along a sparsely settled border, opened to the attacks of a powerful enemy; yet the Federalists refused to vote a dollar to equip a man. Why should we continue a war from the prosecution of which we have nothing to gain, they asked? The Orders in Council have been repealed, England has shrunk from facing the consequences of its own folly, and America has already won a complete triumph. What further need, then, for bleeding our exhausted treasury?

The Governor's embarrassment, however, did not emanate from the Federalists alone. The northern frontier of New York was to become the great battle-ground, and it was conceded that capable generals and a sufficient force were necessary to carry the war promptly into Canada. But the President furnished neither. He appointed Henry Dearborn, with the rank of major-general, to command the district from Niagara to the St. Lawrence, thus putting all military operations within the State under the control of a man in his sixty-second year, whose only military experience

had been gained as a deputy quartermaster-general in 1781, and as colonel of a New Hampshire regiment after the end of the Revolutionary War. Dearborn was a politician—not a general. After serving several years in Jefferson's Cabinet, he graduated into the custom-house at Boston, where he concerned himself more to beat the Federalists than he ever exerted himself to defeat the British. In his opinion, campaigning ought to have its regular alternations of activity and repose, but he never knew when activity should begin. To make the condition more supremely ironic, Morgan Lewis, now in his fifty-ninth year, whose knowledge of war, like Dearborn's, had been learned as a deputy quartermaster-general thirty years before, was associated with him in command.

Dearborn submitted a plan of campaign, recommending that the main army advance by way of Lake Champlain upon Montreal, while three corps of militia should enter Canada from Detroit, Niagara and Sackett's Harbour. This was as near as Dearborn ever came to a successful invasion of Canada. War was declared on June 18, 1812, and July had been frittered away before he left Albany. Meantime General Hull, whose success depended largely upon Dearborn's vigorous support from Niagara, having been a fortnight on British soil, now recrossed the river and a few days later surrendered his army and Detroit to General Brock. This tragic event aroused Dearborn sufficiently to send Stephen Van Rensselaer to command the Niagara frontier, the feeble General assuring the secretary of war that, as soon as the force at Lewiston aggregated six thousand men, a forward movement should be made; but Dearborn himself, with the largest force then under arms, took good care to remain on Lake Champlain, clinging to its shores like a barnacle, as if afraid of the fate visited upon the unfortunate Hull. Finally, after two months of waiting, Van Rensselaer sent a thousand men across the Niagara to Queenstown to be killed and captured within sight of four thousand troops who refused to go to the help of their comrades. Disgusted and defeated, Van Rensselaer turned over his command to Brigadier-General Alexander Smith, a boastful Irish friend of Madison from Virginia, who issued burlesque proclamations about an invasion of Canada, and then declined to risk an engagement, although he had three Americans to one Englishman. This closed the campaign of 1812.

With the hope of improving the military situation John Armstrong was made secretary of war in place of William Eustis. Armstrong was never a

favourite. His association with Gates and his subsequent career in France, made him an object of distrust. But, once in office, he picked up the Eustis ravellings and announced a plan of campaign which included an attack on Montreal from Lake Champlain; the destruction of Kingston and York (Toronto) by the troops from Sackett's Harbour; and the expulsion of the British from the Niagara frontier. The Kingston part of the programme possessed genuine merit. Kingston commanded the traffic of the St. Lawrence, between Upper and Lower Canada, and no British force could maintain itself in Upper Canada without ready communication with the lower province; but Dearborn decided to reverse Armstrong's plan by taking York, afterward the Niagara frontier, and then unite a victorious army against Kingston. Dearborn, to do him justice, offered to resign, and Armstrong would gladly have gotten rid of him, with Morgan Lewis and other incompetents. The President, however, clung to the old men, making the spring and early summer campaign of 1813, like its predecessor, a record of dismal failures. York had, indeed, capitulated after the bloodiest battle of the war, the American loss amounting to one-fifth the entire force, including Pike, the best brigadier then in the service. But the British still held Niagara; two brigade commanders had been sorely defeated; a third had surrendered five hundred and forty men to a British lieutenant with two hundred and sixty; and Sackett's Harbour, with its barracks burned and navy-yard destroyed, had barely escaped capture, while Kingston was unmolested and Dearborn totally incapacitated "with fever and mortification."

It was now mid-summer. Tompkins and a Republican Senate had been re-elected, but the Federalists, whose policy was to obtain peace on any terms, still held the Assembly. Just at this time, therefore, success in the field would have been of immense value politically, and as sickness had put Dearborn out of commission, it gave Armstrong an opportunity of promoting Winfield Scott and Jacob Brown, both of whom had shown unusual ability in spite of the shameless incapacity of their seniors. The splendid fighting qualities of Jacob Brown had saved Sackett's Harbour; and the brilliant pluck of Winfield Scott had withstood a force three times his own until British bayonets pushed him over the crest of Queenstown Heights. Armstrong, however, had a liking for James Wilkinson. They had been companions in arms with Gates at Saratoga, and, although no one

knew better than Armstrong the feebleness of Wilkinson's character, he assigned him to New York after the President had forced his removal from New Orleans.

Wilkinson's military life might fairly be described as infamous. Winfield Scott spoke of him as an "unprincipled imbecile."^[177] He had recently been several times court-martialled, once for being engaged in a treasonable conspiracy with Spain, again as an accomplice of Aaron Burr, and finally for corruption; and, although each time he had been acquitted, his brother officers regarded him with suspicion and contempt. Nevertheless, this man, fifty-six years of age, and broken in health as well as character, was substituted for Dearborn and ordered to take Kingston; and Wade Hampton, one year his senior, without a war record, and not on speaking terms with Wilkinson, was ordered to Plattsburg to take Montreal. Folly such as this could only end in disaster. Whatever Armstrong suggested Wilkinson opposed, and whatever Wilkinson advised Hampton resented; but Wilkinson so far prevailed, that, before either expedition started, it was agreed to abandon Kingston; and before either general had passed far beyond the limits of the State, it was agreed to abandon Montreal, leaving the generals and the secretary of war ample time to quarrel over their responsibility for the failure. Wilkinson charged Hampton with blasting the honour of the army, and both generals accused Armstrong of purposely deserting them to shift the blame from himself. On the other hand, Armstrong accepted Hampton's resignation, sneered at Wilkinson for abandoning the campaign, and, after Hampton's death, saddled him with the responsibility of the whole failure.

Meantime, while the generals and secretary quarrelled, and their twelve thousand troops rested in winter quarters at French Mills and Plattsburg—leaving the country between Detroit and Sackett's Harbour with less than a regiment—the British were vigorously at work. They pounced upon the Niagara frontier; reoccupied Fort George; carried Fort Niagara with great slaughter; and burned Black Rock and Buffalo in revenge for the destruction of Newark and Queenstown and the public buildings at York. This ended the campaign of 1813.

On the high seas, however, the American navy, so small that England had scarcely known of its existence, was redeeming the country from the

disgrace its generals had brought upon it. There are some battles of that time, fought out in storm and darkness, which taught Americans the real pleasures of war, and turned the names of vessels and their brave commanders into household words; but not until Oliver H. Perry, an energetic young officer, was ordered from Newport to the Niagara frontier, in the spring of 1813, did conditions change from sacrifice and disgrace to real success. Six vessels were at that time building at Erie; and three smaller craft rested quietly in the navy-yard at Black Rock. Perry's orders included the union of these fleets, carrying fifty-four guns and five hundred men, and the destruction of six British vessels, carrying sixty-three guns and four hundred and fifty men. Six months of patient labour on both sides were required to put the squadrons into fighting condition; but when, on the afternoon of September 10, Perry had fought the fight to a finish, the British squadron belonged to him. The War of 1812 would be memorable for this, if it were for nothing else; and the indomitable Perry, whose stubborn courage had wrested victory from what seemed inevitable defeat, is enthroned among the proudest names of the great sea fighters of history.

After Wilkinson, Morgan Lewis, and other incompetent generals had retired in disgrace, Armstrong recognised the genius of Jacob Brown and Winfield Scott. Brown was of Quaker parentage, a school teacher by profession, and a farmer by occupation. After founding the town of Brownsville, he had owned and lived on a large tract of land near Sackett's Harbour, and for recreation he had commanded a militia regiment. In 1811, Tompkins made him a brigadier, and when the contest opened, he found his true mission. He knew nothing of the technique of war. Laying out fortifications, policing camps, arranging with calculating foresight for the far future, did not fall within his knowledge; but for a fighter he must always rank in history with John Paul Jones; and as a leader of men he had hardly a rival in those days. Soldiers only wanted his word of command to undertake any enterprise, no matter how hopeless. Winfield Scott, who understood Brown's limitations, said there was nothing he could not do if he only got a fair opportunity. Armstrong commissioned him a major-general in place of Wilkinson, and assigned Scott to a brigade in his command. These officers, full of zeal and vigor, infused new life into an army that had been beaten and battered for two years. In twelve weeks, during July, August, and September, the British met stubborn resistance at Chippewa, Lundy's Lane, Fort Erie, and Black

Rock, and a repulse as disgraceful as it was complete at Plattsburg. But before Brown could establish the new order of things along the whole Canadian border, the British took Oswego, with its abundant commissary supplies, and their navy inflicted a wound, in the destruction of the *Chesapeake* and the *Argus*, that turned the Perry huzzas into suppressed lamentations.

Following this calamity, occurred the April elections of 1814. The uncertain temper of the people gave Tompkins little to expect and much to fear. He believed it had only needed a bold and spirited forward movement to demonstrate that the United States was in a position to dictate terms to England; but existing conditions indicated that England would soon dictate terms to the United States. Tompkins may be fairly excused, therefore, if he failed to discern in the struggle for political supremacy the slightest indication of that victory so long prayed for. Events, however, had been working silently—differently than either Federalist or Republican guessed; and, to the utter amazement of all, the war party swept the State, electing assemblymen even in New York City, twenty out of thirty congressmen, and every senator, save one. Under these circumstances Tompkins lost no time in summoning, in September, an extra session of the newly elected Legislature, which began turning out war measures like cloth from a loom. It raised the pay of the militia above that of the regular army; it encouraged privateering; it authorised the enlistment of twelve thousand men for two years and two thousand slaves for three years; it provided for a corps of twenty companies for coast defence; it assumed the State's quota of direct tax, and it reimbursed Governor Tompkins for personal expenditures incurred without authority of law. Some of these measures were drastic, especially the conscription bill; but the act showing the determination of the Republican party to fight the war to a finish, was that allowing slaves to enlist with the consent of their masters, and awarding them freedom when honourably mustered out of service.

There was certainly much need for an active and vigorous Legislature in the fall of 1814. Washington had been captured and burned; Armstrong, threatened with removal, had resigned in disgrace; the national treasury was empty; and every bank between New Orleans and Albany had suspended specie payment, with their notes from twenty to thirty per cent. below par. Although, in ten weeks, from July 3 to September 11, the British had met a

bloody and unparalleled check from an inferior force, under the brilliant leadership of Brown and Scott, and a most disgraceful repulse by Macdonough and Macomb at Plattsburg, victorious English veterans, fresh from the battlefields of Spain, continued to arrive, until Canada contained twenty-seven thousand regular troops. On the other hand, Macomb had only fifteen hundred men at Plattsburg, Brown less than two thousand at Fort Erie, and Izard about four thousand at Buffalo.

To make bad matters worse, the New England Federalists were renewing their talk of a dissolution of the Union. "We have been led by the terms of the Constitution," said Governor Strong of Massachusetts, addressing the Legislature on October 5, 1814, "to rely on the government of the Union to provide for our defence. We have resigned to that government the revenues of the State with the expectation that this object would not be neglected. Let us, then, unite in such measures for our safety as the times demand and the principles of justice and the law of self-preservation will justify."[\[178\]](#) Answering for the Legislature, which understood the Governor's words to be an invitation to resume powers the State had given up when adopting the Constitution, Harrison Gray Otis reported that "this people, being ready and determined to defend themselves, have the greatest need of those resources derivable from themselves which the national government has hitherto thought proper to employ elsewhere. When this deficiency becomes apparent, no reason can preclude the right of the whole people who were parties to it, to adopt another."[\[179\]](#) The report closed by recommending the appointment of delegates "to meet and confer with delegates from the States of New England or any of them," out of which grew the celebrated Hartford Convention that met on the 15th of December. The report of this convention, made on the 24th of the same month, declared that a severance of the Union can be justified only by absolute necessity; but, following the Virginia resolution of 1798, it confirmed the right of a State to "interpose its authority" for the protection of its citizens against conscriptions and drafts, and for an arrangement with the general government to retain "a reasonable portion" of the revenues to be used in its own defence and in the defence of neighbouring States. In other words, it favoured the establishment of a New England confederacy. Thus, after ten years, the crisis had come which Pickering, the storm petrel, desired to precipitate in the days when Hamilton declined to listen and Aaron Burr consented to lead.

It is doubtful if the great body of Federalists in New York really sympathised with their eastern brethren. Those who did, like Gouverneur Morris, proclaimed their views in private and confidential letters. "I care nothing more for your actings and doings," Morris wrote Pickering, then in Congress. "Your decree of conscription and your levy of contributions are alike indifferent to one whose eyes are fixed on a star in the east, which he believes to be the dayspring of freedom and glory. The traitors and madmen assembled at Hartford will, I believe, if not too tame and timid, be hailed hereafter as the patriots and sages of their day and generation."^[180] Looking back on the history of that portentous event, one is shocked to learn that men like Morris could have sympathy with the principle sought to be established; but if any leading New York Federalist disapproved the convention's report he made no public record of it at the time.^[181]

The violent methods of New England governors in withdrawing their militia from the service of the United States, coupled with the action of the New York Federalists in calling a state convention to determine what course their party should pursue, were well calculated to arouse Governor Tompkins, who welcomed the privilege of upholding the general government. He did not minimise the gravity of the situation. Perhaps he did not feel the alarm expressed in Jefferson's letter to Gallatin, a year after the crisis had passed; for he now had behind him a patriotic Legislature and the nucleus of an invincible army under trained leadership. But if the war had continued, and, as the Washington authorities anticipated, the British had prevailed at New Orleans, he would have found a New England confederacy to the east of him as well as an army of English veterans on the north.

The conditions that faced Madison made peace his last hope. American commissioners were already in Europe; but as month after month passed without agreement, the darkest hour of the war seemed to have settled upon the country. Suddenly, on the 4th of February, 1815, the startling and glorious news of General Jackson's decisive victory at New Orleans electrified the nation. A week later, a British sloop of war sailed into New York harbour, announcing that the treaty of Ghent had been signed on the 24th of the preceding December. Instantly Madison's troubles disappeared. The war was over, the Hartford commissioners were out of employment, and the happy phrase of Charles J. Ingersoll of Pennsylvania became the

popular summing up of the treaty—"not an inch ceded or lost." Jackson's victory had not entered into the peace negotiations; but intelligent men knew that the superb fighting along the Canadian frontier during the campaign of 1814, had had much to do in bringing about the result. Beginning with the battle of Chippewa, where equal bodies of troops met face to face, in broad daylight, on an open field, without advantage of position, the American army faced British troops with the skill and desperate courage that characterised the struggle between the North and the South forty years later.

Among civilians most admired for their part in the struggle, Daniel D. Tompkins stood first. The genius of an American governor had never been more nobly employed, and, although he was sometimes swayed by prejudice and the impulses of his personal ambition, he did enough to show that he was devotedly attached to his country.

CHAPTER XXI

CLINTON OVERTHROWN

1815

THE election of a Republican Assembly in the spring of 1814 opened the way for a Republican Council of Appointment, composed of Jonathan Dayton, representing the southern district, Lucas Elmendorff the middle, Ruggles Hubbard the eastern, and Ferrand Stranahan the western. Elmendorff had been two years in the Assembly, six years in Congress, and was now serving the first year of a single term in the State Senate; but like his less experienced colleagues he was on the Council simply to carry out the wishes of the leaders. It had been three years since Republicans had tasted the sweets of office, and a hungrier horde of applicants never besieged the capital. Yet so dextrous had politicians become in making changes from one party to the other, that the Council's work must have ended in a week had not the jealousies, until now veiled by the war, quickly developed into a conflict destined to reconcile Ambrose Spencer and DeWitt Clinton, and to rivet the friendly relations between Governor Tompkins and Martin Van Buren.

Van Buren desired to become attorney-general. He had been conspicuously prominent almost from the day he entered the Senate; and, after the Republicans recovered control of the Assembly, he was the acknowledged legislative leader of his party. By his persuasive eloquence, his gift of argument, and his political tact in obtaining supporters, he secured the passage of a "classification bill" which divided the military population of the State into twelve thousand classes, each class being required to furnish one able-bodied soldier by voluntary enlistment, by bounty, or by draft. "This act," declared Thomas H. Benton, years afterward, "was the most energetic war measure ever adopted in the country."[\[182\]](#) There appears to be

a general agreement among writers who have commented upon the character of Van Buren and his work at this period of his career, that, next to the Governor among civilians, Van Buren was most entitled to the gratitude of his party and his State. Besides, his smooth and pleasing address had become more fascinating the longer he continued in the Senate, until his influence among legislators was equalled only by the kindly and sympathetic Tompkins, whose success in the war had won him a place in the hearts of men similar to that enjoyed by George Clinton after the close of the Revolution.

But popular and deserving as Van Buren was Ambrose Spencer opposed his preferment. He saw in the brilliant young legislator an obstacle to his own influence; and to break his strength at the earliest moment he advocated for attorney-general the candidacy of John Woodworth. Woodworth was filling the position when the Federalists installed Abraham Van Vechten; his right to restoration appealed with peculiar force to his party friends. Ruggles Hubbard of the Council, representing Woodworth's district, naturally inclined to his support, but Stranahan had no other interest in his candidacy than a desire to please Spencer. This left the Council a tie. There can be no question that Tompkins was in thorough accord with Van Buren's wishes, and that he regarded Spencer with almost unqualified dislike, but he was a candidate for President and naturally preferred keeping out of trouble. Nevertheless, when it required his vote to settle the controversy he gave it ungrudgingly to Van Buren. In selecting a secretary of state, the Governor applied the same rule. Spencer's friend, Elisha Jenkins, had previously held the office, and, like Woodworth, desired reinstatement; but Tompkins—tossing Jenkins aside and ignoring Samuel Young, speaker of the Assembly, who was promised and expected the office—insisted upon Peter B. Porter, now a hero of the Niagara frontier.

Spencer had long realised that Tompkins was turning against him. It is doubtful if the Governor ever felt a personal liking for this political meddling judge, although he accepted his services during the war with a certain degree of confidence. But now that hostilities were at an end, he proposed to distribute patronage along lines of his own choosing. Porter had recently been elected to Congress, and his presence in Washington would help the Governor's presidential aspirations, especially if the young soldier's friendship was sealed in advance by the unsolicited honour of an

appointment as secretary of state. For the same reason, he desired the election of Nathan Sanford to the United States Senate to succeed Obadiah German. Spencer favoured John Armstrong, late secretary of war, and when the latter was thrust aside as utterly undesirable, the Judge announced his own candidacy. But Van Buren, resenting Spencer's opposition, skilfully resisted his claims until he grew timid and declined to compete "with so young a man as Mr. Sanford." Fourteen years divided their ages.

The change Republicans most clamoured for had not, however, come yet. DeWitt Clinton still held the mayoralty. Spencer urged his removal and controlled Stranahan; the Martling Men demanded it and controlled Dayton; but Elmendorff and Hubbard hesitated, and Tompkins disliked giving the casting vote. The Governor realised that no statesman had lived in his day in whom the people had shown greater confidence; and, in spite of the present clamour, he knew that the iron-willed Mayor still possessed the friendship of the best men and ripest scholars in the State. DeWitt Clinton was seen at his best, no doubt, by those who knew him in private life, among his books; and, though his strong opinions and earnest desire to maintain his side of the controversy, brought him into frequent antagonisms, his guests were encouraged to give free utterance to their own ideas and views.

These same qualities made him an active, restless leader of men in the world of politics. No doubt many hated him, for he made enemies more easily than friends; but neither enemy nor friend could deny the great natural capacity which had gradually gained a commanding place for him in public life. Tompkins must have felt that it was only a question of time when Clinton would again win the confidence of the people and make his enemies his footstool. What, therefore, to do with him was a serious question. Chained or unchained he was dangerous. The free masonry of intellect and education gave him rank; and if compelled to surrender the mayoralty he might, at any moment, take up some work which would bring him greater fame and influence. Nevertheless, Tompkins felt compelled to reach some decision. The Martling Men were insistent. They charged that Clinton, inspired by unpatriotic motives in the interest of Federalism, had opposed the war, and was an enemy of his party; and in demanding his removal they threatened those who caused delay. Van Buren could probably

have relieved Tompkins by influencing Elmendorff, but Van Buren, like Tompkins, was too shrewd to rush into trouble.

It is doubtful if the possibility of a reconciliation between Spencer and Clinton occurred to Van Buren, and, if it did, it must have seemed too remote seriously to be considered; for just then Spencer was indefatigable in his exertions on the opposite side. Van Buren, moreover, understood politics too well to be blind to the danger of incurring the hostility of such a mind. A man who could bring to political work such resources of thought and of experience, who could look beneath the surface and see clearly in what direction and by what methods progress was to be made, was not one to be trifled with.

No doubt Ruggles Hubbard had a sincere attachment for Clinton. In supporting his presidential aspirations Hubbard visited Vermont, where he exercised his companionable gifts in an effort to obtain for Clinton the vote of that State. But Hubbard had neither firmness nor strength of intellect. Irregular in his habits, lax in his morals, a spendthrift and an insolvent, he could not resist the incessant attacks upon Clinton, nor the offer of the shrievalty of New York, with its large income and fat fees. When, therefore, Elmendorff finally evidenced a disposition to yield, Hubbard made the vote for Clinton's removal unanimous.

There have been seventy-nine mayors of New York since Thomas Willett, in 1665, first took charge of its affairs under the iron rule of Peter Stuyvesant, but only one in the long list, averaging a tenure of three years each, served longer than DeWitt Clinton. Richard Varick, the military secretary of Schuyler and Washington, and the distinguished associate of Samuel Jones in revising the laws of the State, held the mayoralty from 1789 to 1801, continuing through the controlling life of the Federalist party and the closing years of a century full of heroic incident in the history of the city. But DeWitt Clinton, holding office from 1803 to 1815—save the two years given Marinus Willett and Jacob Radcliff—saw the city's higher life keep pace with its growth and aided in the forces that widened its achievement and made it a financial centre. It must have cost this master-spirit of his age a deep sigh to give up a position in which his work had been so wise and helpful. His situation, indeed, seemed painfully gloomy; his office was gone, his salary was spent, and his estate was bankrupt. It is

doubtful if a party leader ever came to a more distressing period in his career; yet he preserved his dignity and laughed at the storm that howled so fiercely about him. "Genuine greatness," he said, in a memorial address delivered about this time, "never appears in a more resplendent light, or in a more sublime attitude, than in that buoyancy of character which rises superior to danger and difficulty."

In the meantime, Governor Tompkins was riding on the crest of the political waves. On February 14, 1816, a legislative caucus unanimously instructed the members of Congress from New York to support him for President; a week later it nominated him for governor. Tompkins had no desire to make a fourth race for governor, but the unexpected nomination of Rufus King left him no alternative. William W. Van Ness had been determined upon as the Federalist candidate, until the fraudulent capture of the Council of Appointment by the Republicans made it inadvisable for the popular young Judge to leave the bench; and to save the party from disruption Rufus King consented to head the Federalist ticket. His great strength quickly put Republicans on the defensive; and the only man whom the party dared to oppose to him was the favourite champion of the war. Tompkins' re-election by over six thousand majority^[183] once more attested his widespread popularity.

For the moment, every one seemed to be carried away by the fascination of the man. His friends asserted that he was always right and always successful; that patriotism had guided him through the long, discouraging war, and that, swayed neither by prejudice, nor by the impulses of personal ambition, in every step he took and every measure he recommended, he was actuated by the most unselfish purpose. Of course, this was the extravagance of enthusiastic admirers; but it was founded on twelve years of public life, marked by success and by few errors of judgment or temper. Even Federalists ceased to be his critics. It is not easy to parallel Governor Tompkins' standing at this time. If DeWitt Clinton's position seemed most wretched, Tompkins' lot appeared most happy. His life had been pure and noble; he was a sincere lover of his country; a brave and often a daring executive; a statesman of high purpose if not of the most commanding talents.

There was one man, however, with whom he must reckon. Ambrose Spencer not only loved power, but he loved to exercise it. He lacked the address of Tompkins, and, likewise, the vein of levity in the Governor's temperament that made him buoyant and hopeful even when most eager and earnest; but he was bold, enterprising, and of commanding intellect, with a determination to do with all his might the part he had to perform. His failure to become United States senator, and the appointment of Van Buren and Porter in place of Woodworth and Elisha Jenkins, rankled in his bosom. That was his first defeat. More than this, it proved that he could be defeated. Since DeWitt Clinton's defection in 1812, he had been the most powerful political factor in the State, a man whom the Governor had found it expedient to tolerate and to welcome.

The events of the past year had, however, convinced Spencer that nothing was to be gained by longer adherence to Tompkins, whom he had now come to regard with distrust and dislike. When, therefore, a candidate for President began to be talked about he promptly favoured William H. Crawford. The Georgia statesman, high tempered and overbearing, showed the faults of a strong nature, coupled with an ambition which made him too fond of intrigue; but Gallatin declared that he united to a powerful mind a most correct judgment and an inflexible integrity. In the United States Senate, with the courage and independence of Clay and the intelligence of Gallatin, he had been an earnest advocate of war and a formidable critic of its conduct. Compared to Monroe he was an intellectual giant, whose name was as familiar in New York as that of the President, and whose character was vastly more admired. In favouring such a candidate it may be easily understood how the influence of a man like Spencer affected other state leaders. Their dislike of the Virginian was as pronounced as in 1812, while their faith in the success of Tompkins, of whom Southern congressmen knew as little as they did of DeWitt Clinton four years before, was not calculated to inspire them with the zeal of missionaries. Spencer's bold declaration in favour of Crawford, therefore, hurt Tompkins more than his hesitation to support his brother-in-law in 1812 had damaged Clinton.

In the early autumn of 1814, the President had invited the Governor to become his secretary of state. Madison had been naturally drawn toward Tompkins, who had shown from his first entrance into public life a remarkable capacity for diplomatic management; and, although he had none

of the higher faculties of statesmanship, the President probably saw that he would make just the kind of a minister to suit his purposes. Armstrong had not done this. Although a man of some ability and military information, Armstrong lacked conventional morals, and was the possessor of objectionable peculiarities. He never won either the confidence or the respect of Madison. He not only did harsh things in a harsh way, but he had a caustic tongue, and a tone of irreverence whenever he estimated the capacity of a Virginia statesman. On the other hand, Tompkins had gentleness, and that refined courtesy, amounting almost to tenderness, which seemed so necessary in successfully dealing with Madison.

The desire to be first in every path of political success had become such a passion in Tompkins' nature that the question presented by the President's invitation found an answer in the immediate impulses of his ambition. No doubt his duties as Governor and the importance of his remaining through the impending crisis appealed to him, but they did not control his answer. He wanted to be President, and he was willing to sacrifice anything or anybody to secure the prize. So, it is not surprising that he declined Madison's gracious offer, since the experience of Northern men with Virginia Presidents did not encourage the belief that the Presidency was reached through the Cabinet.^[184] Yet, had Tompkins fully appreciated, as he did after it was too late, the importance of a personal and pleasant acquaintance with the Virginia statesman and the other men who controlled congressional caucuses, he would undoubtedly have entered Madison's Cabinet. As the ranking, and, save Monroe, the oldest of the President's advisers, he would have had two years in which to make himself popular, a sufficient time, surely, for one having the prestige of a great war governor, with gentleness of manner and sweetness of temper to disarm all opposition and to conciliate even the fiercest of politicians. Fifteen years later Martin Van Buren resigned the governorship to go to the head of Jackson's Cabinet, and it made him President.

It is not at all unlikely that Madison had it in mind to make Tompkins his successor. He had little liking for his jealous secretary of state who had opposed his nomination in 1808, criticised the conduct of the war, and forced the retirement of cabinet colleagues and the removal of favourite army officers—who had, in a word, dominated the President until the latter became almost as tired of him as of Armstrong. But, as the time approached

for the nomination of a new Executive, Madison's jealous regard for Virginia, as well as his knowledge of Monroe's fitness, induced him to sustain the candidate from his own State. This was notice to federal office-holders in New York to get into line for the Virginian; and very soon some of Tompkins' closest friends began falling away. To add to the Governor's unhappiness, the Administration, repeating its tactics toward the Clintons in 1808 and 1812, began exalting his enemies. In sustaining DeWitt Clinton's aspirations Solomon Southwick had actively opposed the Virginia dynasty and bitterly assailed Tompkins and Spencer for their desertion of the eminent New Yorker. For three years he had practically excluded himself from the Republican party, criticising the war with the severity of a Federalist, and continually animadverting upon the conduct of the President and the Governor; but Monroe's influence now made this peppery editor of the *Register* postmaster at Albany, turning his paper into an ardent advocate of the Virginian's promotion. The Governor, who had openly encouraged such a policy when DeWitt Clinton sought the Presidency, now felt the Virginia knife entering his own vitals.

Van Buren's part in Tompkins' disappointment, although not active, showed the shrewdness of a clever politician. He had learned something of national politics since he advocated the candidacy of DeWitt Clinton so enthusiastically four years before. He knew the Governor was seriously bent upon being President, and that his friends throughout the State were joining in the bitterness of the old Clinton cry that Virginia had ruled long enough—a cry which old John Adams had taken up, declaring that "My son will never have a chance until the last Virginian is laid in the graveyard;" but Van Buren knew, also, that few New Yorkers in Washington had any hope of Tompkins' success. It was the situation of 1812 over again. Tompkins was personally unknown to the country; Crawford and Monroe were national leaders of wide acquaintance, who practically divided the strength of their party. Could Van Buren have made Tompkins the President, he would have done so without hesitation; but he had little disposition to tie himself up, as he did with Clinton in 1812, and let Crawford, with Spencer's assistance, take the office and hand the patronage of New York over to the Judge. The Kinderhook statesman, therefore, declared for Tompkins, and carried the Legislature for him in spite of Spencer's support of Crawford; then, with the wariness of an old campaigner, he prevented New York

congressmen from expressing any preference, although three-fourths of them favoured Crawford. When the congressional caucus finally met to select a candidate, Van Buren had the situation so muddled that it is not known to this day just how the New York congressmen did vote. Monroe, however, was not unmindful of the service rendered him. After the latter's nomination, Tompkins was named for Vice President; and if he did not resent taking second place, as George Clinton did in 1808, it was because the Vice Presidency offered changed conditions, enlarged acquaintance, and one step upward on the political ladder.

CHAPTER XXII

CLINTON'S RISE TO POWER

1815-1817

THERE was never a time, probably, when the white man, conversant with the rivers and lakes of New York, did not talk of a continuous passage by water from Lake Erie to the sea. As early as 1724, when Cadwallader Colden was surveyor-general of the colony, he declared the opportunity for inland navigation in New York without a parallel in any other part of the world, and as the Mohawk Valley, reaching out toward the lakes of Oneida and Cayuga, and connecting by easy grades with the Genesee River beyond, opened upon his vision, it filled him with admiration. Even then the thrifty settler, pushing his way into the picturesque country of the Iroquois, had determined to pre-empt the valleys whose meanderings furnished the blackest loam and richest meadows, and whose gently receding foot-hills offered sites for the most attractive homes in the vicinity of satisfactory and enduring markets. It was this scene that impressed Joseph Carver in 1776. Carver was an explorer. He had traversed the country from New York to Green Bay, and looking back upon the watery path he saw nothing to prevent the great Northwest from being connected with the ocean by means of canals and the natural waterways of New York. In one of the rhetorical flights of his young manhood, Gouverneur Morris declared that "at no distant day the waters of the great inland seas would, by the aid of man, break through their barriers and mingle with those of the Hudson." George Washington had visions of the same vast system as he traversed the State, in 1783, with George Clinton, on his way to the headwaters of the Susquehanna.

These were the dreams of statesmen, whose realisation, however, was yet far, very far, away. In 1768, long after "Old Silver Locks" had become the

distinguished lieutenant-governor, he induced Sir Henry Moore, the gay and affable successor of Governor Monckton, to ascend the Mohawk for the supreme purpose of projecting a canal around Little Falls. Sixteen years later, in 1784, the Legislature tendered Christopher Colles the entire profits of the navigation of the river if he would improve it; yet work did not follow words. It was easy to see what might be done, but the man did not appear who could do it. In 1791, George Clinton took a hand, securing the incorporation of a company to open navigation from the Hudson to Lake Ontario. The company completed three sections of a canal—aggregating six miles in length, with five leaky locks—at a cost of four hundred thousand dollars, but the price of transportation was not cheapened, nor the time shortened. This seemed to end all money effort. Other canal companies were organised, one to build between the Hudson and Lake Champlain, another to connect the Oswego River with Cayuga and Seneca lakes; but the projects came to nothing. Finally, in 1805, the Legislature authorised Simeon DeWitt, the surveyor-general, to cause the several routes to be accurately surveyed; and, after he had reported the feasibility of constructing a canal without serious difficulty from Lake Erie to the Hudson, a commission of seven men, appointed in 1810, estimated the cost of such construction at five million dollars. It was hoped the general government would assist in making up this sum; but it soon became apparent that the war, into which the country was rapidly drifting, would use up the national surplus, while rival projects divided attention and lessened the enthusiasm. Efforts to secure a right of way, developed the avarice of landowners, who demanded large damages for the privilege. Thus, discouragement succeeded discouragement until a majority of the earlier friends of the canal gave up in despair.

But there was one man who did not weaken. DeWitt Clinton had been made a member of the Canal Commission in 1810, and with Gouverneur Morris, Peter B. Porter and other associates, he explored the entire route, keeping a diary and carefully noting each obstacle in the way. In 1811, he introduced and forced the passage of a bill clothing the commission with full power to act; and, afterward, he visited Washington with Gouverneur Morris to obtain aid from Congress. Then came the war, and, later, in 1815, Clinton's overthrow and retirement.

This involuntary leisure gave Clinton just the time needed to hasten the work which was to transmit his name to later generations. Bitterly mortified over his defeat, he retired to a farm at Newton on Long Island, where he lived for a time in strict seclusion, indulging, it was said, too freely in strong drink. But if Clinton lacked patience, and temporarily, perhaps, the virtue of temperance, he did not lack force of will and strength of intellect. He corresponded with men of influence; sought the assistance of capitalists; held public meetings; and otherwise endeavoured to enlist the co-operation of people who would be benefited, and to arouse a public sentiment which should overcome doubt and stir into activity men of force and foresight. Writing from Buffalo, in July, 1816, he declared that "in all human probability, before the passing away of the present generation, Buffalo will be the second city in the State."[\[185\]](#) A month later, having examined "the land and the water with scrutinising eye, superintending our operations and exploring all our facilities and embarrassments" from the great drop at Lockport to the waters of the Mohawk at Utica, he again refers to the future Queen City of the Lakes with prophetic power. "Buffalo is to be the point of beginning, and in fifty years it will be next to New York in wealth and population."[\[186\]](#)

It is doubtful if any statesman endowed with less genius than Clinton could have kept the project alive during this period of indifference and discouragement. Even Thomas Jefferson doubted the feasibility of the plan, declaring that it was a century in advance of the age. "I confess," wrote Rufus King, long after its construction had become assured, "that looking at the distance between Erie and the Hudson, and taking into view the hills and valleys and rivers and morasses over which the canal must pass, I have felt some doubts whether the unaided resources of the State would be competent to its execution."[\[187\]](#) But Clinton had a nature and a spirit which inclined him to favour daring plans, and he seems to have made up his mind that nothing should hinder him from carrying out the enterprise he had at heart.

In the end, he compelled the acceptance of his project by a stroke of happy audacity. A great meeting of New York merchants, held in the autumn of 1815, appointed him chairman of a committee to memorialise the Legislature. With a fund of information, obtained by personal inspection of the route, he set forth with rhetorical effect and great clearness the

inestimable advantages that must come to city and to State; and, with the ease of a financier, inspired with sounder views than had been observed in the care of his own estate, he demonstrated the manner of securing abundant funds for the great work. "If the project of a canal," he said, in conclusion, "was intended to advance the views of individuals, or to foment the divisions of party; if it promoted the interests of a few at the expense of the prosperity of the many; if its benefits were limited to place, or fugitive as to duration; then, indeed, it might be received with cold indifference or treated with stern neglect; but the overflowing blessings from this great fountain of public good and national abundance will be as extensive as our own country and as durable as time. It may be confidently asserted that this canal, as to the extent of its route, as to the countries which it connects, and as to the consequences which it will produce, is without a parallel in the history of mankind. It remains for a free state to create a new era in history, and to erect a work more stupendous, more magnificent, and more beneficial than has hitherto been achieved by the human race."

When the people heard and read this memorial, monster mass-meetings, held at Albany and other points along the proposed waterway, gave vent to acclamations of joy; and Clinton was welcomed whenever and wherever he appeared. These marks of public favour were by no means confined to the lower classes. Men of large property openly espoused his cause; and when the Legislature convened, in January, 1816, a new commission, with Clinton at its head, was authorised to make surveys and estimates, receive grants and donations, and report to the next Legislature.

It was a great triumph for Clinton. He went to Albany a political outcast, he returned to New York gilded with the first rays of a new and rising career, destined to be as remarkable as the most romantic story belonging to the early days of the last century. To make his success the more conspicuous, it became known, before the legislative session ended, that his quarrel with Spencer had been settled. Spencer's wife, who was Clinton's sister, had earnestly striven to bring them together; but neither Spencer nor Clinton was made of the stuff likely to allow family affection to interfere with the promotion of their careers. As time went on, however, it became more and more evident to Spencer that some alliance must be formed against the increasing influence of Van Buren and Tompkins; and, with peace once declared with Clinton, their new friendship began just where the old

alliance left off. In an instant, like quarrelling lovers, estrangement was forgotten and their interests and ambitions became mutual. Of all Clinton's critics, Spencer had been the meanest and fiercest; of all his friends, he was now the warmest and most enthusiastic. To turn Clinton's enemies into friends was as earnestly and daringly undertaken by Spencer, as the old-time work of turning his friends into enemies; and before the summer of 1816 had advanced into the sultry days of August, Spencer boldly proclaimed Clinton his candidate for governor to take the place of Tompkins, who was to become Vice President on the 4th of March, 1817. It was an audacious political move; and one of less daring mind might well have hesitated; but it is hardly too much to say of Spencer, that he combined in himself all the qualities of daring, foresight, energy, enterprise, and cool, calculating sagacity, which must be united in order to make a consummate political leader.

Tompkins, like Jefferson, had never taken kindly to the canal project. In his message to the Legislature, in February, 1816, he simply suggested that it rested with them to determine whether the scheme was sufficiently important to demand the appropriation of some part of the revenues of the State "without imposing too great a burden upon our constituents."^[188] The great meetings held in the preceding autumn had forced this recognition of the existence of such a project; but his carefully measured words, and his failure to express an opinion as to its wisdom or desirability, chilled some of the enthusiasm formerly exhibited for him. To add to the people's disappointment and chagrin, the Governor omitted all mention of the subject on the 5th of November, when the Legislature assembled to choose presidential electors—an omission which he repeated on the 21st of January, 1817, when the Legislature met in regular session, although the construction of a canal was just then attracting more attention than all other questions before the public. If Clinton failed to realise the loss of popularity that would follow his loss of the Presidency in 1812, Tompkins certainly failed to appreciate the reaction that would follow his repudiation of the canal.

When the Legislature convened, the new Canal Commission, through DeWitt Clinton, presented an exhaustive report, estimating the cost of the Erie canal, three hundred and fifty-three miles long, forty feet wide at the surface, and twenty-eight feet at the bottom, with seventy-seven locks, at

\$4,571,813. The cost of the Champlain canal was fixed at \$871,000. It was suggested that money, secured by loan, could be subsequently repaid without taxation; and on the strength of this report, a bill for the construction of both canals was immediately introduced in the two houses. This action produced a profound impression throughout the State. The only topics discussed from New York to Buffalo, were the magnificent scheme of opening a navigable waterway between the Hudson and the lakes, and the desirability of having the man build it who had made its construction possible. This, of course, meant Clinton for governor.

Talk of Clinton's candidacy was very general when the Legislature assembled, in January, 1817; and, although Van Buren had hitherto attached little importance to it, the discovery that a strong and considerable part of the Legislature, backed by the stalwart Spencer, now openly favoured the nomination of the canal champion, set him to work planning a way of escape. His suggestion that Tompkins serve as governor and vice president found little more favour than the scheme of allowing Lieutenant-Governor Taylor to act as governor; for the former plan was as objectionable to Tompkins and the people, as the latter was plainly illegal. It is doubtful if Van Buren seriously approved either expedient; but it gave him time to impress upon party friends the objections to Clinton's restoration to power. He did not go back to 1812. That would have condemned himself. But he recalled the ex-Mayor's open, bitter opposition to Tompkins in 1813, and the steady support given him by the Federalists. In proof of this statement he pointed to the present indisposition of Federalists to oppose Clinton if nominated, and their avowed declarations that Clinton's views paralleled their own.

Van Buren had shown, from his first entrance into public life, a remarkable faculty for winning men to his own way of thinking. His criticism of Clinton was now directed with characteristic sagacity and skill. His argument, that the object of those who sustained Clinton was to establish a conspiracy with the Federalists at home and abroad, for the overthrow of the Republican party in the nation as well as in the State, seemed justified by the open support of William W. Van Ness, the gifted young justice of the Supreme Court. Further to confirm his contention, Jonas Platt, now of the Supreme bench, and Jacob Rutsen Van Rensselaer of Columbia, a bold, active, and most zealous partisan, who had served in the Legislature and as

secretary of state, made no secret of their intention to indorse Clinton's nomination, and, if necessary, to ride over the State to secure his election. Under ordinary circumstances nothing could discredit the Clinton agitation, with the more reasonable part of the Republican legislators, more than Van Buren's charge, strengthened by such supporting evidence.

The canal influences of the time, however, were too strong for any ingenuity of argument, or adroitness in the raising of alarm, to prevail; and so the skilful manager turned his attention to Joseph G. Yates, a judge of the Supreme Court, as an opposing candidate who might be successful. Yates belonged to the old-fashioned American type of handsome men. He had a large, shapely head, a prominent nose, full lips, and a face cleanly shaven and rosy. His bearing was excellent, his voice, manner, and everything about him bespoke the gentleman; but neither in aspect nor manner of speech did he measure up to his real desire for political preferment. Yet he had many popular qualities which commended him to the rank and file of his party. He was a man of abstemious habits and boundless industry, whose courtesy and square dealing made him a favourite. Few errors of a political character could be charged to his account. He had favoured Clinton for President; he had supported Tompkins and the war with great zeal, and, to the full extent of his ability and influence, he had proved an ardent friend of the canal policy.

It had been a trait of the Yates family—ever since its founder, an enterprising English yeoman, a native of Leeds in Yorkshire, had settled in the colony during the troublous days of Charles I.—to espouse any movement or improvement which should benefit the people. Joseph had already shown his activity and usefulness in founding Union College; he regarded the proposed canal as a long step in the development and prosperity of the State; but he did not take kindly to Van Buren's suggestion that he become a candidate for governor against Clinton. In this respect he was unlike Robert, chief justice, his father's cousin, who first ran for governor on the Federalist ticket at the suggestion of Hamilton, and, three years later, as an anti-Federalist candidate at the suggestion of George Clinton, suffering defeat on both occasions. He was, however, as ambitious as the old Chief Justice; and, had the time seemed ripe, he would have responded to the call of the Kinderhook statesman as readily as Robert did to the appeals of Hamilton and George Clinton.

Peter B. Porter was more willing. He belonged to the Tompkins-Van Buren faction which nourished the hope that the soldier, who had recently borne the flag of his country in triumph on several battlefields, would carry off the prize, although the caucus was to convene in less than forty-eight hours. There could be no doubt of General Porter's strength with the people. He had served his State and his country with a fidelity that must forever class his name with the bravest officers of the War of 1812. He rode a horse like a centaur; and, wherever he appeared, whether equipped for a fight, or off for a hunt through the forests of the Niagara frontier, his easy, familiar manners surrounded him with hosts of friends. The qualities that made him a famous soldier made him, also, a favoured politician. As county clerk, secretary of state, and congressman, he had taken the keenest interest in the great questions that agitated the political life of the opening century; and as a canal commissioner, in 1811, he had supported DeWitt Clinton with all the energy of an enthusiast.

At this time Porter was forty-four years old. He was a graduate of Yale, a student of the law, and as quick in intelligence as he was pleasing of countenance. His speeches, enlivened with gleams of humour, rays of fancy, and flashes of eloquence, expressed the thoughts of an honourable, upright statesman who was justly esteemed of the first order of intellect. Certainly, if any one could take the nomination from DeWitt Clinton it was Peter B. Porter.

It is possible, had the nomination been left exclusively to Republican members of the Legislature, as it had been for forty years, Porter might have been the choice of his party. Spencer, however, evidently feared Van Buren's subtle control of the Legislature; for, early in the winter, he began encouraging Republicans living in counties represented by Federalists, to demand a voice in the nominating caucus. It was a novel idea. Up to this time, governors and lieutenant-governors had been nominated by members of the Legislature; yet the plan now suggested was so manifestly fair that few dared oppose it. Why should the Republicans of Albany County, it was asked, be denied the privilege of participating in the nomination of a governor simply because, being in a minority, they were unrepresented in the Legislature? There was no good reason; and, although Van Buren well understood that such counties would return delegates generally favourable to Clinton, he was powerless to defeat the reform. The result was the

beginning of nominating conventions, composed of delegates selected by the people, and the nomination of DeWitt Clinton.

The blow to Van Buren was a severe one. "An obscure painter of the Flemish school," wrote Clinton to his friend and confidant, Henry Post, "has made a very ludicrous and grotesque representation of Jonah immediately after he was ejected from the whale's belly. He is represented as having a very bewildered and dismal physiognomy, not knowing from whence he came nor to what place bound. Just so looks Van Buren, the leader of the opposition party."^[189] Yet Van Buren seems to have taken his defeat with more serenity and dignity than might have been expected. Statesmen of far nobler character have allowed themselves to indulge in futile demonstrations of disappointment and anger, but Van Buren displayed a remarkable evenness of temper. He advocated with ability and sincerity the bill to construct the canal, which passed the Legislature on April 15, the last day of the session. Indeed, of the eighteen senators who favoured the project, five were bitter anti-Clintonians whose support was largely due to Van Buren.

In this vote, the noes, in both Assembly and Senate, came from Clinton's opponents, including the Tammany delegation and their friends. From the outset Tammany, by solemn resolutions, had denounced the canal project as impractical and chimerical, declaring it fit only for a ditch in which to bury Clinton. At Albany its representatives greeted the measure for its construction with a burst of mockery; and, by placing one obstacle after another in its way, nearly defeated it in the Senate. It was during this contest that the friends of Clinton called his opponents "Bucktails"—the name growing out of a custom, which obtained on certain festival occasions, when leading members of Tammany wore the tail of a deer on their hats.

Refusing to accept DeWitt Clinton, Tammany made Peter B. Porter its candidate for governor. There is ample evidence that Porter never concealed the chagrin or disappointment of defeat; but, though the distinguished General must have known that his name was printed upon the Tammany ticket and sent into every county in the State, he did not co-operate with Tammany in its effort to elect him. Other defections existed in the party. Peter R. Livingston seemed to concentrate in himself all the prejudices of his family against the Clintons. Moses I. Cantine of Catskill, a brother-in-

law of Van Buren, though perhaps incapable of personal bitterness, opposed Clinton with such zeal that he refused to vote either for a gubernatorial candidate, or for the construction of a canal. Samuel Young, who seemed to nourish a deep-seated dislike of Clinton, never tired of disparaging the ex-Mayor. He apparently took keen pleasure in holding up to ridicule and in satirising, what he was pleased to call his ponderous pedantries, his solemn affectation of profundity and wisdom, his narrow-mindedness, and his intolerable and transparent egotism. But the canal sentiment was all one way. With the help of the Federalists, who declined to make an opposing nomination, Clinton swept the State like a cyclone, receiving nearly forty-four thousand votes out of a total of forty-five thousand.^[190] Porter had less than fifteen hundred. Clinton's inauguration as governor occurred on the first day of July, 1817, and three days later he began the construction of the Erie canal.

CHAPTER XXIII

BUCKTAIL AND CLINTONIAN

1817-1819

DEWITT CLINTON had now reached the highest point in his political career. He was not merely all-powerful in the administration, he was the administration. He delighted in the consciousness that he was looked up to by men; that his success was fixed as a star in the firmament; and that the greatest work of his life lay before him. He was still in the prime of his days, only forty-eight years old, with a marvellous capacity for work. It is said that he found a positive delight in doing what seemed to others a wearisome and exhaustive tax upon physical endurance. "The canal," he writes to his friend, Henry Post, in the month of his inauguration, "is in a fine way. Ten miles will be completely finished this season, and all within the estimate. The application of the simple labour-saving machinery of our contractors has the operation of magic. Trees, stumps, and everything vanish before it."^[191] The exceptional work and responsibility put upon him during the construction of his "big ditch," as his enemies sarcastically called it, might well have made him complain of the official burdens he had to bear; but neither by looks nor words did he indicate the slightest disposition to grumble. Nature had endowed him with a genius for success. He loved literature, he delighted in country life, he was at home among farmers, and with those inclined to science he analysed the flowers and turned with zest to a closer study of rocks and soils. No man ever enjoyed more thoroughly, or was better equipped intellectually to undertake such a career as he had now entered upon. His audacity, too, amazed his enemies and delighted his friends.

But Clinton had learned nothing of the art of political management either in his retirement or by experience. He was the same domineering,

uncompromising, intolerant dictator, helpful only to those who continually sounded his praises, cold and distant toward those who acted with independence and spirit. He had made his enemies his footstool; and he now assumed to be the recognised head of the party whose destinies were in his keeping and whose fortunes were swayed by his will. It is, perhaps, too much to say that this was purely personal ambition. On the contrary, Clinton seems to have acted on the honest conviction that he knew better than any other man how New York ought to be governed, and the result of his effort inclines one to the opinion that he was right in the belief. At all events, it is not surprising that a man of his energy and capacity for onward movement should refuse to regulate his policy to the satisfaction of the men that had recently crushed him to earth, and who, he knew, would crush him again at the first opportunity. In this respect he was not different from Van Buren; but Van Buren would have sought to placate the least objectionable of his opponents, and to bring to his support men who were restless under the domination of others.

Clinton, however, did nothing of the kind. He would not even extend the olive branch to Samuel Young after the latter had quarrelled with Van Buren. He preferred, evidently, to rely upon his old friends—even though some of their names had become odious to the party—and upon a coterie of brilliant Federalists, led by William W. Van Ness, Jonas Platt, and Thomas J. Oakley, with whom he was already upon terms of confidential communication. He professed to believe that the principles of Republican and Federalist were getting to be somewhat undefined in their character; and that the day was not far off, if, indeed, it had not already come, when the Republican party would break into two factions, and, for the real business of statesmanship, divide the Federalists between them. Yet, in practice, he did not act on this principle. To the embarrassment of his Federalist friends he failed to appoint their followers to office, making it difficult for them to explain why he should profit by Federalist support and turn a deaf ear to Federalist necessities; and, to the surprise of his most devoted Republican supporters, he refused to make a clean sweep of the men in office whom he believed to have acted against him. He quickly dropped the Tammany men holding places in New York City, and occasionally let go an up-state politician at the instance of Ambrose

Spencer, but with characteristic independence he disregarded the advice of his friends who urged him to let them all go.

Meanwhile, a change long foreseen by those who were in the inner political circle was rapidly approaching. At no period of American history could such a man as Clinton remain long in power without formidable rivals. No sooner, therefore, had the Legislature convened, in January, 1818, than Martin Van Buren, Samuel Young, Peter R. Livingston, Erastus Root, and their associates, began open war upon him. For a long time it had been a question whether it was to be Clinton and Van Buren, or Van Buren and Clinton. Van Buren had been growing every day in power and influence. Seven years before Elisha Williams had sneered at him as Little Matty. "Poor little Matty!" he wrote, "what a blessing it is for one to think he is the greatest little fellow in the world. It would be cruel to compel this man to estimate himself correctly. Inflated with pride, flattered for his pertness, caressed for his assurance, and praised for his impertinence, it is not to be wondered that in a market where those qualifications pass for evidence of intrinsic merit he should think himself great." Williams, great and brilliant as he was, could not bear with patience the supremacy which Van Buren was all too certainly obtaining. He struggled against him, intrigued against him, and finally hated and lampooned him, but the superiority of Van Buren's talents as a managing politician was destined to make him pre-eminent in the State and in the nation.

That Van Buren was not always honourable, the famous Fellows-Allen contest had recently demonstrated. Henry Fellows, a Federalist candidate for assemblyman in Ontario County, received a majority of thirty votes over Peter Allen, a Republican; but because the former's name appeared in his certificate as Hen. Fellows, the Bucktails, guided by Van Buren, seated Allen, whose vote was absolutely needed to elect a Republican Council of Appointment. Writing "Hen." for Henry was not error; it was not even an inadvertence. Van Buren knew that it stood for Henry as "Wm." did for William, or "Jas." for James. But Van Buren wanted the Council. It cannot be said that this action was inconsistent with the sentiment then governing the conduct of parties; for the maxim obtained that "everything is fair in war." Nevertheless, it illuminated Van Buren's character, and left the impression upon some of his contemporaries that he was a stranger to a high standard of political morality.

Probably DeWitt Clinton would have taken similar advantage. But in practical politics Clinton was no match for the Kinderhook statesman. Van Buren studied the game like a chess-player, taking knights and pawns with the ease of a skilful mover. Clinton, on the other hand, was an optimist, who believed in his destiny. In the performance of his official duties he mastered whatever he undertook and relied upon the people for his support; and so long as he stood for internal improvements and needed reform in the public service, he did not rely in vain. Force, clearness and ability characterised his state papers. For years he had been a student of municipal and county affairs; and, in suggesting new legislation, he exhibited rare judgment and absolute impartiality. A comprehension that sound finance had much to do with domestic prosperity, entered into his review of the financial situation—in its relation to the construction of the canals—indicating fulness of information and great clearness as to existing conditions. Clinton was honestly proud of his canal policy; more than once he declared, with exultation, that nothing was more certain to promote the prosperity of the State, or to secure to it the weight and authority, in the affairs of the nation, to which its wealth and position entitled it. Seldom in the history of an American commonwealth has a statesman been as prophetic. But in managing the details of party tactics—in dealing with individuals for the purpose of controlling the means that control men—he conducted the office of governor much as he did his candidacy for President in 1812, without plan, and, apparently, without organisation. With all his courage, Clinton must have felt some qualms of uneasiness as one humiliation followed another; but if he felt he did not show them. Conscious of his ability, and of his own great purposes, he seems to have borne his position with a sort of proud or stolid patience.

This inattention or inability to attend to details of party management became painfully apparent at the opening of the Legislature in January, 1818. Van Buren and his friends had agreed upon William Thompson for speaker of the Assembly. Thompson was a young man, warm in his passions, strong in his prejudices, and of fair ability, who had served two or three terms in the lower house, and who, it was thought, as he represented a western district, and, in opposition to Elisha Williams, had favoured certain interests in Seneca County growing out of the location of a new courthouse, would have greater strength than other more prominent Bucktails. It was

known, also, that Thompson had taken a violent dislike to Clinton and could be relied upon to advance any measure for the latter's undoing. To secure his nomination, therefore, Van Buren secretly notified his partisans to be present at the caucus on the evening before the session opened.

The Clintonians had talked of putting up John Van Ness Yates, son of the former Chief Justice, a ready talker, companionable and brilliant, a gentleman of fine literary taste, with an up-and-down political career due largely to his consistent following of Clinton. But the Governor now wanted a stronger, more decided man; and, after advising with Spencer, he selected Obadiah German, for many years a leader in the Assembly, and until recently a member of the United States Senate, with such a record for resistance to Governor Tompkins, and active complicity with the Federalists who had aided his election to the Assembly, that the mere mention of his name to the Bucktails was like a fire-brand thrown onto the roof of a thatched cottage. German himself doubted the wisdom of his selection. He was an old-time fighter, preferring debate on the floor to the wielding of a gavel while other men disputed; but the Governor, with sublime faith in German's fidelity and courage, and a sublimer faith in his own power to make him speaker, turned a deaf ear to the assemblyman's wishes. Had Clinton now conferred with his friends in the Legislature, or simply urged their presence at the caucus, he might easily have nominated German in spite of his record. On the contrary, he did neither, and when the caucus met, of the seventy-five members present, forty-two voted for Thompson and thirty-three for German. When too late Clinton discovered his mistake—seventeen Clintonians had been absent and all the Bucktails present. The great Clinton had been outwitted!

The hearts of the Bucktails must have rejoiced when they heard the count, especially as the refusal of the Clintonians to make the nomination unanimous indicated an intention to turn to the Federalists for aid. This was the one error the Bucktails most desired Clinton to commit; for it would stamp them as the regular representatives of the party, and reduce the Clintonians to a faction, irregular in their methods and tainted with Federalism. It is difficult to realise the arguments which could persuade Clinton to take such a step. Even if such conduct be not considered a question of principle, and only one of expediency, he should have condemned it. Yet this is just what Clinton did not do. After two days of

balloting he disclosed his hand in a motion declaring Obadiah German the speaker, and sixty-seven members, including seventeen Federalists, voted in the affirmative, while forty-eight, including three Federalists, voted in the negative.

"The Assembly met on Tuesday," wrote John A. King to his father, on January 8, 1818, "but adjourned without choosing a speaker. The next day, after a short struggle, Mr. German was chosen by the aid of some of the Federalists. I regret to say that there are some of the Federal gentlemen and influential ones, too, who are deeply pledged to support the wanderings fortunes of Mr. Clinton. On this point the Federal party must, if it has not already, divide. Once separated there can be no middle course; a neutrality party in politics, if not an absurdity, at least is evidence of indecision. We are not yet declared enemies, but if I mistake not, the question of Council and the choice of a United States senator must, if these gentlemen persist, decide the matter irrevocably. Mr. W. Duer, Van Vechten, Bunner, Hoffman, and myself are opposed to Mr. W. Van Ness, Oakley, and J. Van Rensselaer. Mr. Clinton has found means to flatter these gentlemen with the prospect of attaining their utmost wishes by adhering to and supporting his administration."[\[192\]](#)

Clinton committed the second great error of his life when he consented to bolt the caucus nominee of his party. It was an act of conscious baseness. He had not manfully put forward his strength. Instead of managing, he temporised; instead of meeting his adversaries with a will, he did nothing, while they worked systematically and in silence. Even then he need not have entered the caucus; but, once having voluntarily entered it, it was his plain duty to support its nominee. As a question of principle or expediency Clinton's conduct, therefore, admits of no defence. The plea that Van Buren had secretly assembled the Bucktails in force neither justifies nor palliates it; for the slightest management on Clinton's part would have controlled the caucus by bringing together fifty members instead of thirty-three, and the slightest inquiry would have discovered the weakness of having only thirty-three present instead of fifty.

Clinton professed to believe that the Federalists no longer existed as a party; and it is probably true that he desired to create a party of his own out of its membership, strengthened by the Clintonians, and to leave Tammany

and its Bucktail supporters to build up an opposition organisation. But in this he was in advance of his time. Though the day was coming when a majority of the Clintonians and Federalists would make the backbone of the Whig party in the Empire State, a new party could not be built up by such methods as Clinton now introduced. New parties, like poets, are born, not made, and a love for principle, not a desire for spoils, must precede their birth. If Clinton had sincerely desired a new organisation, he should have disclaimed all connection with the Republican or Federalist, and planted his standard on the corner-stone of internal improvements, prepared to make the sacrifice that comes to those who are tired of existing conditions and eager for new policies and new associations. But Clinton was neither reformer nor pioneer. He loved the old order of things, the Council of Appointment, the Council of Revision, the Constitution of 1777 as amended by the convention of 1801, and all the machinery that gave power to the few and control to the boss. He had been born to power. From his first entrance into the political arena he had exercised it—first with the help of his uncle George, afterward with the assistance of his brother-in-law, Ambrose Spencer; and now that he had swung back into power again by means of his canal policy, he had no disposition to let go any part of it by letting go the Republican party. What Van Buren got from him he must take by votes, not by gifts.

Clinton's flagrant violation of the caucus rule, that a minority must yield to the majority, not only broke the Republican party into the famous factions known as Clintonians and Bucktails; it alarmed local leaders throughout the State; made the rank and file distrustful of the Governor's fealty, and consolidated his enemies, giving them the best of the argument and enabling Van Buren to build up an organisation against which the Governor was ever after compelled to struggle with varying fortune. Indeed, in the next month, Van Buren so managed the selection of a Council that it gave Clinton credit for controlling appointments without the slightest power of making them, so that the disappointed held him responsible and the fortunate gave him no thanks. Following this humiliation, too, came the election, by one majority, of Henry Seymour, a bitter opponent of Clinton, to the canal commissionership made vacant by the resignation of Joseph Ellicott. The Governor's attention had been called to the danger of his candidate's defeat; but with optimistic assurance he dismissed it as

impossible until Ephraim Hart, just before the election occurred, discovered that the cunning hand of Van Buren had accomplished his overthrow. "A majority of the canal commissioners are now politically opposed to the Governor," declared the *Albany Argus*, "and it will not be necessary for a person who wishes to obtain employment on the canal as agent, contractor or otherwise, to avow himself a Clintonian." This exultant shout meant that in future only anti-Clintonians would make up the army of canal employees.

But a greater *coup d'état* was to come. Van Buren understood well enough that Clinton's strength with the people was not as a politician or Republican leader, but as a stubborn, indefatigable advocate of the canal; and that, so long as the Bucktails opposed his scheme, their control of appointments could not overthrow him. Van Buren, therefore, determined to silence this opposition. Just how he did it is not of record. It was said, at the time, that a caucus was held of Clinton's opponents; but, however it was done, it must have required all Van Buren's strength of will and art of persuasion to sustain him in the midst of so many difficulties—difficulties which were greatly increased by the unfriendly conduct of Erastus Root, and two or three senators from the southern district, including Peter Sharpe, afterward speaker of the Assembly. Yet the fact that he accomplished it, and with such secrecy that Clinton's friends did not know how it was brought about, showed the quiet and complete control exercised by Van Buren over the members of the Bucktail party. The *National Advocate*, edited by Mordecai Manesseh Noah, a conspicuous figure in politics for forty years and one of the most unrelenting partisans of his day, had supported Tammany in its long and bitter antagonism to the canal with a malevolence rarely equalled in that or any other day. He measured pens with Israel W. Clarke of the *Albany Register*, who had so ably answered every point that Noah charged their authorship to Clinton himself. But after Van Buren had spoken, the *Advocate*, suddenly, as if by magic, changed its course, and, with the rest of the Bucktail contingent, rallied to the support of Clinton's pet scheme with arguments as sound and full of clear good sense as the Governor himself could wish. The people, however, had good reason to know that statesmen were not all and always exactly as they professed to be; and the immediate effect of the Bucktail change of heart amounted to little more than public

notice that the canal policy was a complete success, and that Tammany and its friends had discovered that further opposition was useless.

CHAPTER XXIV

RE-ELECTION OF RUFUS KING

1819-1820

ALTHOUGH Clinton's canal policy now dominated Bucktails as well as Clintonians, eliminating all differences as to public measures, the bitterness between these factions increased until the effort to elect a United States senator to succeed Rufus King resulted in a complete separation. The Clintonians had settled upon John C. Spencer, while the Bucktails thought Samuel Young, a decided friend of Clinton's canal policy, the most likely man to attract support. Both were representative men, and either would have done honour to the State.

John C. Spencer needed no introduction or advertisement as the son of Ambrose Spencer. He was a man of large promise. Everything he did he did well, and he had already done much. Though scarcely thirty-four years of age, he had established himself as a leading lawyer of the Commonwealth, whose strong, vigorous English in support of the war had found its way into Parliament as an unanswerable argument to Lord Liverpool's unwise policy, winning him an enviable reputation as a writer. Skilful in expression, adroit in attack, calm and resourceful in argument, with the sarcasm of the younger Pitt, he had presented American rights and British outrages in a clearer light than others, arousing his countrymen very much as the letters of Junius had quickened English political life forty years before. He made it plain that England's insistence upon the right to stop and search an American vessel, and England's persistent refusal to recognise a naturalised American citizen on board an American vessel, were the real causes of quarrel. "There is not an individual," said a leading British journal, "who has attended at all to the dispute with the United States, who does not see that it has been embittered from the first, and wantonly urged on by those

who, for the sake of their own aggrandisement, are willing to plunge their country into all the evils portrayed by the American writer."

A single term in Congress had placed Spencer in the ranks of the leaders. He was trenchant in speech, forceful on paper, and helpful in committee. Intellectually, he took the place of the distinguished South Carolinian, just then leaving Congress to become Monroe's secretary of war, whose thin face and firm mouth resembled the New Yorker's. Spencer, like Calhoun, delighted in establishing by the subtlest train of philosophical reasoning the delicate lines that exposed sophistry and error, and made clear the disputed point in law or in legislation. The rhetorical drapery that gave Samuel Young such signal success found no place in Spencer's arguments or in his pamphlets; but to a logic that deeply penetrated his subject he added an ethical interest which captivated the mind, as his reasoning illuminated and made plain. He was a born fighter. Like his father, he asked no quarter and he gave none. His eye had the expression one sees in hawks and game-cocks. At twenty-eight, as district attorney of the five western counties of the State, he had become a terror to evil-doers, and it is said of him, at his old home in Canandaigua, that men, conscious of their innocence, preferred appealing to the mercy of the court than endure prosecution at his hands. Possibly he possessed the small affections which Disraeli thought necessary to be coupled with large brains to insure success in public life, yet his nature, in every domestic and social relation, was the gentlest and simplest. DeWitt Clinton did not always approve Spencer's political course. He thought him "an incubus on the party," "the political millstone of the west," and he attributed the occasional loss of Ontario and neighbouring counties "to his deleterious management." The austerity and haughtiness of his manner naturally lessened his popularity, just as his caustic pen and satirical tongue made him bitter enemies; but his strong will and imperious manner were no more offensive than Clinton's. Like Clinton, too, Spencer was ill at ease in a harness; he resented being lined up by a party boss. But, at the time he was talked of for United States senator, the intelligent action and tireless industry upon which his fame rests, had so impressed men, that they overlooked unpopular traits in their admiration for his great ability. People did not then know that he was to sit in the Cabinet of a President, and be nominated to a place upon the Supreme bench of the United States; but they

knew he was destined to become famous, because he was already recognised as a professional and political leader.

The genius of Samuel Young had also left its track behind. He was not a great lawyer, but his contemporaries thought him a great man. He combined brilliant speaking with brilliant writing. The fragments of his speeches that have been preserved scarcely hint at the extraordinary power accorded them in the judgment of his neighbours. It is likely that the magic of presence, voice, and action, exaggerated their merits, since he possessed the gifts of a trained orator, rivalling the forceful declamation of Erastus Root, the mellow tones and rich vocabulary of William W. Van Ness, and the smoothness of Martin Van Buren. But, if his speeches equalled his pamphlets, the judgment of his contemporaries must be accepted without limitation. Chancellor Kent objected to giving joint stock companies the right to engage in privateering, a drastic measure passed by the Legislature of 1814 in the interest of a more vigorous prosecution of the war; and in his usual felicitous style, and with much learning, the stubborn Federalist pronounced the statute inconsistent with the spirit of the age and contrary to the genius of the Federal Constitution. Young replied to the great Chancellor in a series of essays, brilliant and readable even in a new century. He showed that, although America had been handicapped by Federalist opposition, by a disorganised army, and by a navy so small that it might almost as well have not existed, yet American privateers—outnumbering the British fleet, scudding before the wind, defying capture, running blockades, destroying commerce, and bearing the stars and stripes to the ends of the earth—had dealt England the most staggering blow ever inflicted upon her supremacy of the sea. This was plain talk and plain truth; and it made the speaker of the Assembly known throughout the State as "the sword, the shield, and the ornament of his party." Young was as dauntless as Spencer, and, if anything, a more distinguished looking man. He was without austerity and easy of approach; and, although inclined to reticence, he seemed fond of indulging in jocular remarks and an occasional story; but he was a man of bad temper. He fretted under opposition as much as Clinton, and he easily became vindictive toward opponents. This kept him unpopular even among men of his own faction. Clinton thought him "much of an imbecile," and suggested in a letter to Post that "suspicions are

entertained of his integrity." [193] Yet Young had hosts of friends eager to fight his political battles.

The Bucktails had no serious expectation either of nominating or electing Samuel Young to the United States Senate. They knew the Clintonians had a majority, and their purpose, in attending the caucus, was simply to prevent a nomination. No sooner had the meeting assembled, therefore, than several Bucktails attacked the Governor, reproaching him for the conduct of his followers and severely criticising his political methods and character. To this German retorted with great bitterness. German made no pretensions to the gift of oratory; he had neither grace of manner nor alluring forms of expression. On the contrary, there was a certain quality of antagonism in his manner, as if he took grim satisfaction in letting fly his words, seemingly almost coldly indifferent to their effect; and on this occasion his sledge-hammer blows gave Peter R. Livingston, evidently acting by prearrangement, abundant chance for forcing a quarrel. In the confusion that followed, the caucus hastily adjourned amid mutual recriminations. When too late to mend matters the Clintonians discovered the trick. They had the majority and could easily have named Spencer as the candidate of the party, but in the excitement of German's speech and Livingston's attack they lost their heads. Thus ended forever all caucus relationship between these warring factions, and henceforth they were known as two distinct parties.

At the joint session of the Legislature, on February 2, 1819, the Clintonians gave Spencer sixty-four votes, while Young received fifty-seven, and Rufus King thirty-four. "A motion then prevailed to adjourn," wrote John A. King to his father, "so that this Legislature will make no choice." Young King, a member of the Assembly, was looking after his father's re-election to the Senate. He deeply resented Clinton's control of the Federalists, because it made his father a leader only in name; and to show his dislike of Federalist methods he associated and voted with the Bucktails. Nor did the father dislike Clinton less than the son. Rufus King had felt, what he was pleased to call "the baleful influence of the Clintons," ever since his advent into New York politics. They had opposed the Federal Constitution which he, as a delegate from Massachusetts, helped to frame; they assisted Jefferson in overwhelming Hamilton; and they benefited by the election trick which defeated John Jay. For more than two decades, therefore, Rufus King had

watched their control by methods, which a man cast in a mould that would make no concessions to his virtue, could not approve. Under his observation, DeWitt Clinton had grown from young manhood, ambitious and domineering, accustomed to destroy the friend who got in his way with as much ease, apparently, as he smote an enemy. Hence King regarded him much as Hamilton did Aaron Burr; and against his candidacy for President in 1812, he used the argument that the great Federalist had hurled against the intriguing New Yorker in 1801. He rejoiced that Clinton lost the mayoralty in 1815; that he was defeated for elector in 1816; and he deeply regretted his election as governor in 1817.

On his part, Clinton had little use for Rufus King; but his need of Federalist votes made him excessively cautious about appearing to oppose the distinguished Senator; although a deep-laid scheme, understood if not engineered by Clinton, existed to defeat him. John King assured his father that Clinton, inviting Joseph Yates to breakfast, urged him to become a candidate; and that William W. Van Ness had asked Chancellor Kent to enter the race. "I entertain not the slightest doubt," he continued, referring to Van Ness, "of being able to produce such testimony of his hypocrisy and infidelity as will require more art than ever he is master of to explain or escape from."[\[194\]](#)

As the time approached for the reassembling of the Legislature, in January, 1820, these machinations of Clinton caused his opponents many an uneasy hour. The Bucktails, who could not elect a senator of their own, would not take a Clintonian, and an alliance between Clinton and the Federalists, led by Van Ness, Oakley, and Jacob R. Van Rensselaer, threatened to settle the question against them. Van Buren favoured King, although the Administration at Washington thought his election impolitic, because of its effect upon the party in the State; but Van Buren showed great firmness. His party was violently opposed to King. Van Buren, too, was growing tired of the strain of maintaining the leadership of one faction without disrupting the other. But so sure was he of the wisdom of King's support that he insisted upon it, even though it sacrificed his leadership. "We are committed to his support," he wrote. "It is both wise and honest. Mr. King's views toward us are honourable and correct. I will put my head on its propriety."[\[195\]](#)

Van Buren wanted to share in the division of the Federalists; and to refuse them a United States senator, when Clinton had recently given them an attorney-general, an influential, and, at that time, a most lucrative office, struck him as poor policy—especially since John A. King and other estimable gentlemen had evidenced a disposition to join them. Two weeks before the Legislature assembled, therefore, an unsigned letter, skilfully drawn, found its way into the hands of every Bucktail, summing up the reasons why they could properly support Rufus King. After recalling his Revolutionary services, this anonymous writer declared that support of King could not subject Bucktails to the suspicion of a political bargain, since the Senator had neither acted with the Federalists who had shown malignity against the Administration, nor with that numerous and respectable portion who ignorantly thought the war impolitic; but rather with those who aided in forcing England to respect the rights of American citizens. It was a cunning letter. There was rough and rasping sarcasm for the Clintonians; an ugly disregard for the radical Federalist; a kind word for the mere party follower, and winning speech for the gifted sons who had risen superior to inherited prejudices. The concluding declaration to the Bucktails was that King merited support because he and his friends opposed Governor Clinton's re-election, the assertion being justified by reference to John King's vote against German and the Clinton Council.

Of the authorship of this remarkable paper, there could be no doubt. William L. Marcy had aided in its preparation; but the hand of Van Buren had shaped its character and inspired its winning qualities. It had the instant effect that Van Buren plainly invoked for it—the unanimous election of Rufus King. Perhaps, on the whole, nothing in Van Buren's official life showed greater political courage or discernment. It is not so famous as his Sherrod Williams letter of 1836, or the celebrated Texas letter with which he faced the crisis of 1844, but it ranks with the public utterances of those years when he took the risk of meeting living issues that divided men on small margins. There was a strength and character about it that seemed to leave men powerless to answer. Clintonians objected to King, many Bucktails opposed him, Van Ness declared that he could easily be defeated, Thomas J. Oakley recognised him as the candidate of a man who spoke of Clinton and his Federalist allies as profligates and political blacklegs. Yet they all voted for Rufus King. Van Buren made up their minds for them;

and, though protesting against the duplicity of Bucktail, the cowardliness of Federalist, and the timidity of Clintonian, each party indorsed him, while proclaiming him not its choice.

But Rufus King was not an ordinary candidate. His great experience and exalted character, coupled with his discriminating devotion to the best interests of the country, yielded strength that no other man in the State could command. He was now about sixty years of age, and, of living statesmen, he had no superior. His life had been a pure one, and his public acts and purposes, measured by the virtues of patriotism, honesty and integrity, entitled him to the respect and lasting gratitude of his fellow citizens. The taste for letters which characterised his Harvard College days, followed him into public affairs, and if his style lacked the simplicity of Madison's and the prophetic grasp and instinctive knowledge of Hamilton, he shared their clearness of statement and breadth of view. He displayed similar capacity in administration and in keeping abreast of the times. Although a lifelong member of the Federal party, whose leadership in New York he inherited upon the death of its great founder, he supported the War of 1812 with zeal, giving no countenance to the Hartford Convention if he did not openly oppose it, and promising nothing in the way of aid that he did not amply and promptly fulfil. At the supreme moment of the crisis, in 1814, when the general government needed money and the banks would loan only upon the indorsement of the Governor, he pledged his honour to support Tompkins in whatever he did.

To the society of contemporaries, regardless of party, King was always welcome. He disliked a quarrel. It seemed to be his effort to avoid controversy; and when compelled to lead, or to participate conspicuously in heated debate, he carefully abstained from giving offence. Benton bears testimony to his habitual observance of the courtesies of life. Indeed, his urbanity made a deep impression upon all his colleagues. Yet King was not a popular man. The people thought him an aristocrat; and, although without arrogance, his appearance and manner gave character to their opinion. His countenance inclined to austerity, forbidding easy approach; his indisposition to talk lent an air of reserve, with the suggestion of coldness, which was unrelieved by the touch of amiability that commended John Jay to the affectionate regard of men. It was his nature to be serious and thoughtful. Among friends he talked freely, often facetiously, becoming, at

times, peculiarly instructive and fascinating, as his remarkable memory gave up with accuracy and facility the product of extensive travel, varied experiences, close observation, and much reading. His statements, especially those relating to historical and political details, were rarely questioned. We read that he was of somewhat portly habit, above the middle size, strongly made, with the warm complexion of good health, large, attractive eyes, and a firm, full mouth; that, although men no longer chose to be divided sharply by marked distinction of attire, he always appeared in the United States Senate in full dress, with short clothes, silk stockings and shoes—having something of pride and hauteur in his manner that was slightly offensive to plain country gentlemen, as well as inconsistent with the republican idea of equality. Wealthy, he lived at Jamaica, in a stately mansion, surrounded by noble horse chestnut trees, an estate known as King Park, and kept at public expense as a typical Long Island colonial homestead.

It is possible that the extension of slavery into Missouri influenced King's return to the United States Senate; for the election occurred in the midst of that heated contest, a contest in which he had already taken a conspicuous part in the Fifteenth Congress, and in which he was destined to earn, in still greater degree, the commendation of friends, outside and inside the Senate, as the champion of freedom. But whatever the cause of his election, it is certain that it was free from suspicion, other than that he preferred Van Buren to Clinton—a choice which necessarily created the impression that King's prejudice against Clinton resulted more from jealousy than from aversion to his character. No doubt Clinton's ability to dominate Federalist support, in spite of King's opposition, wounded the latter's pride and created a dislike which gradually deepened into a feeling of resentment. It had practically left him without a party; and he turned to Van Buren very much as Charles James Fox turned to Lord North in 1782. He cheerfully accepted the most confidential relations with the Kinderhook statesman, and when, a year or two later, Van Buren joined him in the United States Senate, Benton observed the deferential regard paid by Van Buren to his venerable colleague, and the marked kindness and respect returned by King. Yet King did not openly ally himself with the Bucktails. They could rely with certainty upon his support to antagonise Clinton, but he declined to join a

party whose character and principles did not promise such companionship as he had been accustomed to.

CHAPTER XXV

TOMPKINS' LAST CONTEST

1820

THE coming of 1820 was welcomed by the Van Buren forces. It was the year for the selection of another governor, and the Bucktails, very weary of Clinton, were anxious for a change. For all practical purposes Bucktails and Clintonians had now become two opposing parties, Van Buren's removal as attorney-general, by the Council of 1819, ending all semblance of friendship and political affiliation. This Council was known as "Clinton's Council;" and, profiting by the lesson learned in 1817, Clinton had made a clean sweep of the men he believed to have acted against him. He gave Van Buren's place to Thomas J. Oakley, and Peter A. Jay, eldest son of John Jay, who had rendered valuable assistance in promoting the construction of the canal, he made recorder of New York City, an office which Richard Riker had held since 1815. These appointments naturally subjected the Governor to the criticism of removing Republicans to make places for Federalists. But the new officers were Clinton's friends, while Riker, at least, had been an open enemy since Jonas Platt's appointment to the Supreme bench in 1814. Jay's appointment was also a thrust at the so-called "high-minded" Federalists, composed of the sons of Alexander Hamilton, Rufus King, and other well known men of the party.

Clinton's intimates had long known his desire to get rid of Van Buren. In his letters to Henry Post, the Kinderhook statesman is termed "an arch scoundrel," "the prince of villains," and "a confirmed knave;"^[196] yet Clinton put off the moment of his removal from week to week, very much as Tompkins hesitated to remove Clinton from the mayoralty; that is, not so much to save the feelings of Van Buren as to avert the hostility of James Tallmadge and John C. Spencer, both of whom sought the office. Tallmadge

had recently returned from Congress full of honours because of his brilliant part in the great debate on the Missouri Compromise, and he now confidently expected the appointment. The moment, therefore, the Council, at its meeting in July, 1819, named Oakley, Tallmadge ranged himself squarely among Clinton's enemies. Van Buren had expected dismissal, and he seems to have taken it with the outward serenity and dignity that characterised the departure of Clinton from the mayoralty in 1815; but in confidential communications to Rufus King, he spoke of Clinton and his friends as "very profligate men," "politician blacklegs," and "a set of desperadoes."^[197]

In the Bucktail mind, Daniel D. Tompkins seemed the only man sufficiently popular to oppose DeWitt Clinton in the gubernatorial contest. He was remembered as the great War Governor; and the up-state leaders, representing the old war party, thought he could rally and unite the opposing factions better than any one else. In some respects Tompkins' position in 1820 was not unlike that of John A. Andrew in Massachusetts in 1870, the great war governor of the Civil War. His well-doing in the critical days of the contest had passed into history, making his accomplishment a matter of pride to the State, and giving him an assured standing. Everybody knew that he had raised troops after enlistments had practically stopped elsewhere; that he had bought army supplies, equipped regiments, constructed fortifications, manned forts, fitted out privateers, paid bills from funds raised on his individual indorsement, and worked with energy while New England sulked. When the grotesque treaty of Ghent closed the war, the Governor's star shone brightly in the zenith. At this time, therefore, Daniel D. Tompkins was undoubtedly the most popular man personally that ever participated in New York politics. Hammond, the historian, relates that a father, desiring the pardon of his son, left the capital better pleased with Governor Tompkins, who refused it, than with Governor Clinton, who granted it. It is not easy to say just wherein lay the charm of his wonderful personality. His voice was rich and mellow; his face, prepossessing in repose, expressed sympathy and friendship; while his manner, gentle and gracious without unnaturalness, appealed to his auditor as if he of all men, was the one whom the Governor wished to honour. His success, too, had been marvellous. He had carried the State by the largest majority ever given to a governor up to that time; larger than Jay's triumphant majority in 1798;

larger than George Clinton's in 1801 after the election of Jefferson and the organisation of the Republican party; larger even than the surprising vote given Morgan Lewis in 1804, when Alexander Hamilton and the Clintons combined against Aaron Burr. Tompkins' nomination for governor, therefore, was made on January 16, 1820, without the slightest opposition.

It was known, at this time, that Tompkins' accounts as governor showed a shortage. He had failed to take vouchers during the war, and it was thought not unlikely that he had paid for army supplies out of his own money, and for family supplies out of the State's money; but no one believed him guilty of intentional misconduct. Nevertheless, his accounts, after the comptroller had audited them, after a commission of expert accountants had sought for missing vouchers, and after friends had made explanations, were still \$120,000 short. By an act, approved April 13, 1819, the Legislature authorised the comptroller to balance this shortage by allowing Tompkins a premium of twelve per cent. on \$1,000,000, and people thought nothing more about it until Tompkins presented an account, demanding a premium of twenty-five per cent., which brought the State in debt to him in the sum of \$130,000.

The comptroller, overwhelmed by the extravagance of the claim, construed the law to limit the premium on moneys borrowed solely on Tompkins' personal responsibility, and out of this a correspondence was conducted with much asperity. Archibald McIntyre, the comptroller since 1806, possessed the absolute confidence of the people; and when his letters became public a suspicion that the Vice President might be wrong was quickly encouraged by the friends of Clinton. This suspicion was increased as soon as the Legislature of 1820 got to work. It was intent on mischief. By a fusion of Clintonians and Federalists John C. Spencer became speaker of the Assembly, and to cripple Tompkins, who had now been nominated for governor, Jedediah Miller of Schoharie offered a resolution approving the conduct of the Comptroller in settling the accounts of the former Governor. This precipitated a discussion which has rarely been equalled in Albany for passion and brilliancy. A coterie of the most skilful debaters happened to be members of this Assembly; and for several weeks Thomas J. Oakley, John C. Spencer, and Elisha Williams sustained the Comptroller, while Erastus Root, Peter Sharpe, and others pleaded for Tompkins.

Meanwhile, on the 9th of March, a Senate committee, with Van Buren as chairman, reported that the Comptroller ought to have allowed Tompkins a premium of twelve and a half per cent. on \$1,000,000, leaving a balance due the Vice President of \$11,870.50. It was a strange mix-up, and the more committees examined it the worse appeared the muddle. After Van Buren had reported, the question arose, should the Comptroller be sustained, or should the report of Van Buren's committee be accepted? It was a long drop from \$130,000 claimed by Tompkins to \$11,780.50 awarded him by Van Buren, yet it was better to take that than accept a settlement which made him a defaulter, and the Senate approved the Van Buren report. But Thomas J. Oakley, chairman of the Assembly committee to which it was referred, did not propose to let the candidate for governor escape so easily. In an able review of the whole question he sustained the Comptroller, maintaining that the Vice President must seek relief under the law like other parties, and instructing the Comptroller to sue for any balance due the State, unless Tompkins reimbursed it by the following August. This ended legislation for the session.

Van Buren seems to have had no concern about Tompkins' canal record. Possibly he thought the disappearance of Bucktail opposition took that issue out of the campaign; but he was greatly worked up over the unsettled accounts, and in his usual adroit manner set influences to work to discourage Tompkins' acceptance of the nomination, and to secure the consent of Smith Thompson, then secretary of the navy, to make the race himself. He had little difficulty in accomplishing this end, for Thompson was not at all unwilling. But to get rid of Tompkins was another question. "The Republican party in this State never was better united," he wrote Smith Thompson, on January 19, 1820, three days after Tompkins' nomination; "they all love, honour and esteem the Vice President; but such is their extreme anxiety to insure the prostration of the Junto, who have stolen into the seats of power, that they all desire that you should be the candidate. They will support Tompkins to the bat's end if you refuse, or he should not decline; but if he does, and you consent to our wishes, you will be hailed as the saviour of New York."^[198] On the same day Van Buren also wrote Rufus King: "Some of our friends think it is dangerous to support the Vice President under existing circumstances.... A few of us have written him freely on the subject and to meet the event of his having left the city of

Washington, I have sent a copy of our letter to Secretary Thompson, of which circumstance the Secretary is not informed. There are many points of view in which it would be desirable to place this subject before you, but I am fully satisfied you will appreciate without further explanation. I will, therefore, only say, that if the Vice President is with you, and upon a free discussion between you, the Secretary and himself, he should resolve to decline, and you can induce the Secretary to consent to our using his name, you will do a lasting benefit to the Republican interest of this State." [199]

To this most adroit and cunning letter Rufus King replied on the last day of the month: "The Vice President left us to-day at noon; on his way he stopped at the Senate and we had a short conference.... I observed as between him and Mr. Clinton my apprehension was that a majority, possibly a large majority of Federalists would vote for Mr. Clinton; adding that between the Secretary of the Navy and Mr. Clinton I was persuaded that a majority of the Federalists would prefer the Secretary.... Apologising for the frankness with which I expressed my opinion, I added that I hoped he would wait until he reached New York before he decided; perhaps he would think it best to delay his answer until he arrived in Albany; one thing I considered absolutely necessary—that his accounts should be definitely closed before election. He answered that he was going immediately to Albany with four propositions which would lead to a final settlement; that he might think it best to delay his answer to the nomination until he should reach Albany. I said in conclusion that my earnest wish was the exclusion of Mr. Clinton, and my preference (knowing the personal sacrifice he would make in consenting to his own nomination) that the candidate selected should be the man who, in the opinion of those most capable to decide, will be the most likely to accomplish the work." [200]

Rufus King certainly did his work well. He had abundantly discouraged him as to the Federalists and had fully advised him as to the importance of settling his accounts; but all to no purpose. Two days later Thompson wrote Van Buren that the Vice President "will stand." The Kinderhook statesman, however, disinclined to give it up, asked the Secretary in a note on the same day for authority to use his name "if the Vice President, when he arrives here, should wish to decline." On the 7th of February, John A. King wrote his father: "Hopes are still entertained that the Vice President's decision may yet yield to the wishes of many of his oldest friends. Those, however, who

know him best have no such hopes. Judge Yates has said that he never refused an offer of any sort in his life."^[201] And so it proved in this instance. Tompkins was immovable. Like a race horse trained to running, he only needed to be let into the ring and given a free rein. When the bell sounded he was off on his fifth race for governor.

If Tompkins was handicapped with a shortage and a canal record, Clinton was harassed for want of a party. To conceal the meagreness of his strength in a legislative caucus, Clinton was renominated with John Taylor at a meeting of the citizens of Albany. He had a following and a large one, but it was without cohesion or discipline. Men felt at liberty to withdraw without explanation and without notice. Within eight months after his election as a Clintonian senator, Benjamin Mooers of Plattsburg accepted the nomination for lieutenant-governor on the ticket with Governor Tompkins, apparently without loss of political prestige, or the respect of neighbours. The administration at Washington recognised the Bucktails as the regular Republican party, and showered offices among them, until Clinton later made it a matter of public complaint and official investigation. Other disintegrating influences were also at work. The "high minded" Federalists, in a published document signed by forty or fifty leading men, declared the Federal party dissolved and annihilated, and pronounced the Clinton party simply a personal one. To belong to it independence must be surrendered, and to obtain office in it, one must laud its head and bow the knee, a system of sycophancy, they said, disgusting all "high minded" men. But DeWitt Clinton's strength was not in parties nor in political management. He belonged to the great men of his time, having no superior in New York, and, in some respects, no equal in the country. He possessed a broader horizon, a larger intellect, a greater moral courage, than most of his contemporaries. It is probably true that, like a mountain, he appeared best at a distance, but having confidence in his ability and integrity, people easily overlooked his rough, unpopular manners. The shrewd, sagacious Yankee farmers who were filling up the great western counties of Ontario and Genesee believed in him. The Bucktails did not know, until the eastern and western districts responded with five thousand eight hundred and four majority for Clinton, as against four thousand three hundred and seventy-seven for Tompkins in the middle and southern districts, what a capital cry Clinton had in the canal issue; what a powerful appeal to selfish interests he could put into voice;

and what a loud reply selfish interests would make to the appeal. It was not, in fact, a race between parties at all; it was not a question of shortage or settlement. It is likely the shortage affected the result somewhat; but the majority of over fourteen hundred meant approval of Clinton and his canal policy rather than distrust of Tompkins and his unsettled accounts. The question in 1820 was, shall the canal be built? and, although the Bucktails had ceased their hostility, the people most interested in the canal's construction wanted Clinton to complete what he had so gloriously and successfully begun.

The campaign was fought out with bitterness and desperation until the polls closed. No national or state issue divided the parties. In fact, there were no issues. It was simply a question whether Clinton and his friends, or Tompkins and the Bucktails should control the state government. The arguments, therefore, were purely personal. Clinton's friends relied upon his canal policy, his honesty, and his integrity—the Bucktails insisted that Clinton was no longer a Republican; that the canal would be constructed as well without him as with him, and that his defeat would wipe out factional strife and give New York greater prominence in the councils of the party. "For the last ten days," wrote Van Buren to Rufus King, on April 13, "I have scarcely had time to take my regular meals and am at this moment pressed by at least half a dozen unfinished concerns growing out of this intolerable political struggle in which we are involved."^[202] Nevertheless, he had no doubt of Tompkins' election. "I entertain the strongest convictions that we shall succeed,"^[203] he wrote later in the month. On the other hand, Clinton was no less certain. In his letters to Henry Post he is always confident; but at no time more so than now. "The canal proceeds wondrously well," he says. "The Martling opposition has ruined them forever. The public mind was never in a better train for useful operations. John Townsend has just come from the west. There is but one sentiment."^[204] Yet, when the battle ended, it looked like a Clintonian defeat and Bucktail victory; for the latter had swept the Legislature, adding to their control in the Senate and capturing the Assembly by a majority of eighteen over all. It was only the presence of Tompkins among the slain that transferred the real glory to Clinton, whose majority was fourteen hundred and fifty-seven in a total vote of ninety-three thousand four hundred and thirty-seven. This exceeded any former aggregate by nearly ten thousand.^[205]

Daniel D. Tompkins took his defeat much to heart. He believed his unsettled accounts had occasioned whispered slanders that crushed him. After his angry controversy with Comptroller McIntyre, in the preceding year, he seriously considered the propriety of resigning as Vice President; for he sincerely believed his figures were right and that the Comptroller's language had classed him in the public mind with what, in these latter days, would be called "grafters." "Our friend on Staten Island is unfortunately sick in body and mind," Clinton wrote to Post in September, 1819. "His situation upon the whole is deplorable and calculated to excite sympathy." [206] It was, indeed, a most unfortunate affair, for the State discovered, years after it was too late, that it did owe the War Governor ninety-two thousand dollars.

Tompkins' public life continued four years longer. In the autumn of 1820, the Legislature balanced his accounts and the country re-elected him Vice President. The next year his party made him a delegate to the constitutional convention, and the convention made him its president; but he never recovered from the chagrin and mortification of his defeat for the governorship. Soon after the election, melancholy accounts appeared of the havoc wrought upon a frame once so full of animal spirits. He began to drink too freely even for those days of deep drink. His eye lost its lustre; deep lines furrowed the round, sunny face; the unruffled temper became irritable; and, within three months after the close of his second term as Vice President, before he had entered his fifty-second year, he was dead.

CHAPTER XXVI

THE ALBANY REGENCY

1820-1822

WHEN the Legislature assembled to appoint presidential electors in November, 1820, Bucktail fear of Clinton was at an end for the present. Before, his name had been one to conjure with; thenceforth it was to have no terrors. He had, indeed, been re-elected governor, but the small majority, scarcely exceeding one per cent. of the total vote, showed that he was now merely an independent, and a very independent member, of the Republican party. To the close of his career he was certain to be a commanding figure, around whom all party dissenters would quickly and easily rally; but it was now an individual figure, almost an eccentric figure, whose work as a political factor seemed to be closed.

Yet Clinton was not ready to go into a second retirement. On the theory, as he wrote Henry Post, that "the meekness of Quakerism will do in religion, but not in politics,"^[207] he looked about him for something to arouse public attention and to excite public indignation, and, for the want of a better subject, he charged the Monroe administration with interference in the recent state election. Post advised caution; but Clinton, stung by the defeat of his friends and by his own narrow escape, had become possessed with the suspicion that federal officials had used the patronage of the government against him. So, in his speech to the Legislature in November, he protested against the outrage. "If the officers under the appointment of the federal government," he declared, "shall see fit as an organised and disciplined corps to interfere in state elections, I trust there will be found a becoming disposition in the people to resist these alarming attempts upon the purity and independence of their local governments."^[208] Clinton had no evidence upon which to support this charge. It was, at best, only a

suspicion based upon his own methods; but the Senate demanded proof, and failing to get specifications, it declared it "highly improper that the Chief Magistrate of the State should incriminate the administration of the general government, without ample testimony in his possession." The resolutions closed with an expression of confidence in the patriotism and integrity of the government.

Meanwhile, Clinton was urging Post to help him out of his difficulty. "I want authenticated testimony of the interference of the general government in our elections," he wrote on November 19. "Our friends must be up and doing on this subject. It is all important."^[209] Eight days later he stirred up Post again. "What is the annual amount of patronage of the national government in this State?" he asked.^[210] "Knowing the accuracy of your calculations, I rely much on you." Then he developed his plan: "The course of exposition ought, I think, to be this—to collect a voluminous mass of documents detailing facts, and to form from them a lucid, intelligible statement. On the representation of facts recourse must also be had to inferences, and it ought also to unite boldness and prudence."^[211] It is evident that thus far inferences outnumbered facts, for far into December Clinton was still calling upon his friends to collect testimony. "Go on with your collection of proofs," he wrote. "I think with a little industry this matter will stand well."^[212]

When submitted to the Legislature, on January 17, 1821, the documents, according to the Governor's instructions, were indeed very voluminous. It required a bag to take them to the capitol—the green bag message, it was called; but it proved to be smoke, with little fire. It fully established that the naval storekeeper at Brooklyn, and other federal officials were offensive partisans, just as they had been under Clinton's control, and just as they have been ever since. The Bucktails saw distinctly enough that the State could not be aroused into indignation by such a mass of documents; but there was one letter from Van Buren to Henry Meigs, the congressman, dated April 5, 1820, advising the removal of postmasters at Bath, Little Falls, and Oxford, because it seemed impossible to secure the free circulation of Bucktail newspapers in the interior of the State, which provoked much criticism. How the Governor got it does not appear, but it gives a glimpse of Van Buren's political methods that is interesting. "Unless we can alarm them (the Clintonians) by two or three prompt removals," he

says, "there is no limiting the injurious consequences that may result from it."

Soon after, two of the postmasters were removed. If the charge was true, that postmasters were preventing the circulation of Bucktail newspapers, Van Buren's course was very charitable. Evidently he did not want places for his friends so much as a proper delivery of the mails; for otherwise he would have insisted upon the removal of all offenders. The gentle suggestion that the removal of two or three would be a warning to others, explains how this devout lover of men lived through a long life on most intimate terms with his neighbours. If such conditions existed under the modern management of the Post-Office Department, every wrong-doer would be summarily dismissed, regardless of party or creed. Van Buren's methods had no such drastic discipline; yet his letter became the subject of much animadversion by the Clintonians, not so much because they disapproved the suggestion as because Van Buren wrote it. "It is very important to destroy this prince of villains," Clinton declared, in a letter to Post of December 2, 1820.[\[213\]](#)

Like many other brilliant political leaders, Van Buren was somewhat thin-skinned; he happened, too, to be out of the State Senate, and thus was compelled to endure, in silence, the attacks of the opposition. It is believed that at this time, Van Buren had a strong inclination to accept a Supreme Court judgeship, and thus withdraw forever from political life. But the fates denied him any chance of making this serious anti-climax in his great political career. While the green bag message convulsed the Clintonians with simulated indignation, the Bucktails declared him, by a caucus vote of fifty-eight to twenty-four, their choice for United States senator in place of Nathan Sanford, whose term expired on March 4, 1821.

It appeared then as it appears now, that Martin Van Buren was "the inevitable man." He was thirty-nine years of age, in the early ripeness of his powers, a leader at the bar, and the leader of his party. He had accumulated from his practice the beginnings of the fortune which his Dutch thrift and cautious habits made ample for his needs. The simple and natural rules governing his astute political leadership seemed to leave him without a rival, or, at least, without an opponent who could get in his way. Times had changed, too, since the days when United States senators resigned to

become postmasters and mayors of New York. A seat in the United States Senate had become a great honour, because it was a place of great power and great influence; and in passing from Albany to Washington Van Buren would add to state leadership an opportunity of becoming a national figure. It is not surprising, therefore, that Clinton sought to defeat him; for he had ever been ready to retaliate upon men who ventured to cross his purposes. But Clinton's scheme had no place in the plans of Bucktails. "I am afraid Van Buren will beat Sanford for senator," he wrote Post as early as the 30th of December, 1820. "He will unless his friends stand out against a caucus decision."^[214] This is what Clinton wanted the twenty-four Sanford delegates to do, and, to encourage such a bolt, he compelled every Federalist and Clintonian, save one, to vote for him, although Sanford represented Tammany and its bitter hostility to Clinton. But the Bucktails had at last established a party organisation that could not be divided by Clinton intrigue, and Van Buren received the full party vote.

When Roger Skinner and his three associates on the new Council of Appointment got to work, Clinton quickly discovered that he could expect little from such a body of Bucktails; and he received less than he expected. For, when the Council had finished, only one Clintonian remained in office. Oakley, the able attorney-general; Jay, the gifted recorder of New York; Colden, the acceptable mayor of New York; Hawley, the ideal superintendent of common schools; Solomon Van Rensselaer, the famous and fearless adjutant-general; McIntyre, the trusted and competent comptroller, had all disappeared in a night. Only Simeon DeWitt, who had been surveyor-general for forty years, was left undisturbed. Former Councils had been radical and vigorous in their action, but the Skinner council cut as deep and swift as the famous Clinton Council of 1801. At its first meeting, clerks and sheriffs and surrogates and district attorneys fell in windrows. Yet it was no worse than its predecessors; it could not be worse, since precedents existed in support of conduct however scandalous.

The removal of Hawley, McIntyre, and Van Rensselaer produced a greater sensation throughout the State than any previous dismissals, except that of DeWitt Clinton from the mayoralty in 1815. Gideon Hawley had held the office of school superintendent for nine years, organising the State into school districts, distributing the school fund equitably, and perfecting the work, so that the entire system could be easily handled by a superintendent.

In 1818, he reported five thousand schools thus organised, with upward of two hundred thousand pupils in attendance for a period of four to six months each year. He did this work on a salary of three hundred dollars—only to receive, at last, in place of thanks so richly deserved, the unmerited rebuke of a summary dismissal.

The removal of Archibald McIntyre made a sensation almost as great. For fifteen years, McIntyre had been such an acceptable comptroller that the waves of factional and party strife had broken at his feet, leaving him master of the State's finances. The Lewisites retained him in 1807; the Federalists kept him in 1809; the Republicans continued him in 1811; the Federalists again spared him in 1813; while the frequent changes that followed Clinton's downfall left him undisturbed. He took no part in political contests. It was his duty to see that the State's money was paid according to law, and he so conducted the office; but the Bucktails deeply resented his treatment of the Vice President, and a swift removal was the penalty. In some degree McIntyre may have been responsible for the defeat of Tompkins. The perfervid strength of his convictions as to the injustice of the Vice President's claim betrayed him into an intemperance of language that suggests overzeal in a public official. In refusing, too, to balance the Vice President's accounts, as the Legislature clearly intended, and as he might have done regardless of the Vice President's additional claim, he seems to have assumed an unnecessary responsibility, and to have learned what many men have experienced in public life, that nothing is so dangerous as being too faithful. But McIntyre may have had no reason to regret his removal. He was immediately returned to the Legislature as a senator, and the next year appointed agent for the state lotteries, a business that enabled him in a few years to retire with an independent fortune.

It is unnecessary to introduce here a full list of the new office-holders; but there came into notice at this time three young lawyers who subsequently occupied a conspicuous place in the history of their State and country. Samuel A. Talcott took the place of Thomas J. Oakley as attorney-general; William L. Marcy became adjutant-general in place of Van Rensselaer, and Benjamin F. Butler was appointed district attorney of Albany County. Marcy was then thirty-five years of age, Talcott thirty-two, and Butler twenty-six. Talcott was tall and commanding, with high forehead and large mellow blue eyes that inspired confidence and admiration. His manners

combined dignity and ease; and as he swept along the street, or stood before judge or jury, he appeared like nature's nobleman. Marcy had a bold, full forehead, with heavy brows and eyes deep set and expressive. It was decidedly a Websterian head, though the large, firm mouth and admirably moulded chin rather recalled those of Henry Clay. The face would have been austere, forbidding easy approach, except for the good-natured twinkle in the eye and a quiet smile lingering about the mouth. Marcy was above the ordinary height, with square, powerful shoulders, and carried some superfluous flesh as he grew older; but, at the time of which we are writing, he was as erect as the day he captured St. Regis. Butler was slighter than Marcy, and shorter than Talcott, but much larger than Van Buren, with fulness of form and perfect proportions. He had an indescribable refinement of face which seemed to come from the softness of the eye and the tenderness and intellectuality of the mouth, which reflected his gentle and generous spirit.

At the time of Talcott's appointment, though he had not distinguished himself as a legal competitor of Van Buren, he displayed the gentle manners and amiable traits that naturally commended him to one of Van Buren's smooth, adroit methods. The Kinderhook statesman had, however, in selecting him for attorney-general, looked beyond the charming personality to the rapidly developing powers of the lawyer, who was even then captivating all hearers by the strength of his arguments and the splendour of his diction. Contemporaries of Talcott were fond of telling of this remarkable, almost phenomenal gift of speech. One of them mentions "those magical transitions from the subtlest argument to the deepest pathos;" another describes him as "overpowering in the weight of his intellect, who produced in the minds of his audience all the sympathy and emotion of which the mind is capable." William H. Dillingham, a classmate and lifelong friend, declared that the extraordinary qualities which marked his career and so greatly distinguished him in after life—towering genius, astonishing facility in acquiring knowledge, and surpassing eloquence, were developed during his college days. The life of Talcott recalls, in its brilliant activity, the dazzling legal career of Alexander Hamilton. Wherever the greatest lawyers gathered he was in their midst, the "Erskine of the bar." At his last appearance in the Supreme Court of the United States he opposed Daniel Webster in the "Sailors' Snug Harbor" case. "Beginning in a low and

measured tone," says Bacon, in his *Early Bar of Oneida County*, "he gathered strength and power as he proceeded in his masterly discourse, and for five hours held the breathless attention of bench and bar and audience, in an argument which the illustrious Marshall declared had not been equalled in that court since the days of the renowned William Pinckney."

Benjamin F. Butler was very much like Talcott in gentleness of manner and in power of intellect. He was born in Kinderhook, Columbia County, where his father, starting as a mechanic, became a merchant, and, after a brief service in the Legislature, received the appointment of county judge. But there was no more reason to expect Medad Butler to bring an illustrious son into the world than there was that his neighbour, Abraham Van Buren, should be the father of the eighth President of the United States. Thirteen years divided the ages of Van Buren and Butler; and, while the latter attended the district school and aided his father about the store, Van Buren was practising law and talking politics with Butler's father. Young Butler was not a dreamer. He had no wild ambition to be great, and cherished no thought of sitting in cabinets or controlling the policy of a great party; but his quiet, respectful manners and remarkable acuteness of mind attracted Van Buren. When Van Buren went to Hudson as surrogate of the county, Butler entered the Hudson academy. There he distinguished himself, as he had already distinguished himself in the little district school, acquiring a decided fondness for the classics. His teachers predicted for him a brilliant college career; but, whatever his reasons, he gave up the college, and, at the age of sixteen, entered Van Buren's law office and Van Buren's family. On his admission to the bar, in 1817, he became Van Buren's partner at Albany.

Though Talcott began life a Federalist, in the party breakup he joined the Bucktails, with Butler and Van Buren. It seemed to be a love match—the relations between Talcott and Butler. They were frequently associated in the most important cases, the possession of scholarly tastes being the powerful magnet that drew them together. Talcott, at Williams College, had evidenced an astonishing facility for acquiring knowledge; Butler, after leaving the academy, had continued the study of the languages until he could read his favourite authors in the original with great ease. This was their delight. Neither of them took naturally to public service, though offices seemed to seek them at every turn of the road—United States senator, judge of the Supreme Court, and seats in the cabinets of three

Presidents. Nevertheless, with the exception of a brief service under Jackson and Van Buren, Butler declined all the flattering offers that came to him.

It was Marcy who seemed born for a politician. A staid old Federalist teacher sent him away from school at fourteen years of age, because of his love for Jeffersonian principles and his fondness for argument. The early years of this Massachusetts lad seem to have been strangely varied and vexed. He was the leader of a band of noisy, roguish boys who made the schoolroom uncomfortable for the teacher, and the neighbourhood uncomfortable for the parents. Neither the father nor his wife appear to have had any idea of their good fortune. Mrs. Marcy once declared him the worst boy in the country. He showed little disposition to study and less inclination to work; yet it was noticed that he read all the books to be found in the homes of his playfellows and in the libraries of the district. The character of the books made no difference; he preferred reading anything to reading nothing, though history and general literature, such as the works of Addison, on whose style he seems to have moulded his own, were his favourite volumes. When, at last, he met Salem Towne, his earliest, and, in a sense, his best education began. Towne recognised the latent genius of the lad and told him of it, encouraging him to enter college and the law. Marcy used often to declare, in later years, that he owed everything he ever gained in life to the influence and example of Salem Towne. The affectionate regard which Marcy felt for his boyhood friend, a regard which endured until the day of his death, belongs to the chapter of pathetic incidents in Marcy's life.

Soon after leaving Brown University, Marcy settled in Troy and became violently hostile to DeWitt Clinton. After Clinton's downfall, he was appointed recorder of Troy; and after Clinton's restoration, he was promptly removed. Just now he was trying to practise law, and to edit the *Troy Budget*, a Bucktail newspaper; but he preferred to read, sitting with his unblackened boots on the table, careless of his dress, and indifferent to his personal appearance. He looked dull and inactive, and people thought he lacked the industry and energy so necessary to success in any profession; but when the *Budget* appeared, its editorials made men read and reflect. It was the skill with which he marshalled facts in a gentle and winning style that attracted Van Buren and made them friends.

Marcy's appointment as adjutant-general created intense indignation, because he took the place of Solomon Van Rensselaer, who had served in the War of 1812, bravely leading the attack on Queenstown Heights and holding his ground until dislodged by superior force; but, it was said in reply, that Marcy had the honour of capturing the first British fort and the first British flag of the war. The fight was not a bloody encounter like the Queenstown engagement; yet, for men new to war, it evidenced coolness and great courage. A detachment of British soldiers had taken a position at St. Regis, seven miles from the American camp. Selecting one hundred and seventy picked men, Lieutenant Marcy cautiously approached the fort at night, overpowered the guards on the outposts, surprised the sentries at the entrance, broke down the gates, and charged the enemy in the face of a volley of musketry. When it was over he had the fort, a file of prisoners, several stands of arms, and a flag. Van Buren thought this record was good enough.

The appointment of Talcott, Marcy, and Butler changed the existing political system. Prior to their activity, the distribution of patronage depended largely upon the local boss. His needs determined the men who, regardless of their personal fitness, should be given office. But Talcott and his colleagues introduced new methods, with a higher standard of political morality, and a better system of party discipline. They refused to tolerate unworthy men, and when the little souls stormed and raged, their wise counsels silenced the selfish and staggered the boss. Gradually, their control of patronage and of the party's policy became so absolute that they were called the "Albany Regency." It was, at first, simply a name given them by Thurlow Weed;^[215] there was neither organisation nor legal authority. Power came from their great ability and high purpose.

The Albany Regency was destined to continue many years, and to number among its members men of character and great influence. Roger Skinner, a United States district judge, was an early member of it; so were Edwin Croswell of the *Albany Argus*, and Benjamin Knowler, the state treasurer. At a later day came John A. Dix, Azariah C. Flagg, Silas Wright, and Charles E. Dudley. In his autobiography, Thurlow Weed says he "had never known a body of men who possessed so much power and used it so well." They had, he continues, "great ability, great industry, indomitable courage, and strict personal integrity."^[216] But the men who organised the Regency, giving it

power and the respect of the people, by refusing to do what their fine sense of honour did not approve, were Talcott, Marcy, and Butler. It was as remarkable a trio as ever sat about a table.

In the passing of these three great intellects, there is something peculiarly touching. Talcott died suddenly at the early age of forty-five, leaving the members of the New York bar as sincere mourners. Butler, after the highest and purest living, died at fifty-nine, just as he landed in France to visit the scenes of which he had read and dreamed. Marcy, at sixty-two, having recently retired as President Pierce's secretary of state, was found lifeless, lying upon his bed, book in hand. He had been reading, as he had read since childhood, whenever there came a lull in the demand for his wisdom, his counsel, and his friendship.[\[217\]](#)

CHAPTER XXVII

THE THIRD CONSTITUTIONAL CONVENTION

1821

NEW ENGLAND people, passing through the Mohawk Valley into the rich country beyond Seneca Lake, found many reasons for settling in central and western New York. Out of this section the Legislature organised twelve new counties in 1812. The sixteen counties that existed in the State, in 1790, had increased to fifty-five in 1820. Settlers had rapidly filled up the whole region. New York City, according to the third census, had 123,706 inhabitants, and, of these, only 5390 were unnaturalised foreigners. Indeed, the population of the State, in 1820, was made up largely of native Americans; and the descendants of English families outnumbered those of the Dutch.

Administrative reform had not, however, kept pace with the increase in population. The number of freeholders qualified to vote for senator and governor, was, relatively, no larger; the power of the Council of Appointment had become odious; the veto of the Council of Revision distasteful; and the sittings of the Supreme Court infrequent. It was said that the members of the Council of Revision, secure from removal, had resisted the creation of additional judges, until the speedy administration of justice was a lost art. Gradually, the spirit that demanded independence, in 1776, began to insist upon a broader suffrage and additional rights. The New Englanders in the central, western, and northern parts of the State had very pronounced sentiments upon the subject of reform. They sympathised little with the views of the landowning and conservative classes that largely controlled the making of the Constitution of 1777. The people of New York

City, as well, who had increased over fifty per cent. in twelve years, clamoured for a radical change in conditions that seemed to them to have no application to life in a republic.

Nevertheless, the politicians were slow in recognising the necessity of amending the State Constitution. Although trouble increased from year to year, governors avoided recommendations; and legislators hesitated to put in motion the machinery for correcting abuses. After Clinton had defeated Tompkins for governor, in 1820, however, the agitation suddenly blazed into a flame. Tammany resolved in favour of a convention having unlimited powers to amend the Constitution. Following this suggestion, Governor Clinton, in his speech to the Legislature in November, 1820, recommended that the question be submitted to the people. But the Bucktails, indifferent to the views of their opponents, pushed through a bill calling for a convention with unlimited powers, whose work should subsequently be submitted in gross to the people for ratification or rejection.

Governor Clinton preferred a convention of limited powers, a convention that could not abolish the judiciary or turn out of office the only friends left him. Nevertheless, it was not easy for a governor, who loved popularity, to take a position against the Bucktail bill; for the popular mind, if it had not yet formally expressed itself on the subject, was well understood to favour a convention. When, therefore, the bill came before the Council of Revision, Clinton thought he had taken good care to have a majority present to disapprove it, without his assistance. Van Ness and Platt were absent holding court; but, of the others, Joseph C. Yates, the only Bucktail on the bench, was presumably the only one likely to favour it. Chancellor Kent, in giving his reasons for disapproving the measure, contended that the Legislature had no constitutional authority to create a convention of unlimited powers, and, if it did, it should require the convention to submit its amendments to the people separately and not in gross. Spencer agreed with the Chancellor. Yates, as expected, approved the bill, but there was consternation in the Council when Woodworth agreed with Yates. Woodworth was the creature of Clinton. He had made him a judge, and, having done so, the Governor relied with confidence upon his support, in preference to that of either Van Ness or Jonas Platt. It recalls the mistake of the historic conclave which elected a Pope whom the cardinals believed too feeble to have any will of his own, but who suddenly became their master.

One can easily understand Clinton's dilemma. He wanted the bill disapproved without his aid; Woodworth's action compelled him to do the very thing he had planned to avoid. To the day of his death, Clinton never got over the affront. "Yates and Woodworth were both frightened and have damned themselves," he wrote Henry Post, on the 27th of November, 1820. "The latter supposed also that he would distinguish himself by his independence. I don't know a fellow more intrinsically despicable. I intend the first convenient opportunity to cut him to the quick. Y—— is a miserable fellow—the dupe of his own vanity and the tool of bad principles!"^[218] Woodworth's action was severely criticised; and when, shortly afterward, the Bucktails in the Senate sitting as a Court of Errors, reversed a judgment against him for several thousand dollars, overruling the opinion of Chancellor Kent, it seemed to impeach the purity of his motives.

After Clinton had voted in the Council, the convention bill, thus vetoed, did not get the necessary two-thirds support. At the regular session of the Legislature, which began in January, 1821, an amendment was accepted submitting to the people the simple question of a convention or no convention. Of the one hundred and forty-four thousand votes cast, one hundred and nine thousand favoured a convention. Delegates were then elected; and the convention, having been organised, continued in session from August 28 to November 10, 1821.

This convention passed into history as a remarkable gathering of distinguished persons. With a few exceptions, all the men then living, whose names have figured in these pages, took an active part in its deliberations; and by their eloquence and ability contributed to a constitution which was to answer the purposes of a rapidly growing State for another quarter of a century. John Jay, the constitution-maker of 1777, then seventy-six years of age, who still lived upon his farm, happy in his rustic tastes and in his simple pleasures, was represented by his gifted son, Peter A. Jay of Westchester; Daniel D. Tompkins came from Richmond; Rufus King from Queens; Nathan Sanford and Jacob Radcliff from New York; James Kent, Ambrose Spencer, Abraham Van Vechten, and Stephen Van Rensselaer from Albany; Jonas Platt, Ezekiel Bacon, and Nathan Williams from Oneida; William W. Van Ness, Elisha Williams, and Jacob R. Van Rensselaer from Columbia; and James Tallmadge and Peter R. Livingston from Dutchess. There was one new name among them—Samuel

Nelson of Cortland, a young man, yet destined to become a well-known and influential chief justice of the State, and an associate justice of the United States Supreme Court. The Federalists of Albany did not return Martin Van Buren, who now made his home in their city; but the people of Otsego honoured themselves and greatly strengthened the convention by making him their representative. He was clearly its leader. Root and Young did more talking, but when others had argued until argument seemed hopeless, Van Buren usually spoke the last word with success.

From the first, it was recognised that Clinton's friends were without influence. They could talk and vote, but the convention was a Bucktail body, in which the election of delegates, the choice of a president, the appointment of committees, the selection of chairmen, and the transaction of business were made party questions. The vote of sixteen to ninety-four for Daniel D. Tompkins, for president, showed Bucktail delegates overwhelmingly in the majority. Of the chairmen of the ten standing committees, all were prominent Bucktail leaders, save Rufus King, who had practically ceased to act with the Federalists of his State, and James, Tallmadge, who ended his affection for DeWitt Clinton when the latter preferred Thomas J. Oakley for attorney-general.

The convention's work centred about three great principles—broader suffrage, enlarged local government, and a more popular judiciary system. There was no difficulty in abolishing the Councils of Appointment and of Revision; in clothing the governor with power of veto; in fixing his term of office at two years instead of three; and in making members of the Legislature ineligible for appointment to office. But, on the questions of suffrage and the judiciary, the convention was thrown into weeks of violent debate, memorable by prophecies never fulfilled, and by criticism that the future quickly disproved. In respect to the suffrage, there were practically three different views. A few members favoured freehold qualifications; a larger number believed in universal suffrage; while others stood between the two, desiring the abolition of a freehold qualification, yet opposing universal suffrage and wishing to place some restrictions on the right to vote. Erastus Root and Samuel Young ably represented the second class; Ambrose Spencer and the Federalists were intensely loyal to a freehold qualification; and Van Buren, backed probably by a majority of the convention, presented the compromise view.

Preliminary to the great debate, a lively skirmish occurred over the limitation of suffrage to the white voter. Strangely enough, this proposition was sustained by Erastus Root, the ardent champion of universal suffrage and the abolition of slavery; and it was opposed with equal warmth by Peter A. Jay and the Federalists, who advocated a freehold qualification. Van Buren did not speak, but he voted for the resolution, to eliminate the word "white," which was carried by a close vote—sixty-three to fifty-nine. Then it was proposed that coloured voters should be freeholders. Again the advocates of universal suffrage favoured the proposition, and the friends of a freehold qualification opposed it; but this time the convention decided against the negro, thirty-three to seventy-one. New York was slow to give equal suffrage to the blacks. Nearly three-fourths of the voters of the State withheld it in 1846; and, six years after President Lincoln's emancipation proclamation, when the black soldier had served his country throughout the Civil War with a fidelity and courage that awoke the strongest emotions of a patriotic people, it was again refused.

The debate, however, which aroused the greatest interest, and in which members of the convention most generally participated, sprang from Ambrose Spencer's proposition limiting to freeholders the right to vote for senators. It must have occurred to the Chief Justice that the convention was against him, because its committee had unanimously agreed to abolish the freehold qualification; and, further, because the convention, by its action on the negro question, had demonstrated its purpose to wipe out all property distinctions among white voters; yet Spencer, at this eleventh hour, proposed to re-establish a freehold difference between senators and assemblymen. The Chief Justice, with all his faults, and they were many and grave, had in him the capacity of a statesman; but it was a statesman of fifty years before. He had learned little by experience. The prejudices of Jay and other patriots of the Revolution, still lingered in his mind, arousing painful apprehensions of what would happen if the exclusive privileges of landowners should disappear, and robbing him of that faith in the people which made Erastus Root the forerunner of the broad suffrage that obtains to-day. Chancellor Kent backed Spencer's proposition in an abler speech than that made by the Chief Justice himself. Kent was an honourable, upright statesman, who, unlike Spencer, had never wavered in his fealty to that federalism which had been learned at the feet of John Jay and

Alexander Hamilton; but, like Spencer, he had failed to discover that the people, jealous of their rights and liberties, could be trusted regardless of property holdings. "By the report before us," he said, "we propose to annihilate, at one stroke, all property distinctions, and to bow before the idol of universal suffrage. That extreme democratic principle has been regarded with terror by the wise men of every age, because in every European republic, ancient and modern, in which it has been tried, it has terminated disastrously, and been productive of corruption, injustice, violence, and tyranny. And dare we flatter ourselves that we are a peculiar people, who can run the career of history exempted from the passions which have disturbed and corrupted the rest of mankind? If we are like other races of men, with similar follies and vices, then I greatly fear that our posterity will have reason to deplore in sackcloth and ashes the delusion of the day."

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Though Erastus Root and Samuel Young employed all their eloquence and all their energy against Spencer's proposition, it was Martin Van Buren's speech which made the deepest impression. It cannot be said that the latter's remarks defeated the amendment, because the vote of nineteen to one hundred, showed no one behind the Chief Justice's proposal save himself and a few Federalists. But Van Buren greatly strengthened the report of the committee, which gave a vote to every male citizen twenty-one years old, who had resided six months in the State and who had within one year paid taxes or a road assessment, or had been enrolled and served in the militia. Although, said Van Buren, this report is on the verge of universal suffrage, it did not cheapen the invaluable right, by conferring it indiscriminately upon every one, black or white, who would condescend to accept it. He was opposed, he said, to a precipitate and unexpected prostration of all qualifications, and looked with dread upon the great increase of voters in New York City, believing that such an increase would render elections a curse rather than a blessing. But he maintained that the events of the past forty years had discredited the speculative fears of Franklin, Hamilton, and Madison; that venality in voting, in spite of property qualifications, already existed in grossest forms in parliamentary elections in England, and that property had been as safe in those American communities which had given universal suffrage as in the few which retained a freehold qualification. Then, with great earnestness, his eye resting upon the distinguished

Chancellor, he declared that whenever the principles of order and good government should yield to principles of anarchy and violence, all constitutional provisions would be idle and unavailing.

It was a captivating speech. There was little rhetoric and less feeling. Van Buren took good care to show his thorough knowledge of the subject, and, without the use of exclamations or interrogations, he pointed out the un wisdom of following the constitution-makers of 1777, and the danger of accepting the dogma of universal suffrage. The impression we get from the declaration of some of those who heard it, is that Van Buren surpassed himself in this effort. He seems to have made a large majority of the convention happy because he said just what they wanted to know, and said it in just the way they wanted to hear it. It must be admitted, too, that the evils which he prophesied, if universal suffrage were given to New York City, have been too unhappily verified. With the defeat of Spencer's proposition, the suffrage question quickly settled itself along the lines of the committee's report.

The judiciary article excited less debate but more feeling. Delegates brooded over the well known fact that judges had become political partisans, opposed to increasing their number to meet the growing demands of business, and anxious to retain the extraordinary power given them under the Constitution of 1777. Whenever a suggestion was made to retain these judges, therefore, it provoked bitter opposition and denunciation. A few men in the convention had very fierce opinions, seasoned with a kind of wit, and of these, the restless energy of Erastus Root soon earned for him considerable notoriety. Indeed, it passed into a sort of proverb that there were three parties in the convention—the Republicans, the Federalists, and Erastus Root. It is not so clear that he had as much influence as his long prominence in public life would seem to entitle him; but when he did happen to stand with the majority, he pleased it with his witty vehemence more than Peter R. Livingston did with his coarse vituperation. In the debate on the judiciary, however, abuse and invective were not confined to Root and Livingston. Abraham Van Vechten and some of those who acted with him, employed every means in their power to defeat the opponents of the judges, although they scarcely equalled the extra-tribunal methods of their adversaries.

The contest opened as soon as the chairman of the judiciary committee reported in favour of a vice chancellor, from whom appeals should be taken to the chancellor; and of a superior court of common pleas, having practically the jurisdiction of the Supreme Court, which should form a part of the Court for the Correction of Errors. This meant the continuation of the old judges. Immediately, Erastus Root offered a substitute, abolishing the existing courts, and creating a new Supreme Court, with a corps of *nisi prius* district judges. Root's plan also provided for the transfer of the equitable powers of the Court of Chancery to the courts of common law. This was the extreme view. Although the convention, or at least a majority of it, might wish to get rid of the old Supreme Court judges, it was plainly unwilling to let go the Court of Chancery. So it rejected the Root substitute by a vote of seventy-three to thirty-six, and the report of the judiciary committee by seventy-nine ayes to thirty-three noes. But the attack thus daringly begun by Root, was steadily maintained. Martin Van Buren, who figured as a sort of peacemaker, proposed the retention of the Chancery and Supreme Courts, and the creation of circuit judges. This proposition went to a special committee, which presented two reports—one for the preservation of the Court of Chancery and the Supreme Court, the other for the creation of a Court of Chancery, a Supreme Court, and courts of common pleas. It was plain that the second of these was Root's former substitute, with the Court of Chancery continued, and, in support of it, he now arraigned the political conduct of the judges with a severity that was speedily rebuked. Root was radical or nothing. He hated Spencer, he despised Van Ness, and he disliked James Kent and Jonas Platt; and with an exuberance of apparent anger he demanded the abolition of their courts and the creation of others in no wise different.

In replying to Root, Van Buren again discovered his kindliness of heart. The only question, he said, was whether the convention would insert an article in the Constitution for the sole purpose of vacating the offices of the present chancellor, and Supreme Court judges, and thus apply a rule which had not yet been applied in a single instance. There could be no public reason for the measure and personal feeling should not control. Referring to William W. Van Ness, he declared that he could with truth say that, throughout his whole life, he had been assailed by him with hostility—political, professional and personal—hostility which had been keen, active, and

unyielding. "But, sir, am I on that account to indulge my individual resentment in the prostration of my private and political adversary? If I could be capable of such conduct I should forever despise myself." In conclusion, he expressed the hope that the convention would not ruin its character and credit by proceeding to such extremities. Van Buren struck hard, and for the time had routed the judges' opponents by a vote of sixty-four to forty-four. But if the delegates hesitated to back Root, they did not propose to follow Van Buren, and they crushed the first report under the unexpected vote of eighty-six to twenty-five.

The convention had now been in session over two months, and this most troublesome question seemed no nearer settlement than on the opening day. As in the suffrage debate, there were three factions—one determined to get rid of Chancellor Kent and the five Supreme Court judges; another, less numerous, desirous of continuing them all in office, and a third, probably composed of a majority of the convention, who wished to save the chancellor and lose the others. Finally, on the first day of November, ten days before adjournment, a proposition appeared to create a Supreme Court to consist of a chief justice and two justices, and to divide the State into not less than four or more than eight districts, as the Legislature should decide, in each of which a district judge should be appointed, with the tenure and powers of Supreme Court judges. It was also provided that such equity powers should be vested in the district judges, in courts of common pleas, or in other subordinate courts, as the Legislature might direct, subject to the appellate jurisdiction of the chancellor. This was practically Root's old proposition in another form, and its reappearance made it the more certain that a majority of the convention had determined to destroy the present judges.

Up to this time, the members of the court, all of whom were delegates, either from motives of modesty, or with the hope that the many plans might result in no action, had taken no part in the debates on the judiciary. Now, however, Ambrose Spencer, with doubtful propriety, broke the silence. His friends feared the assaults of Root and Peter R. Livingston might drive him into a fierce retort, and that he would antagonise the convention if he did not also weary it. But he did nothing of the kind. He spoke with calmness and excellent taste, saying that he favoured the appointment of circuit judges who should aid the Supreme Court in the trial of issues of fact, and

who should also be members, *ex-officio*, of the Court of Errors; that he had little or no personal interest in the question since he should very soon be constitutionally ineligible to the office; that for eighteen years he had tried to discharge his duties with fidelity and integrity, and that he should leave the bench conscious of having done no wrong if he had not always had the approval of others. He seemed to capture the convention for a moment. His tones were mellow, his manner gentle, and when he suggested leaving Albany on the morrow to resume his labours on the bench, his remarks took the form of a farewell speech, which added a touch of pathos. Indeed, the Chief Justice had proved so wise and discreet that Henry Wheaton thought it an opportune time to propose an amendment to the proposition before the convention, providing that the present justices hold office until their number be reduced to three, by death, resignation, removal, or by age limitation. This brought the convention face to face with the question of retaining the old judges, stripped of all other provisions, and the result was awaited with great interest. It was Van Buren's idea. It had the support, too, of Nathan Sanford, of Peter B. Sharpe, the speaker of the Assembly, and of half a score of prominent Bucktails who hoped, with Van Buren, that the convention would not ruin its character by extreme measures based upon personal dislikes; but a majority of the delegates was in no mood for such a suggestion. It had listened respectfully to the Chief Justice, and would doubtless have cheerfully heard from the Chancellor and other members of the court, but it could not surrender the principle over which sixty days had been spent in contention. When, therefore, the roll was called, Wheaton's amendment was rejected by a vote of sixty-six to thirty-nine. Then came the call on the original proposition, to have Supreme and District Courts, which disclosed sixty-two ayes and fifty-three noes. If the weakness of the noes on the first vote was a disappointment, the strength of the noes on the second vote was a surprise. A change of only five votes was needed to defeat the proposition, and these might have been reduced to three had Daniel D. Tompkins, who favoured Van Buren's idea, and the four judges who refrained from voting, felt at liberty to put themselves upon record. It is a notable fact that the conspicuous, able men of the convention, with the exception of Erastus Root and Samuel Young, voted to continue the judges in office.

Martin Van Buren, as chairman of the committee to consider the question of filling offices, reported in favour of abolishing the Council of Appointment, and of electing state officers by the Legislature, justices of the peace by the people, and military officers, except generals, by the rank and file of the militia. Judicial officers, with surrogates and sheriffs, were to be appointed by the governor and confirmed by the Senate, while courts were authorised to select county clerks and district attorneys. To the common councils of cities was committed the duty of choosing mayors and clerks. In his statement, Van Buren said that of the eight thousand two hundred and eighty-seven military officers in the State, all would be elected by the rank and file, except seventy-eight generals; and of the six thousand six hundred and sixty-three civil officers, all would be elected by the people or designated as the Legislature should direct, except four hundred and fifty-three. To provide for these five hundred and thirty-one military and civil officers, the committee thought it wise to have the governor appoint and the Senate confirm them. The constitutions recently formed in Kentucky, Louisiana, Indiana, Illinois, and Missouri, he said, had such a provision—similar, in fact, to that in the Federal Constitution—and, although this method was open to objection, the committee was unable to devise a better system.

Aside from James Tallmadge, who thought the Legislature should have nothing to do with the patronage of government, this report called out little opposition, so far as it provided for the election of state officers by the Legislature, military officers by the militia, and the appointment of higher military and judicial officers by the governor. Van Buren had made it plain, by his exhaustive argument, that constitution-makers, seeking the latest expression of the people's will, could devise no better plan, and that experience in the newest States having the same system, had developed no serious objection. There was a readiness, also, to accept the recommendation allowing the Legislature to designate the manner of selecting the three thousand six hundred and forty-three notaries public, commissioners of deeds, and other minor officers. But a buzz of disapproval ran through the convention when the article providing for the election of justices of the peace was reached. It was evident from the outset, that a concerted movement was on foot among Republican leaders to establish, at the seat of government, a central appointing power of large

authority, and the appointment of justices of the peace was peculiarly essential to its strength. A justice was of more importance then than now. He was usually the strongest character in his vicinage, and whether he followed the plow, or wore upon the bench the homely working clothes in which he tended cattle, he was none the less familiar with the politics of every suitor in his court. In the absence of higher courts, neighbours were compelled to go before him, and in settling their troubles, it was usually understood that he held the scales of justice without being blindfolded.

Van Buren did not conceal his hostility to the election of these justices. If he had developed radical tendencies in the suffrage debate, he now exhibited equally strong conservative proclivities in limiting the power of the voter. His vigorous protests in the committee-room against the election of surrogates, sheriffs and county clerks had defeated that proposition, and in referring to the section of the report making justices of the peace elective, he said it had been a source of sincere regret that the committee overruled him. But a majority of the committee, he continued, in his smooth and adroit manner, had no strong personal predilections on the question of the election of sheriffs and surrogates, and if, on a fair and deliberate examination, it should be thought better to have these officials elected by the people, they would cheerfully acquiesce in that decision. This was the quintessence of diplomacy. He knew that Erastus Root and Samuel Young insisted upon having these officers elected, and, to secure their opposition to the election of justices of the peace, he indicated a willingness to be convinced as to the expediency of electing sheriffs and surrogates.

To bring the question of electing or appointing justices of the peace squarely before the convention, Van Buren, at a later day, introduced a resolution providing that the board of supervisors in every county should, at such time as the Legislature directed, recommend to the governor a list of persons equal in number to the justices of the peace in such county; that the respective courts of common pleas of the several counties should also recommend a like number, and from the lists so recommended the governor should appoint. In the event of vacancies, like recommendations were to be made. The governor was also authorised to remove a justice upon the application in writing of the body recommending his appointment. This scheme was not very magnificent. It put the responsibility of selection neither upon supervisors, courts, nor governor, although each one must act

independently of the other, but it gave the governor a double chance of appointing men of his own political faith. This was Van Buren's purpose. He believed in a central appointing power, which the Albany Regency might control, and, that such power should not be impotent, these minor and many magistrates, thickly distributed throughout the State, with a jurisdiction broad enough to influence their neighbourhoods, became of the greatest importance. To secure their appointment, therefore, Van Buren was ready to sacrifice the appointment of sheriffs, with their vast army of deputies.

Van Buren's scheme was ably resisted. Rufus King, who was counted a Bucktail but until now had taken little part in debate, spoke against it with all the sincere emotion of one whose mind and heart alike were filled with the cause for which he pleaded. He thought justices should be elected. Each locality knew the men in whom it could trust to settle its disputes, and farmers as well as townspeople should be allowed to select the arbitrator of all their petty quarrels and disagreements. It was the very essence of home rule. In vigorous English Ambrose Spencer, William W. Van Ness, and Jacob R. Van Rensselaer supported the Senator, while Ogden Edwards of New York City, an able representative of Tammany, burning with a sense of injustice, violently assailed the proposed plan. "The unanimous vote of this convention," he said, "had shown that the Council of Appointment was an evil. A unanimous sentence of condemnation has been passed upon it, and I had not expected so soon to find a proposition for its revival."

Probably no stranger scene was ever witnessed in a parliamentary body than Erastus Root and Samuel Young, two radical legislators, advocates of universal suffrage, and just now especially conspicuous because of their successful support of the election of sheriffs and county clerks, arguing with zeal and ability for the appointment of justices of the peace. It seemed like a travesty, since there was not an argument in favour of electing sheriffs that did not apply with added force to the election of justices. The convention stood aghast at such effrontery. It is impossible to read, without regret, of the voluntary stultification of these orators, pleading piteously for the appointment of justices of the peace while declaiming with passionate righteousness against the appointment of sheriffs. With acidulated satire, Van Ness, enrapturing his hearers by his brilliancy, held them up to public ridicule if not to public detestation. But Van Buren's bungling proposition, though once rejected by a vote of fifty-nine to fifty-six, was in the end

substantially adopted, and it remained a part of the amended constitution until the people, very soon satisfied of its iniquity, ripped it out of the organic law with the same unanimity that their representatives now abolished the Councils of Appointment and of Revision. Could Van Buren have had his way, the Council of Appointment would have been changed only in name.

The work of the convention concluded, a motion for the passage of the Constitution as a whole developed only eight votes in the negative, though twenty-four members, including the eight delegates from Albany and Columbia Counties, four from Montgomery, Jonas Platt of Oneida, and Peter A. Jay of Westchester, because it extended and cheapened suffrage, refused to sign it. Other objections were urged. Ezekiel Bacon of Utica, explaining his affirmative vote, thought it worse than the existing Constitution of 1777; yet he approved it because the provision for amendment afforded the people a means of correcting defects with reasonable facility, without resorting to the difficult and dangerous experiment of a formal convention.

The Constitution, however, in spite of the opposition, was overwhelmingly ratified. The vote for it was 74,732; against it 41,043. And it proved better than even its sponsors prophesied. It abolished the Councils of Appointment and of Revision; it abolished the power of the governor to prorogue the Legislature; it abolished the property qualification of the white voter; it extended the elective franchise; it made a large number of officers elective; it modified the management of the canals and created a canal board; it continued the Court of Errors and Impeachments; it reorganised the judicial department, making all judges, surrogates, and recorders appointive by the governor, with the advice and consent of the Senate; it made state officers, formerly appointed by the Council, elective by joint ballot of the Senate and Assembly; and it gave the power of veto exclusively to the governor, requiring a two-thirds vote of the Legislature to overcome it. No doubt it had radical defects, but with the help of a few amendments it lived for a quarter of a century.

CHAPTER XXVIII

THE SECOND FALL OF CLINTON

1822

THE new Constitution changed the date of elections from April to November, and reduced the gubernatorial term from three years to two, thus ending Governor Clinton's administration on January 1, 1823. As the time approached for nominating his successor, it was obvious that the Bucktails, having reduced party discipline to a science and launched the Albany Regency upon its long career of party domination, were certain to control the election. Indeed, so strong had the party become that a nomination for senator or assemblyman was equivalent to an election, and the defeat of John W. Taylor of Saratoga for speaker of the Seventeenth Congress showed that its power extended to the capital of the nation. Taylor's ability and splendid leadership, in the historic contest of the Missouri Compromise, had made him speaker during the second session of the Sixteenth Congress; but Bucktail resentment of his friendly attitude toward Clinton, in 1820, changed a sufficient number of his New York colleagues to deprive him of re-election. It was not until the Nineteenth Congress, after the power of the Albany Regency had been temporarily broken by the election of John Quincy Adams to the Presidency, that Taylor finally received the reward to which he was so richly entitled.

At this moment of the Regency's domination, Joseph C. Yates showed himself the coming man. Though it was the desire of his party that he take the nomination for governor in 1820, the cautious, modest Justice of the Supreme Court had discreetly decided not to sacrifice himself in the year of DeWitt Clinton's greatest strength. Conscious of his own popularity with the people, he was prepared to wait. But he had not to wait long. During the last two years of Clinton's administration, Yates had distinguished himself

in the Council of Revision, by voting for the bill creating a constitutional convention—a vote which was applauded by Van Buren, although overcome by Clinton; and when the time approached for the selection of another gubernatorial candidate, he rightly saw that his hour was come. Yates was not cut out for the part which a strange combination of circumstances was to allow him to play. He was a man of respectable character, but without remarkable capacity of any kind. He had a charming personality. He was modest and mild in his deportment, and richly gifted with discretion, caution, and prudence. Vindictiveness formed no part of his disposition. The peculiar character of his intellect made him a good Supreme Court judge; but he lacked the intellectual energy and courage for an executive, who must thoroughly understand the means of getting and retaining public support.

A majority of the leading politicians of the party, appreciating Yates' mental deficiencies, ranged themselves on the side of Samuel Young, who enjoyed playing a conspicuous part and liked attacking somebody. Young was not merely a debater of apparently inexhaustible resource, but a master in the use of parliamentary tactics and political craft. His speeches, or such reports of them as exist, are full of striking passages and impressive phrases; and, as an orator, full, round and joyous, with singularly graceful and charming manners, he was then without a rival in his party. But his ultra-radicalism and illiberal, often rude, treatment of opponents prevented him from obtaining all the influence which would otherwise have been fairly due to his talents and his political and personal integrity.

There were, also, other aspirants. Daniel D. Tompkins, preferring governor to Vice President, was willing to be called; and Peter B. Porter, Erastus Root, and Nathan Sanford, figured among those whose names were canvassed. The contest, however, soon settled down between Yates and Young, with the chances decidedly in favour of the former. People admired Young and were proud of him—they thoroughly liked Yates and trusted him. If Young had possessed the kindly, sympathetic disposition of Yates, with a tithe of his discretion, he would have rivalled Martin Van Buren in influence and popularity, and become a successful candidate for any office in the gift of the voters; but, with all his splendid genius for debate and eloquent speaking, he was neither a patient leader nor a popular one. When the Republican members of the Legislature got into caucus, therefore,

Joseph C. Yates had a pronounced majority, as had Erastus Root for lieutenant-governor.

Young's defeat for the nomination left bitter enmity. A reconciliation did, indeed, take place between him and Yates, but it was as formal and superficial as that of the two demons described in Le Sage's story. "They brought us together," says Asmodeus; "they reconciled us. We shook hands and became mortal enemies." Young and Yates were reconciled; but from the moment of Yates' nomination, until, chagrined and disappointed, he was forced into retirement after two years of humiliating obedience to the Regency, Samuel Young spared no effort to render his late opponent unpopular.

Although Clinton's canal policy, upon the success of which he had staked his all, was signally vindicating itself in rapidity of construction, and the very moderate estimate of cost, his friends did not hesitate to advise him that his re-election to the governorship was impossible. It was a cold proposition for a man to face who had inaugurated a system of improvement which would confer prosperity and wealth upon the people, and enrich and elevate the State. For a time, like a caged tiger, he bit at the bars that seemed to limit his ambition. But his friends were right. Through his management, or want of management, the Clintonians had ceased to exist as an organisation, and his supporting Federalists, as evidenced by the election of delegates to the constitutional convention in 1821, had passed into a hopeless minority. "Governor Clinton, though governor," said Thurlow Weed, "was much in the condition of a pastor without a congregation." It was striking proof of the absence of tact and that address which, in a popular government, is necessary for one to possess who expects to succeed in public life. Clinton had now been governor for five consecutive years. His motives had undoubtedly been pure and patriotic, and he had within his control the means of a great office to influence people in his favour; yet a cold exterior, an arrogant manner, and a disposition to rule or ruin, had cooled his friends and driven away the people until opponents took little heed of his existence.

No doubt Clinton had good reason to know that the statesmen of that time were not exactly what they professed to be. He was well aware that many of them, like John Woodworth, Ambrose Spencer, and James Tallmadge, had

played fast and loose as the chances of Bucktail and Clintonian had gone up or gone down; and, although he gracefully declined to become a candidate for re-election, when convinced of the utter hopelessness of such a race, his brain was no less active in the conception of plans which should again return him to power. As early as October, 1822, he wrote Post: "The odium attached to the name of Federalist has been a millstone round the neck of true policy. It is now almost universally dropped in this district, in the district of which Oneida County is part, and in the Herkimer County meeting. I hail this as an auspicious event. Names in politics as well as science are matters of substance, and a bad name in public is as injurious to success as a bad name in private life. The inferences I draw from the signs of the times are: First, the ascendancy of our party from the collisions of parties. In proportion as they quarrel with each other they will draw closer to us. The last hate being the most violent will supersede the former antipathy. Second, the old names as well as the old lines of party will be abolished. Third, nominations by caucuses will be exploded. Fourth, Yates, Van Buren, etc., will go down like the stick of a rocket. Our friends are up and doing in Ulster."

It is impossible not to feel admiration for the indomitable courage and the inexhaustible animal spirits which no defeat could reduce to prostration. Furthermore, Clinton had written with the inspiration of a prophet. Not only were the old names and the old party lines soon to vanish, but the last legislative caucus ever to be held in the State, would be called in less than two years. Within the same period Yates was to fall like the stick of a rocket, and Van Buren to suffer his first defeat.

In the absence of a Clintonian or Federalist opponent, Solomon Southwick announced himself as an independent candidate. His was a strange story. He had many of the noblest qualities and some of the wildest fancies, growing out of an extravagant imagination that seemed to control his mind. Among other things, he opened an office for the sale of lottery tickets, reserving numbers for himself which had been indicated in dreams or by fortune-tellers, with whom he was in frequent consultation. Writing of his disposition to hope for aid from the miraculous interposition of some invisible power, Hammond says: "He was in daily expectation that the next mail would bring him news that he had drawn the highest prize in the lottery; and I have known him to borrow money of a friend under a solemn

pledge of his honour for its repayment in ten days, and have afterward ascertained that his sole expectation of redeeming his pledge depended on his drawing a prize when the next lottery in which he was interested should be drawn."[\[220\]](#)

Southwick was undoubtedly a man of genius, as his work on the *Albany Register*, the *Ploughboy*, and the *Christian Visitant* clearly indicates; but erroneous judgment and defective impulses resulted in misfortunes which finally darkened and closed his life in adversity if not in poverty. As a young man he had been repeatedly elected clerk of the Assembly, and had afterward served as sheriff, as state printer, and, finally, as postmaster. In the meantime, he became the first president of the Farmers' and Mechanics' Bank, making money easily and rapidly, living extravagantly, giving generously, and acquiring great political influence. But his trial for bribery, of which mention has been made, his removal as state printer, and his defalcation as postmaster, prostrated him financially and politically. In the hope of retrieving his fortunes he embarked in real estate speculation, thus completing his ruin and making him still more visionary and fantastic. Nevertheless, he struggled on with industry and courage for more than twenty years, occasionally coming into public or political notice as a writer of caustic letters, or as a candidate for office.

In 1822, the wild fancy possessed Southwick of becoming governor, and to preface the way for his visionary scheme he applied to a bright young journalist, the editor of the *Manlius Republican*, to canvass the western and southwestern counties of the State. Thurlow Weed at this time was twenty-six years old. He had worked on a farm, he had blown a blacksmith's bellows, he had shipped as a cabin-boy, he had done chores at a tavern, he had served as a soldier, and he had learned the printer's trade. For twenty years he lived a life of poverty, yet of tireless industry, with a simplicity as amazing as his genius. The only thing of which he got nothing was schooling. His family was an old Connecticut one, which had come down in the world. Everything went wrong with his father. He was hard-working, kind-hearted, and strictly honest, but nothing succeeded. With the hope of "bettering his condition," he moved five times in ten years, getting so desperately poor at last that a borrowed two-horse sleigh carried all his worldly goods, including a wife and five children. Joel Weed was, perhaps, as unfortunate a man as ever brought an illustrious son into the world. He

was neither shiftless nor worthless, but what others did he could not do. He never took up land for himself because he had nothing to begin with. A neighbour who began with an axe and a hoe, entered fifty acres, and got rich.

If Joel Weed lived as a beggar, Thurlow thought as a king. He revelled in the mountains and streams interspersed along the routes of the family's frequent movings; his taste for adventure made the sloop's cabin a home, and his love for reading turned the blacksmith shop and printing office into a schoolroom. As he read he forgot that he was poor, forgot that he was ragged, forgot that he was hungry. In his autobiography he tells of walking bare-footed six miles through the snow to borrow a history of the French Revolution, and of reading it at night in the blaze of a pitch-pine knot. Men found him lovable. He was large and awkward; but even as a boy there was a charm of manner, a tender, sympathetic nature, a sweet, sparkling humour, and a nobility of character that irresistibly drew people to him. In many respects his boyhood resembled Lincoln's, and, though he lived in some of the evil days of the last century, his youth, like Lincoln's, escaped pollution. At the age of twelve, as an apprentice in a weekly newspaper office at Onondaga Hollow, he read and filed every exchange paper, familiarising himself with discussions in Congress, and imbibing a deadly hatred of England because of Indian barbarities excited by British agents, and cruelties to American seamen impressed by British officers. With the true instinct of his fine nature, he made his friends and companions among the wisest and highest of his time, although he loved all company that was not vicious and depraved. He knew Gerrit Smith in 1814; a few months' stay, as a journeyman printer, at Auburn, forged a lasting friendship with Elijah Miller, the father-in-law of William H. Seward, and with Enos T. Throop, afterward governor. His intimacy with Gorham A. Worth, a financier of decided literary tastes, and for thirty years president of the New York City Bank, began in Albany in 1816. Thus, in whatever town he worked or settled, the prominent men and those to grow into prominence became his intimates. He had women friends, too, as wisely chosen as the men, but Catherine Ostrander was the star of his life. He tells a touching little story of this Cooperstown maiden. Their engagement occurred in his seventeenth year, but her parents, objecting to the roving, unsettled youth, he proposed three years of absolute separation, and if then no change had come to her

affections she should write and tell him so. In his hours of poverty, he was cheered by the thought of her, and when, at last, her letter came, he hastened to claim her as his bride. At the conclusion of the ceremony, he had money enough only to take them back to Albany.

Weed began the publication of the *Manlius Republican* in June, 1821. For three years previously the *Agriculturist*, published at Norwich, in Chenango County, had given him proprietorship, some reputation, and less money; but it had also classified him politically. He had never been a Federalist, nor could he be called a Clintonian, although his belief in canal improvement led him to the support of Governor Clinton and earned for him the opposition of the Bucktails. Like his father he worked without success, and then moved on to Albany; but he left behind him a coterie of distinguished Chenango friends who were ever after to follow his leadership. At Albany, he began to earn eighteen dollars a week as a journeyman printer on the *Argus*. The Bucktails forced him out and he went on to Manlius, resurrecting the *Times*, an old Federalist paper, which he called the *Republican*.

It was at this time that Southwick sought him. "He was insanely anxious to be governor," says Weed, "and all the more insane because of its impossibility. He had been editing with great industry and ability the *Ploughboy* and the *Christian Visitant*, and beguiled himself with a confident belief that farmers and Christians, irrespective of party, would sustain him. He provided me with a horse and wagon, and gave me a list of the names of gentlemen on whom I was to call, but I soon discovered that my friend's hopes and chances were not worth even the services of a horse that was dragging me through the mud. Years afterward I learned that in politics, as almost in everything else, Mr. Southwick was blinded by his enthusiasm and credulity."[\[221\]](#)

But Southwick was not the only blinded one in 1822. On the 10th of January, Governor Clinton wrote Henry Post "that Yates and Van Buren are both prostrate, and the latter particularly so."[\[222\]](#) Later in the year, on August 21, he declared: "Yates is unpopular, and Southwick will beat him in this city and in Schenectady."[\[223\]](#) In the next month, September 21, he is even more outspoken. "Yates is despised and talked against openly. Savage and Skinner talk plainly against him, and he is the subject of commonplace

ridicule."^[224] Clinton was the last person to abandon hope of Yates' defeat; and yet Yates' election could, without exaggeration, be declared practically unanimous.^[225] Republican legislative candidates fared equally well. Clintonians and Federalists were entirely without representation in the Senate, and in the Assembly their number was insufficient to make their presence appreciable.

CHAPTER XXIX

CLINTON AGAIN IN THE SADDLE

1823-1824

THE election in the fall of 1822 was one of those sweeping, crushing victories that precede a radical change; and the confidence with which the victors used their power hurried on the revolution prophesied in Clinton's clever letter to Post. The blow did not, indeed, come at once. The legislators, meeting in January, 1823, proceeded cautiously, agreeing in caucus upon the state officers whom the Legislature, under the amended Constitution, must now elect. John Van Ness Yates, the Governor's nephew, was made secretary of state; William L. Marcy, comptroller; Simeon DeWitt, surveyor-general, and Alexander M. Muir, commissary-general. The caucus hesitated to nominate DeWitt because he was a Clintonian; but forty years of honourable, efficient, quiet service finally appealed to a Republican Legislature with all the force that it had formerly appealed to the Skinner Council. There was more of a contest over the comptrollership. James Tallmadge suddenly blossomed into a rival candidate. Tallmadge, like John W. Taylor, won his spurs as a leader of the opposition to the Missouri Compromise. He had been an ardent supporter of Clinton until the latter preferred Thomas J. Oakley as attorney-general; then he swung into communion with the Bucktails. He was impulsively ambitious, sensitive to opposition, fearless in action, and such an inveterate hater that he could not always act along lines leading to his own preferment.

Under the new Constitution, county judges, surrogates, and notaries public were selected from the dominant party with more jealous care than by the old Council; and if Yates failed to observe the edict of the Regency, the Senate failed to confirm his appointees. Hammond, the historian, gives an instance of its refusal to confirm the reappointment of a bank cashier as a

notary public because of his politics. But the really absorbing question was the appointment of Supreme Court judges. Though there was no objection to Nathan Sanford for chancellor, since he would not take office until the retirement of James Kent, in August, by reason of age limitation, the spirit shown in the constitutional convention, toward the old Supreme Court judges, pervaded the Senate. The Governor, who had served with Ambrose Spencer since 1808, and with Platt and Woodworth from the time of their elevation to the court, was prompted, perhaps through his kindly interest in their welfare, to nominate them for reappointment, but the Senate rejected them by an almost unanimous vote. If the Governor had now let the matter rest, he would doubtless have escaped the serious charge of insincerity. The next day, however, without giving the rejected men opportunity to secure a rehearing, he nominated John Savage, Jacob Sutherland, and Samuel R. Betts. The suddenness of these second nominations seemed to indicate a greater desire to continue cordial relations with the Senate than to help his former associates. Whatever the cause, though, Ambrose Spencer never forgave him; nor did he outlive Samuel Young's criticism of playing politics at the expense of his old comrades upon the bench.

With the exception of Ambrose Spencer, who was destined to be remembered for a time by friends and enemies, the old judges of the Supreme Court may now be said to drop out of state history. Spencer lived twenty-five years longer, until 1848, serving one term in Congress, one term as mayor of Albany, and finally rounding out his long life of eighty-three years as president of the national Whig convention at Baltimore in 1844; but his political and public activity, as a factor to be reckoned with, ceased at the age of fifty-eight. The close of his life was spent in happy quietude among his books, and in the midst of new-found friends in the church, with which he united some six or eight years before his death. Jonas Platt returned to Clinton County, and, for a time, practised his profession with great acceptance as an advocate; but as a master-politician he, like Spencer, was out of employment forever. At last, he, too, retired to a farm, and with composure awaited the end that came in 1834. William W. Van Ness was destined to go earlier. Not seeking reappointment to the bench, he settled in New York, with apparently forty years of life before him, his genius in all the glow of its maturity marking him for greater political success than he had yet achieved; yet, within a year, on February 27, 1823,

death found him while he sought health in a Southern State. He was only forty-seven years old at the time. Disease and not age had thrown him. Born in 1776, he had won for himself the proudest honours of the law, and written his name high up on the roll of New York statesmen.

Governor Yates had thus far travelled a difficult and dusty road. In the duty of organising the government, which, under the new Constitution fell to him, and in making appointments, he received the censure and was burdened with the resentment of the mortified and disappointed. His opponents, with the hearty and poorly concealed approval of Young's friends, made it their business to create a public opinion against him. They assailed him at all points with ridicule, with satire, with vituperation, and with personal abuse. They seemed to lie in wait to find occasion for attacking him, exaggerating his weaknesses and minimising his strength. But the blunder that broke his heart, and sent him into unexpected and sudden retirement, was his opposition to a change in the law providing for the choice of presidential electors by the people. The demand for such a measure grew out of a divided sentiment between William H. Crawford, then secretary of the treasury, John Quincy Adams, secretary of state, and Henry Clay, speaker of the national House of Representatives, the leading candidates for President. There was, as yet, no real break in the Republican party. No national question had appeared upon which the nation was divided; and, although individuals in the South took exception to protective duties, the party had made no claim that the tariff system of 1816 was either inexpedient or unconstitutional. The selection of a candidate for President had, however, become intensely personal, dividing the country into excited factions equivalent to a division of parties. In New York, Van Buren and the Albany Regency favoured Crawford; James Tallmadge, Henry Wheaton, Thurlow Weed and others preferred Adams; and Samuel Young, Peter B. Porter and their friends warmly supported Clay. The heated contest extended to the people, who understood that the choice of Crawford electors by the Legislature would control the election for the Georgian, while a change in the law would give Adams or Clay a chance. To insure such a change, the opponents of Crawford, calling themselves the People's party, made several nominations for the Assembly, and among those elected by overwhelming majorities were Tallmadge and Wheaton.

If Tallmadge was the most conspicuous leader of the People's party, Henry Wheaton was easily second. Though seven years younger, he had already made himself prominent, not merely as a politician of general ability, but as a reporter of the United States Supreme Court, whose conscientious and intelligent work was to link his name forever with the jurisprudence of the country. During the War of 1812, Wheaton had edited the *National Advocate*, writing a series of important papers on neutral rights; and, subsequently, he had become division judge-advocate of the army, and justice of the marine court of New York City. From the constitutional convention of 1821, he stepped into the Assembly of 1824, where, in the debates over the choice of electors by the people, his ready eloquence made him a valuable ally for Tallmadge and a formidable opponent to Flagg. His ambition to shine as a statesman, and an extraordinary power of application, equipped him with varied information, and made him an authority on many subjects. He joined Benjamin F. Butler in the revision of the statutes of the State, and was associated with Daniel Webster in settling the limits of the bankruptcy legislation of the state and federal governments. Just now he was still a young man, only in his thirty-ninth year; but those who had seen his keen, clever articles on neutral rights, polished and penetrating in style, and who heard his skilful and fearless advocacy of the people's right to choose electors, were not surprised to learn of his appointment, in later life, as a lecturer at Harvard, or to read his great work on the *Elements of International Law*, published in 1836. As a reward for the part he took in the election of 1824, President Adams sent him to Denmark, from whence he went to Prussia—these appointments keeping him abroad for twenty years.

John Van Ness Yates urged his uncle to recommend a change in the law regulating the choice of electors; and if the Governor had possessed the political wisdom necessary in such an emergency, he would doubtless have taken the suggestion. But Yates thought it wise to follow the Regency; the Regency thought it wise to follow Van Buren; and Van Buren opposed a change, as prejudicial to Crawford's interests. The result was a bungling attempt on the part of the Governor to evade the direct expression of an opinion. Finally, however, he said that as Congress was likely soon to present an amendment to the Constitution for legislative sanction, it was inadvisable "under existing circumstances" to change the law "at this time."

[226] This was neither skilful nor truthful. Congress had no thought of doing anything of the kind, and, if it had, men knew that an amendment could not be secured in time to operate at the coming election. Yates' message, therefore, was pronounced "a shabby dodge," a trick familiar to many statesmen in difficulties.

When the Legislature convened, in January, 1824, a bill authorising the people to choose electors naturally excited a long and bitter debate, in which Azariah C. Flagg represented the Regency. Flagg was a printer by trade, the publisher of a Republican paper at Plattsburg, and a veteran of the War of 1812. He was not prepossessing in appearance; his diminutive stature, surmounted by a big, round head gave him the appearance of Atlas with the world upon his shoulders. His voice, too, was shrill and unattractive; but he suddenly evinced shrewdness and address in legislative tactics that greatly worried his opponents and pleased his friends. A majority of the Assembly, however, afraid of their excited and indignant constituents, finally passed the bill. When it reached the Senate, the supporters of Crawford indefinitely postponed it by a vote of seventeen to fourteen.

The defeat of this measure raised a storm of popular indignation. People were exasperated. Newspapers, opposed to the Van Buren leaders, published in black-letter type the names of senators who voted against it, while the frequenters of public places denounced them as "traitors, villains, and rascals," with the result that most of them were consigned to retirement during the remainder of their lives. "The impression here is that Van Buren and his junto are politically dead," wrote DeWitt Clinton to Henry Post on the 17th of February, 1824. "The impression will produce the event." [227]

In the midst of this excitement, came the selection of a candidate for governor, to be elected in the following November. Yates had done the bidding of the Regency and Flagg demanded his renomination, but the men who supported a change in the mode of choosing electors declared that Yates was the original opponent of the people's wishes, and that, if renominated, he could not be re-elected. "If the Governor is to be sacrificed for his fidelity," retorted Flagg, "I am ready to suffer with him." From a sentimental standpoint, this avowal was most creditable and generous, but it had no place in the councils of politicians to whom sentiment never appeals

when the shrouded figure of defeat stands at the open door. Just now, too, their fears increased as evidence accumulated that Samuel Young would certainly be offered a nomination by the People's party, and would certainly accept it, if he were not quickly nominated by the Regency Republicans. When the legislators went into caucus on the 3d of April, 1824, therefore, the friends of Van Buren were ready to throw over Yates and to accept Young, with Erastus Root for lieutenant-governor.

Three days afterward, the most influential and active friends of John Quincy Adams and Henry Clay decided that a state convention—consisting of as many delegates as there were members of the Assembly, to be chosen by voters opposed to William H. Crawford for President and in favour of restoring the choice of presidential electors to the people—should assemble at Utica, on September 21, 1824, to nominate candidates for governor and lieutenant-governor. It had long been a dream of Clinton to have nominations made by delegates elected by the people. That dream was now to be realised, and the door to a new political era opened.

Though Clinton had announced a determination to support Andrew Jackson, he displayed no zeal in the state contest, and contented himself with writing gossipy letters to Post and in watching the rapid growth of the Erie canal. As early as 1819, the canal had been opened between Utica and Rome, and from the Hudson to Lake Champlain. The middle section, recently completed, was now actively in use between Utica and Montezuma. In little more than a year, the jubilee over the letting in of the waters of Lake Erie would deaden the strife of parties with booming of cannon and expressions of joy. Throughout all the delays and vexations of this wonderful enterprise, DeWitt Clinton had been the great inspiring force, and, although for several years the board of canal commissioners had been reorganised in the interest of the Bucktails, not a whisper was heard intimating any desire or intention to interfere with him. When it was known, however, that James Tallmadge had been agreed upon as the candidate of the People's party for governor, the Regency, in order to split his forces, determined upon Clinton's removal from all participation in the management of the canal. If Tallmadge voted for such a resolution, reasoned the Van Buren leaders, it would alienate the political friends with whom he was just now acting; if he voted against it, he would alienate Tammany.

It was a bold game of politics, and a dangerous one. The people did not love Clinton, but they believed in his policy, and a blow at him, in their opinion, was a blow at the canal. Nothing in the whole of Van Buren's history exhibits a more foolish disregard of public sentiment, or led to a greater disaster. But the Regency, blinded by its overwhelming victory at the last election, was prepared to pay a gambler's price for power, and, in the twinkling of an eye, before the Assembly knew what had happened, the Senate removed Clinton from the office of canal commissioner, only three votes being recorded for him. Thurlow Weed happened to be a witness of the proceeding, and, rushing to the Assembly chamber, urged Tallmadge to resist its passage through the house. "I knew how bitterly General Tallmadge hated Mr. Clinton," he says, "but in a few hurried and emphatic sentences implored him not to be caught in the trap thus baited for him. I urged him to state frankly, in a brief speech, how entirely he was estranged personally and politically from Mr. Clinton, but to denounce his removal during the successful progress of a system of improvement which he had inaugurated, and which would confer prosperity and wealth upon the people and enrich and elevate our State, as an act of vandalism to which he could not consent to be a party. I concluded by assuring him solemnly that if he voted for that resolution he could not receive the nomination for governor."

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But Tallmadge remained dumb. Gamaliel H. Barstow, formerly a Clintonian, walked out of the chamber. Other old friends showed indifference. Only Henry Cunningham of Montgomery, entering the chamber while the clerk was reading the resolution, eloquently denounced it. "When the miserable party strifes shall have passed by," he said, in conclusion; "when the political jugglers who now beleaguer this capital shall be overwhelmed and forgotten; when the gentle breeze shall pass over the tomb of that great man, carrying with it the just tribute of honour and praise which is now withheld, the pen of the future historian will do him justice, and erect to his memory a monument of fame as imperishable as the splendid works that owe their origin to his genius and perseverance." [229] One or two others spoke briefly in Clinton's behalf, and then the resolution passed—ayes sixty-four, noes thirty-four. Among the ayes were Tallmadge and Wheaton.

Had Clinton been assassinated, the news could not have produced a greater shock. Scarcely had the Assembly adjourned, before the citizens of Albany—rushing into the vacant chamber and electing the old and venerable John Taylor, the former lieutenant-governor, for chairman—expressed their indignation in denunciatory speeches and resolutions. In New York City, a committee of twenty-five, headed by Thomas Addis Emmet, called in person upon Clinton to make known the feeling of the meeting. Everywhere throughout the State, the removal awakened a cyclone of resentment, the members who voted for it being the storm-centres. At Canandaigua, personal indignities were threatened.^[230] "Several members," says Weed, "were hissed as they came out of the capitol. Tallmadge received unmistakable evidence, on his way through State Street to his lodgings, of the great error he had committed. His hotel was filled with citizens, whose rebukes were loudly heard as he passed through the hall to his apartment, and as he nervously paced backward and forward in his parlour, 'the victim of remorse that comes too late,' he perceived both the depth and the darkness of the political pit into which he had fallen."^[231]

Immediately, the tide began setting strongly in favour of Clinton for governor. Clintonian papers urged it, and personal friends wrote and rode over the State in his interest. Clinton himself became sanguine of success. "Tallmadge can scarcely get a vote in his own county," he wrote Post on the 21st of April. "He is the prince of rascals—if Wheaton does not exceed him."^[232]

Meanwhile, a sensation long foreseen by those in the Governor's inner circle, was about to be sprung. Yates was not a man to be rudely thrust out of office. He knew he had blundered in opposing an electoral law, and he now proposed giving the Legislature another opportunity to enact one. The Regency did not believe there would be an extra session, because, as Attorney-General Talcott suggested, the power to convene the Legislature was a high prerogative, the exercise of which required more decision and nerve than Yates possessed; but, on the 2nd of June, to the surprise and consternation of the Van Buren leaders, Yates issued a proclamation reconvening the Legislature on August 2. It was predicated upon the failure of Congress to amend the Constitution, upon the recent defeat of the electoral bill in the Senate, and upon the just alarm of the people, that "their undoubted right" of choosing presidential electors would be withheld from

them. Very likely, it afforded the Governor much satisfaction to make this open and damaging attack upon the Regency. He had surrendered independence if not self-respect, and, in return for his fidelity, had been ruthlessly cast aside for his less faithful rival. Yet his purpose was more than revenge. Between the Clintonian prejudice against Tallmadge, and the People's party's hatred of Clinton, the Governor hoped he might become a compromise candidate at the Utica convention. The future, however, had no place for him. He was ridiculed the more by his enemies and dropped into the pit of oblivion by his former friends. Nothing in his public life, perhaps, became him so well as his dignified retirement at Schenectady, amid the scenes of his youth, where he died at the age of sixty-nine, leaving a place in history not strongly marked.

Yates' extra session lasted four days and did nothing except to snub the Governor and give the eloquent Tallmadge, amidst tumultuous applause from the galleries, an opportunity of annoying the Regency by keeping up the popular excitement over a change in the choice of electors until the assembling of the Utica convention. As the days passed, the sentiment for Clinton became stronger and more apparent. Thurlow Weed, travelling over the State in the interest of Tallmadge, found Clinton's nomination almost universally demanded, with Tallmadge a favourite for second place. This, the eloquent gentleman peremptorily refused, until an appeal for harmony, and the suggestion that Adams' election might open to him a broader field for usefulness than that of being governor, produced the desired change. Probably Tallmadge felt within himself that he was not destined to a great political career. In any case, he finally accepted the offer with perfect good humour, giving Weed a brief letter consenting to the use of his name as lieutenant-governor. With this the young journalist arrived at Utica on the morning of convention day.

There were one hundred and twenty-two delegates in the convention, of whom one-fourth belonged to the People's party. These supported Tallmadge for governor. When they discovered that Tallmadge's vote to remove Clinton had put him out of the race, they suggested John W. Taylor; but a delegate from Saratoga produced a letter in which the distinguished opponent of the Missouri Compromise declined to become a candidate. This left the way open to DeWitt Clinton, and, as he carried off the nomination by a large majority, with Tallmadge for lieutenant-governor by

acclamation, many representatives of the People's party walked out of the hall and reorganised another convention, resolving to support Tallmadge, but protesting against the nomination of Clinton—"a diversion," says Weed, "which was soon forgotten amid the general and pervading enthusiasm."

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The election of governor in 1824 passed into history as one of the most stirring ever witnessed in the State. In a fight, Samuel Young and DeWitt Clinton were at home. They neither asked nor gave quarter. There is no record that their fluency or invective did more than add to the excitement of the campaign; but each was well supplied with ready venom. Young was rhetorical and dramatic—Clinton energetic and forceful. People, listening to Young, rocked with laughter and revelled in applause as he pilloried his opponents, the ferocity of his attacks being surpassed only by the eloquence of his periods. With Clinton, speaking was serious business. He lacked the oratorical gift and the art of concealing the labour of his overwrought and too elaborate sentences; but his addresses afforded ample evidence of the capacity and richness of his mind. In spite of great faults, both candidates commanded the loyalty of followers who swelled with pride because of their courage and splendid ability. The confidence of the Regency and the usual success of Tammany at first made the friends of Clinton unhappy; but as the campaign advanced, Young discovered that the Regency, in insisting on the choice of electors by the Legislature, had given the opposition the most telling cry it could possibly have found against him; that the popular tumult over Clinton's removal was growing from day to day; and that his opponents were banded together against him on many grounds and with many different purposes. Two weeks before the election, it was evident to every one that the Regency was doomed, that Van Buren was disconcerted, and that Young was beaten; but no one expected that Clinton's majority would reach sixteen thousand,[234] or that Tallmadge would run thirty-two thousand ahead of Erastus Root. The announcement came like a thunderbolt, bringing with it the intelligence that out of eight senators only two Regency men had been spared, while, in the Assembly, the opposition had three to one. In other words, the election of 1822 had been completely reversed. Clinton was again in the saddle.

Samuel Young's political fortunes never recovered from this encounter with the illustrious champion of the canals. He was much in office afterward. For

eight years he served in the State Senate, and once as lieutenant-governor; for a quarter of a century he lived on, a marvellous orator, whom the people never tired of hearing, and whom opponents never ceased to fear; but the glow that lingers about a public man who had never been overwhelmed by the suffrage of his fellow-citizens was gone forever.

CHAPTER XXX

VAN BUREN ENCOUNTERS WEED

1824

POLITICAL interest, in 1824, centred in the election of a President as well as a Governor. Three candidates,—William H. Crawford of Georgia, John Quincy Adams of Massachusetts, and Henry Clay of Kentucky,—divided the parties in New York. No one thought of DeWitt Clinton. Very likely, after his overwhelming election, Clinton, in his joy, felt his ambition again aroused. He had been inoculated with presidential rabies in 1812, and his letters to Henry Post showed signs of continued madness. "I think Crawford is *hors de combat*," he wrote in March, 1824. "Calhoun never had force, and Clay is equally out of the question. As for Adams, he can only succeed by the imbecility of his opponents, not by his own strength. In this crisis may not some other person bear away the palm?"^[235] Then follows the historic illustration, indicating that the canal champion thought he might become a compromise candidate: "Do you recollect the story of Themistocles the Athenian? After the naval victory of Salamis a council of generals was held to determine on the most worthy. Each man was to write down two names, the first and the next best. Each general wrote his own name for the first, and that of Themistocles for the second. May not this contest have a similar result? I am persuaded that with common prudence we will stand better than ever."^[236]

But the field was preoccupied and the competitors too numerous. So, getting no encouragement, Clinton turned to the hero of New Orleans. "In Jackson," he wrote Post, "we must look for a sincere and honest friend. Whatever demonstrations are made from other quarters are dictated by policy and public sentiment."^[237] He grows impatient with Clay, indignant at the apparent success of Adams, and vituperative over the tactics of

Calhoun. "Clay ought to resign forthwith," he writes on the 17th of April, 1824; "his chance is worse than nothing. Jackson would then prevail with all the Western States, if we can get New Jersey."[\[238\]](#) Four days later he was sure of New Jersey. "We can get her," he assures Post, on April 21. "I see no terrors in Adams' papers; his influence has gone with his morals."[\[239\]](#)

But by mid-summer Clinton had become alarmed at the action of the candidate from South Carolina. "Calhoun is acting a treacherous part to Jackson," he says, under date of July 23, "and is doing all he can for Adams. Perhaps there is not a man in the United States more hollow-headed and base. I have long observed his manœuvres."[\[240\]](#) A week later Clinton speaks of Calhoun as "a thorough-paced political blackleg."[\[241\]](#) In August he gives Adams another slap. "The great danger is that there will be a quarrel between the friends of Jackson and Adams, and that in the war between the lion and the unicorn the cur may slip in and carry off the prize."[\[242\]](#)

Though Clinton and Jackson had long been admirers, there is no evidence that, at this time, so much as a letter had passed between them. One can easily understand, however, that a man of the iron will and great achievement of the Tennessean would profoundly interest DeWitt Clinton. On the other hand, the proud, aspiring, unpliant man whose canal policy brought national renown, had won the admiration of Andrew Jackson. In 1818, at a Nashville banquet, he had toasted Clinton, declaring him "the promoter of his country's best interests;" and one year later, at a dinner given in his honour by the mayor of New York, Jackson confounded most of the Bucktail banqueters and surprised them all by proposing "DeWitt Clinton, the enlightened statesman and governor of the great and patriotic State of New York." The two men had many characteristics in common. Neither would stoop to conquer. But the dramatic thing about Clinton's interest just now, was his proclamation for Jackson, when everybody else in New York was for some other candidate. The bitterness of that hour was very earnest. Whatever chance existed for Jackson outside of the State, there was not the slightest hope for him within it. Nevertheless, Clinton seemed indifferent. He was a statesman without being a politician. He believed in Jackson's star, and it was this prescience, as the sequel showed, that was to give him, in spite of opponents, a sixth term as governor.

Clinton's résumé of the political situation, written to Post, also showed his unfailing knowledge of the conditions about to be enacted at Albany. The Legislature which assembled in extra session, in November, 1824, for the appointment of presidential electors, was the same Assembly that had favoured the choice of electors by the people, and the same Senate which had indefinitely postponed that measure by a vote of seventeen to fourteen. The former struggle, therefore, was immediately renewed in the legislative halls, with Martin Van Buren confident of seventeen Crawford votes in the Senate, and enough more in the Assembly, with the help of the Clay men, to give the Georgian a majority on joint ballot.

The Adams men had less confidence, but no less shrewdness and skill. A new Richmond had arrived on the field. Since his visitation through the State two years before, in behalf of Solomon Southwick's candidacy for governor, Thurlow Weed had been growing rapidly in political experience. He left Manlius without a penny in the autumn of 1822 to find work on the *Rochester Telegraph*, a Clintonian paper of small pretensions and smaller circulation. Under its new manager, and with the name of John Quincy Adams for President at the head of the editorial page, it soon became so popular and belligerent that the business men of Rochester sent Weed to Albany as their agent to secure from the Legislature a charter for a bank. Upon his arrival at the capital, the friends of the New England candidate welcomed him to the great political arena in which he was to fight so long, so brilliantly, and with such success.

It was at this period in his history, that Thurlow Weed's connection with public life began, developing into that wonderful career which made him one of the most influential writers and strongest personalities of his day. He was not an orator; he was not even a public talker. One attempt to speak met with failure so embarrassing that he never tried a second time; but he was a companionable being. He loved the company of men. He had suffered so much, and yet retained so much of the serenity of a child, that he was ever ready to share his purse and his mantle of pity with the unfortunate, brightening their lives with a tender sympathy that endeared him to all. It was so natural for him to guide wisely and noiselessly that he seemed unconscious of his great gifts. Men in high places, often opulent and happy in their ease, deferred to him with the confidence of pupils to a beloved teacher. But he possessed more than philosophic wisdom. He was sleepless

and tireless. It was his custom to attend political gatherings in all parts of the State, and to make the acquaintance of men in that "inner circle," who controlled the affairs of party and the destiny of aspiring statesmen. In 1822 he had toured the State in the interest of Solomon Southwick. From April to December, in 1824, he attended two extra sessions of the Legislature and a meeting of the Electoral College, besides travelling twice throughout the State in behalf of the candidacy of John Quincy Adams. Traversing New York, over rough roads, before the days of canals and railroads, in the heavy, lumbering stage coach that took five or six days and nights, and, in muddy seasons, six days and seven nights of continuous travel, to go from Albany to Buffalo, made a strenuous life, but Weed's devotion to party, and fidelity to men and principles, sent him on his way with something of the freshness of boyhood still shining on his face. He had his faults, but they were not of a kind to prevent men from finding him lovable.

When Weed came to Albany, in November, 1824, as the advocate of John Quincy Adams, the only hope of success was the union of the friends of Clay and Adams, since only two electoral tickets, under the Constitution, could be voted for. In the Senate, Crawford had seventeen votes, and Adams and Clay seven each; in the Assembly, the first ballot gave Crawford forty-three, Adams fifty, and Clay thirty-two. Until some combination was made, therefore, a majority could not be obtained for any candidate. To make such an union required fine diplomacy between the Adams and Clay men; for it appeared that Clay must have at least seven electoral votes from New York in order to become one of the three candidates to be voted for in the House of Representatives, should the election of President be thrown into Congress. Fortunately for the Adams men, the Crawford people also had their troubles, and to hold two senators in line they placed the names of six moderate Clay men on their ticket. Thereupon, at a secret meeting, the Adams and Clay leaders agreed to support thirty Adams men and the six Clay men upon the Crawford ticket, the friends of Adams promising, if Clay carried Louisiana, to furnish him the needed seven votes. Naturally enough, the success of this programme depended upon the utmost secrecy, since their ticket, with the help of all the Clay votes that could be mustered, would not exceed two majority. The better to secure such secrecy Weed personally printed the ballots on the Sunday before the final vote on Tuesday.

There was another well-kept secret. Thurlow Weed had had his suspicions turned into absolute evidence that Henry Eckford of New York City, a wealthy supporter of Crawford, had furnished money to influence three Adams men to vote for the Georgian. He had followed their go-between from Syracuse to Albany, from Albany to New York, and from New York back to Albany; he had heard their renunciation of Adams and their changed sentiments toward Crawford; and he knew also that the Adams ticket was lost if these three votes, or even two of them, were cast for the Crawford ticket. Weed straightway proposed that the dishonourable purposes of these men should be anticipated by an immediate declaration of war; and, upon their appearance in Albany, Henry Wheaton faced them with the story of their dishonour, threatening an exposure unless they voted a ballot bearing the initials of himself and Tallmadge. Conscious of their guilty purposes, the timid souls consented to Wheaton's proposition and then kept their pledges.

In the meantime, Van Buren's confidence in the weakness of the Adams-Clay men was never for a moment shaken. Of the thirty-nine Clay supporters in the Legislature, Crawford only needed sixteen; and these, Samuel Young and his Clay friends, had promised to deliver. There is no evidence that Van Buren had any knowledge of Weed's management at this time; it so happened, by design or by accident, that in their long careers they never met but once, and then, not until after Van Buren had retired from the White House. But the Senator knew that some hand had struck him, and struck him hard, when Lieutenant-Governor Root drew from the box the first union ballot. Instead of reading it, Root involuntarily exclaimed, "A printed split ticket." Thereupon Senator Keyes of Jefferson County, sprang to his feet, and, in a loud voice, shouted, "Treason, by God!" In the confusion, Root was about to vacate the speaker's chair and return with the senators to their chamber, when James Tallmadge, in a stentorian voice, called for order. "I demand, under the authority of the Constitution of the United States," he said, "under the Constitution of the State of New York, in the name of the whole American people, that this joint meeting of the two houses of the Legislature shall not be interrupted in the discharge of a high duty and a sacred trust."[\[243\]](#) This settled it. The count went on, but, so nearly were the parties divided that only thirty-two electors, and these on the union ticket, received votes enough to elect them. On the second ballot,

four Crawford electors were chosen. "Had our secret transpired before the first ballot," says Weed, "such was the power of the Regency over two or three timid men, that the whole Crawford ticket would have been elected."

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Writing without full information of the agreement made in the secret caucus, Hammond[245] intimates that the Adams men did not keep faith with the Clay men, since the four votes taken from Clay and given to Crawford on the second ballot made Crawford, instead of Clay, a candidate in the national House of Representatives. Other writers have followed this opinion, charging the Adams managers with having played foul with the Kentucky statesman. But Weed and his associates did nothing of the kind. The agreement was that Clay should have seven electoral votes from New York, provided he carried Louisiana, but as Jackson carried that State, it left the Adams men free to give all their votes to the New Englander. What would have happened had Clay carried Louisiana is not so clear, for Weed admits that up to the time news came that Louisiana had gone for Jackson, he was unable to find a single Adams elector who would consent to vote for Clay, even to save his friends and his party from dishonour.

The failure of the people to elect a President in 1824, and the choice of John Quincy Adams by the House of Representatives, are among the most widely known events in our political history. New York remained, throughout, the storm-centre of excitement. After a large majority of its presidential electors had declared for Adams, thus throwing the election into Congress, the result still depended upon the vote of its closely divided delegation in the House. Of the thirty-four congressmen, seventeen favoured Adams, sixteen opposed him, and Stephen Van Rensselaer was doubtful. The latter's action, therefore, became of the utmost importance, since, if he voted against Adams, it would tie the New York delegation and exclude it from the count, thus giving Adams twelve States instead of the necessary thirteen, and making his election on a second ballot even more doubtful. This condition revived the hopes of Van Buren and gave Clinton a chance to work for Jackson.

Stephen Van Rensselaer,[246] born in 1764, had had a conspicuous and in some respects a distinguished career. He was the fifth in lineal descent from Killian van Rensselaer, the wealthy pearl merchant of Amsterdam, known

as the first Patroon, whose great manor, purchased in the early part of the seventeenth century, originally included the present counties of Albany, Rensselaer, and Columbia. Stephen inherited the larger part of this territory, and, with it, the old manor house at Albany. His mother was a daughter of Philip Livingston, a signer of the Declaration of Independence, and his wife a daughter of Philip Schuyler. This made him the brother-in-law of Alexander Hamilton.

Stephen began filling offices as soon as he was old enough. For several years he served in the Assembly and in the Senate. In 1795, he became lieutenant-governor for two terms. George Clinton defeated him for governor in 1801; but before Jay's term expired, he made him commander of the State's cavalry. In 1812, at the outbreak of hostilities with England, Governor Tompkins promoted him to be chief of the state militia—an office which he resigned in disgust after the disgraceful defeat at Queenstown Heights on the Niagara frontier, because his troops refused to follow him. In 1810, he became a member of the first canal commission, of which he was president for fifteen years. Later, he served as a regent and chancellor of the State University, and, in 1824, established the Troy Polytechnical Institute. It was at this time he went to Congress, and while serving his first term, held the casting vote that would elect a President of the United States.

Rensselaer had been a Federalist of the Hamilton school, and, although the Federal party had practically ceased to exist, he owed his election to its former members. This was sufficient reason to believe that he would not support Van Buren's candidate, and that his predilections would incline him to take a President from the North, provided Adams was *persona grata* to the old Federalists. The latter had never quite forgiven Adams for deserting them; and, having been long excluded from power, they were anxious to know whether, if elected, he would continue to proscribe them. Finally, when Daniel Webster removed their doubts on this subject, Van Rensselaer still hesitated on account of Clinton. He had a strong liking for the Governor. They had served as canal commissioners, and their association in the great work, then nearing completion, filled him with admiration for the indomitable spirit exhibited by the distinguished canal builder. His probable action, therefore, kept men busy guessing. The suspense resembled that of the Tilden Hayes controversy of 1877, for the result meant much to the several factions in the State. Crawford's election would continue Van Buren

and the Regency in power; the choice of Jackson must make Clinton the supreme dispenser of federal patronage; and Adams' success meant a better opportunity for Thurlow Weed to form a new party.

Van Rensselaer did not talk. Experience had accustomed him to outside pressure, and he now kept his head cool when Clinton and other influential New Yorkers overwhelmed him with prayers and petitions. At last, on the morning of February 9, 1825, he walked leisurely into the hall of the House and took his seat with the New York delegation. Every member of the House was in his place, except one who was sick in his lodgings. The galleries were packed with spectators, and the areas thronged with judges, ambassadors, governors, and other privileged persons. After the formal announcement, that no one had received a majority of electoral votes for the Presidency, and that the House of Representatives must elect a President from the three highest candidates, the roll was called by States, and the vote of each State deposited in a box by itself. Then the tellers, Daniel Webster and John Randolph, opened the boxes and counted the ballots.

The report of the tellers surprised almost every one. A long contest had been expected. Friends of Crawford hoped the House would weary itself with many ballots and end the affair by electing him. But the announcement gave Crawford only four States, Jackson seven, and Adams thirteen—a majority over all. Then it was known that Van Rensselaer's vote had given New York to Adams, and that New York's vote had made Adams the President. For the moment, Van Buren was checkmated, and he knew it.

CHAPTER XXXI

CLINTON'S COALITION WITH VAN BUREN

1825-1828

THE election of John Quincy Adams as President of the United States staggered the Regency and seriously threatened the influence of Martin Van Buren. It was likely to close the portals of the White House to him, and to open the doors of custom-houses and post-offices to his opponents. More injurious than this, it established new party alignments and gave great prestige at least to one man before unrecognised as a political factor. The successful combination of the Adams and Clay electors was the talk of the State; and, although Thurlow Weed's dominant part in the game did not appear on the surface, Van Buren and every intelligent political worker understood that some strong hand had been at work.

The absence of available candidates, around whom he could rally his shattered forces, cast the deepest shadow across Van Buren's pathway. He had staked much upon Samuel Young's candidacy for governor, and everything upon William H. Crawford's candidacy for President. But Young fell under Clinton's overwhelming majority, and Crawford exhibited a weakness that surprised even his inveterate opponents. In the House of Representatives Crawford had carried but four out of the twenty-four States. This seemed to leave Van Buren without a man to turn to; while Clinton's early declaration for Andrew Jackson gave him the key to the situation. Although Jackson, for whom eleven States had given an electoral plurality, received the vote of but seven States in the House, the contest had narrowed to a choice between Adams and himself, making the popular General the coming man. Besides, Clinton was very active on his own account. On the 26th of October, 1825, the waters of Lake Erie were let into the Erie canal, and navigation opened from the lake to the Hudson. It was a great day for

the Governor. A popular jubilation extended from Buffalo to New York, and, amidst the roar of artillery and the eloquence of many orators, the praises of the distinguished canal builder sounded throughout the State and nation. To a man of intellect far lower than that of Martin Van Buren, it must have been obvious that forces were at work in the minds and hearts of people which could not be controlled by Regency edicts or party traditions.

But the Kinderhook statesman did not despair. In the election to occur in November he desired simply to strengthen himself in the Legislature; and, with consummate skill, he sought to carry Republican districts. National issues were to be avoided. So ably did Edwin Croswell, the wise and sagacious editor of the Albany *Argus*, lead the way, that not a word was written or spoken against the national administration. This cunning play renewed the old charge of "non-committalism,"^[247] which for many years was used to characterise Van Buren's policy and action; but it in no wise disconcerted his plans, or discovered his intentions. All he wanted now was the Legislature, and while the whole State was given up to general rejoicing over the completion of the canal, the Regency leaders, under the direction of the astute Senator, practised the tactics which Van Buren had learned from Aaron Burr, and which have come to be known in later days as a "political still-hunt." When the contest ended, the Regency Republicans had both branches of the Legislature by a safe working majority. This result, so overwhelming, so sudden, and so entirely unexpected, made Clinton's friends believe that his end had come.

Van Buren, however, had broader views. He knew that Andrew Jackson, as a candidate for the Presidency, had little standing in 1824 until Pennsylvania took him up, and he now believed that if New York supported him, with the Keystone State, in 1828, the hero of New Orleans must succeed Adams. To elect him President, therefore, became the purpose of Van Buren's political life; and, as the first step in that direction, he determined to make DeWitt Clinton his friend. The Governor was Jackson's champion. He had declared for him in the early days of the Tennesseean's candidacy, and to reach him through such an outspoken ally would give Van Buren an open way to the hero's heart.

Accordingly, Van Buren insisted upon a conciliatory course. He sent Benjamin Knowler, the state treasurer and now a member of the Regency, to

inform Clinton that, if the Van Buren leaders could control their party, he should have no opposition at next year's gubernatorial election. Clinton and Bucktail, like oil and water, had refused to combine until this third ingredient, that Van Buren knew so well how to add, completed the mixture. Whether the coalition would have brought Clinton the reward of success or the penalty of failure must forever remain a secret, for the Governor did not live long enough to solve the question. But in the game of politics he had never been a match for Van Buren. He was a statesman without being a politician.

Just now, however, Clinton and Van Buren, like lovers who had quarrelled and made up, could not be too responsive to each other's wishes. To confirm the latter's good intentions, the Regency senators promptly approved Clinton's nomination of Samuel Jones for chancellor in place of Nathan Sanford, who was now chosen United States senator to succeed Rufus King. It was bitter experience. The appointment rudely ignored the rule, uniformly and wisely adhered to since the formation of a state government, to promote the chief justice.

Besides, Jones had been a pronounced Federalist for a quarter of a century. Moreover, he was a relative of the Governor's wife, and to some men, even in that day, nepotism was an offence. But he was an eminent lawyer, the son of the distinguished first comptroller, and to make their consideration of the Governor's wishes more evident, the senators confirmed the nomination without sending it to a committee.

A more remarkable illustration of Van Buren's conciliatory policy occurred in the confirmation of James McKnown as recorder of Albany. McKnown was a bitter Clintonian. It was he who, at the Albany meeting, so eloquently protested against the removal of Clinton as a canal commissioner, denouncing it as "the offspring of that malignant and insatiable spirit of political proscription which has already so deeply stained the annals of the State," and the perpetrators as "utterly unworthy of public confidence."[\[248\]](#) But the Senate confirmed him without a dissenting vote. Later, when a vacancy occurred in the judgeship of the eighth circuit by the resignation of William B. Rochester, it seemed for a time as if the coalition must break. The Regency wanted Herman J. Redfield, one of the seventeen senators whose opposition to the electoral bill had caused his defeat; but the eighth

district was Clinton's stronghold, and if he nominated Redfield, the Governor argued, it would deprive him of strength and prestige, and seriously weaken the cause of Jackson. The Regency, accustomed to remain faithful to the men who incurred popular odium for being faithful to them, found it difficult, either to reconcile the conditions with their wishes, or to compromise upon any one else. Nevertheless, on the last day of the session, through the active and judicious agency of Benjamin Knowler, John Birdsall of Chautauqua County, a friend of Clinton, was nominated and confirmed.

In the meantime, Van Buren had returned to his seat in Congress. He entered the United States Senate in 1821, and, although observing the decorum expected of a new member of that body, he displayed powers of mind that distinguished him as a senator of more than ordinary ability. He now became a parliamentary orator, putting himself at the head of an anti-Administration faction, and developing the tact and management of a great parliamentary leader. He had made up his mind that nothing less than a large and comprehensive difference between the two wings of the Republican party would be of any real use; so he arraigned the Administration, with great violence, as un-Republican and Federalistic. He took a definite stand against internal improvements by the United States government; he led the opposition to the appointment of American representatives to the Congress of Panama, treating the proposed mission as unconstitutional and dangerous; and he charged the Administration with returning to the practices of the Federalist party, to which Adams originally belonged, declaring that the presidential choice of 1825 was not only the restoration of the men of 1798, but of the principles of that day; that the spirit of encroachment had become more wary, but not more honest; and that the system then was coercion, now it was seduction. He classed the famous alien and sedition laws, of the elder Adams, with the bold avowal of the younger Adams that it belonged to the President alone to decide upon the propriety of a foreign mission. Thus, he associated the administration of John Quincy Adams with the administration of his father, insisting that if the earlier one deserved the retribution of a Republican victory, the latter one deserved a similar fate.

Van Buren's language had the courteous dignity that uniformly characterised his speeches. He charged no personal wrong-doing; he insinuated no base motives; he rejected the unfounded story of the sale of

the Presidency to Adams; he voted for Clay's confirmation as secretary of state, and, as a member of the senatorial committee, he welcomed the new President upon his inauguration; but from the moment John Quincy Adams became President, the Senator from New York led the opposition to his administration with the astuteness of a great parliamentary leader, determined to create a new party in American politics. Van Buren also had some strong allies. With him, voted Findlay of Pennsylvania, Holmes of Maine, Woodbury of New Hampshire, Dickerson of New Jersey, and Kane of Illinois, besides twelve Southern senators. But, from the outset, he was the leader. His speeches, smooth and seldom impassioned, were addressed to the intellect rather than to the feelings. He was the master of the art of making a perfectly clear statement of the most complicated case, and of defending his measures, point by point, with never-failing readiness and skill throughout the most perplexing series of debates. He talked to make converts, appealing to his colleagues with a directness well calculated to bring to his side a majority of the waverers.

Van Buren's opposition to the Adams administration has been called factious and unpatriotic. It was certainly active and continuous, and, perhaps, now and then, somewhat more unscrupulous than senatorial opposition is in our own time; but his policy was, unquestionably, the policy of more modern political parties. His tactics created an organisation which, inside and outside of the Senate, was to work unceasingly, with tongue and pen, to discredit everything done by the men in office and to turn public opinion against them. It was a part of his plan not only to watch with jealous care all the acts of the Administration, but to make the most of every opportunity that could be used to turn them out of office; and when the Senate debate ended, the modern Democratic party had been formed. Adams recorded in his now famous diary that Van Buren made "a great effort to combine the discordant elements of the Crawford and Jackson and Calhoun men into a united opposition against the Administration." He might have added, also, that the debate distinctly marked Van Buren's position in history as a party-maker in the second great division of parties in America.

Van Buren's coalition with DeWitt Clinton, however, came perilously near prostrating them both. At their state convention, held at Utica, in September, 1826, the Clintonians and the People's party renominated

Clinton for governor. In the following month, the Bucktails met at Herkimer, and, if Van Buren could have had his way, the convention would have indorsed Clinton. Finding such action inadvisable, however, Van Buren secured the nomination of William B. Rochester, on the theory that he was a good enough candidate to be beaten. Rochester was not a man of marked ability. He had done nothing to make himself known throughout the State; he did not even favour a state road through the southern tier of counties. He was simply a lawyer of fair attainments who had served a term in the Legislature, one in Congress, and two years as a circuit judge, a position from which he resigned, in 1825, to become minister to Panama.

But Rochester proved vastly more formidable as a candidate for governor than the Van Buren leaders anticipated. It became well known that he was a supporter of the Adams administration, and that Henry Clay regarded him with favour. Indeed, it was through the latter's personal and political friendship that he secured the mission to Panama. Thus, the feeling began to obtain that Rochester, although the nominee of the Regency party, more nearly represented the interests and principles of the Adams administration than DeWitt Clinton, an avowed Jackson man, who had formed a coalition with Van Buren. For this reason, Peter B. Porter, an ardent admirer of Clay, and now a member of the People's party, entered with spirit into the campaign, appealing to the Clintonians, a large majority of whom favoured Adams, to resent Clinton's deal with Jackson's friends, and vote for Rochester, whose election would insure the success of the President, and bring credit to the people of the western counties, already ambitious to give the State a governor. This potent appeal was taken up throughout the State, influencing many Clintonians to support Rochester, and holding in line scores of Bucktails who favoured Adams.

It was a critical moment for Van Buren. He was not only a candidate for re-election to the United States Senate, but he had staked all upon the overthrow of the Adams administration. Yet, the election of his party's candidate for governor would in all probability overthrow the Clinton-Van Buren coalition, giving the vote of the State to the President, and possibly defeat his own re-election. It was a singular political mix-up.

Van Buren had hoped to exclude from the campaign all national issues, as he succeeded in doing the year before. But the friends of Clay and Adams

could not be hoodwinked. The canvass also developed combinations that began telling hard upon Van Buren's party loyalty. Mordecai M. Noah, an ardent supporter of Van Buren, and editor of the New York *Enquirer*, came out openly for Clinton. For years, Noah had been Clinton's most bitter opponent. He opposed the canal, he ridiculed its champion, and he lampooned its supporters; yet he now swallowed the prejudices of a lifetime and indorsed the man he had formerly despised. Van Buren, it may safely be said, was at heart quite as devoted a supporter of the Governor, since the latter's re-election would be of the greatest advantage to his own personal interests; but whatever his defects of character, and however lacking he may have been in an exalted sense of principle, Van Buren appeared to be sincere in his devotion to Rochester. This was emphasised by the support of the Albany *Argus* and other leading Regency papers.

Nevertheless, the election returns furnished ample grounds for suspicion. Steuben County, then a Regency stronghold, gave Clinton over one thousand majority. Other counties of that section did proportionately as well. It was explained that this territory would naturally support Clinton who had insisted in his message that the central and northern counties, having benefited by the Erie and Champlain canals, ought to give Steuben and the southern tier a public highway. But William B. Rochester went to his watery grave^[249] thirteen years afterward with the belief that Van Buren and his confidential friends did not act in good faith.

With the help of the state road counties, however, Clinton had a narrow escape; the returns gave him only 3650 majority.^[250] This margin appeared the more wonderful when contrasted with the vote of Nathaniel Pitcher, candidate for lieutenant-governor on the Rochester ticket, who received 4182 majority. "Clinton luck!" was the popular comment.

The closeness of the result prompted the friends of the President to favour Rochester for United States senator to succeed Van Buren, whose term expired on March 4, 1827. Several of the Adams assemblymen acted with the Regency party, and it was hoped that through them a winning combination might be made. But Van Buren had not been sleeping. He knew his strength, and with confidence he returned to Washington to renew his attacks upon the Administration. When, finally, the election occurred, he had a larger majority than sanguine friends anticipated. Three Clintonians in

the Senate and two in the Assembly, recognising the coalition of Van Buren and Clinton, cast their votes for the former. In thanking the members of the Legislature for this renewed expression of confidence, Van Buren spoke of the "gratifying unanimity" of their action, declaring that it should be his "constant and zealous endeavour to protect the remaining rights reserved to the States by the Federal Constitution; to restore those of which they have been divested by construction; and to promote the interests and honour of our common country."

Thus, in much less than two years, Van Buren easily retrieved all, and more, than he had lost by the election of Clinton and the defeat of Crawford. His position was singularly advantageous. Whatever happened, he was almost sure to gain. He stood with Clinton, with Jackson, and with a party drilled and disciplined better than regular troops. In his biography of Andrew Jackson, James Parton says of Van Buren at this time: "His hand was full of cards, and all his cards were trumps."^[251] Andrew Jackson, who had been watching his career, said one day to a young New Yorker: "I am no politician; but if I were a politician, I would be a New York politician."^[252]

Van Buren's advantage, however, great as it was, did not end with his re-election to the United States Senate. One after another, the men who stood between him and the object of his ambition had gradually disappeared. Ambrose Spencer was no longer on the bench, James Tallmadge had run his political course, and Daniel D. Tompkins was in his grave. Only DeWitt Clinton was left, and on February 11, 1828, death very suddenly struck him down. Stalwart in form and tremendous in will power, few dreamed that he had any malady, much less that death was shadowing him. He was in his fifty-ninth year.

Of DeWitt Clinton it may fairly be said that "his mourners were two hosts—his friends and his foes." Everywhere, regardless of party, marks of the highest respect and deepest grief were evinced. The Legislature voted ten thousand dollars to his four minor children, an amount equal to the salary of a canal commissioner during the time he had served without pay. Indeed, nothing was left undone or unsaid which would evidence veneration for his memory and sorrow for his loss. He had lived to complete his work and to enjoy the reward of a great achievement. Usually benefactors of the people are not so fortunate; their halo, if it comes at all, generally forms long after

death. But Clinton seemed to be the creature of timely political accidents. The presentation of his canal scheme had made him governor on July 1, 1817; and he represented the State when ground was broken at Rome on July 4; his removal as canal commissioner made him governor again in 1825; and he represented the State at the completion of the work. On both occasions, he received the homage of the entire people, not only as champion of the canal, but as the head of the Commonwealth for which he had done so much.

There were those who thought the time of his death fortunate for his fame, since former opponents were softened and former friends had not fallen away. An impression also obtained that little was left him politically to live for. New conditions and new men were springing up. As a strict constructionist of the Federal Constitution, with a leaning toward states' rights, he could not have followed Clintonians into the Whig party soon to be formed, nor would he have been at home among the leaders of the Jackson or new Democratic party, who were unlikely to have any use for him. He would not be second to Van Buren, and Van Buren would not suffer him to interfere with the promotion of his own career. It is possible Van Buren might have supported him for governor in 1828, but he would have had no hesitation in playing his own part regardless of him. Had Clinton insisted, so much the worse for Clinton. Of the two men, Van Buren possessed the advantage. He had less genius and possibly less self-reliance, but in other respects—in tact, in prudence, in self-control, in address—indeed, in everything that makes for party leadership, Van Buren easily held the mastery.

Clinton's career was absolutely faultless in two aspects—as an honest man, and a husband, only praise is due him. He died poor and pure. Yet, there are passages in his history which evidence great defects. Life had been for him one long dramatic performance. Many great men seem to have a suit of armour in the form of coldness, brusqueness, or rudeness, which they put on to meet the stranger, but which, when laid aside, reveals simple, charming, and often boyish manners. Clinton had such an armour, but he never put it off, except with intimates, and not then with any revelation of warmth. He was cold and arrogant, showing no deference even to seniors, since he denied the existence of superiors. Nobody loved him; few really liked him; and, except for his canal policy, his public career must have ended with his

dismissal from the New York mayoralty. It seemed a question whether he really measured up to the stature of a statesman.

Nevertheless, the judgment of posterity is easily on the side of Clinton's greatness. Thurlow Weed spoke of him as a great man with weak points; and Van Buren, in his attractive eulogy at Washington, declared that he was "greatly tempted to envy him his grave with its honours." He may well have done so; for, although Van Buren reached the highest office in the gift of the people, and is clearly one of the ablest leaders of men in the history of the Empire State, his fame does not rest on so sure a foundation. Clinton was a man of great achievement. He was not a dreamer; nor merely a statesman with imagination, grasping the idea in its bolder outlines; but, like a captain of industry, he combined the statesman and the practical man of affairs, turning great possibilities into greater realities. It may be fairly said of him that his career made an era in the history of his State, and that in asserting the great principle of internal improvements he blazed the way that guided all future comers.

CHAPTER XXXII

VAN BUREN ELECTED GOVERNOR

1828

IN SEPTEMBER, 1827, Van Buren permitted the New York wing of the Republican party to come out plainly for Andrew Jackson for President. The announcement, made by the general committee, which met in Tammany Hall, declared that the Bucktails reposed full confidence in Andrew Jackson's worth, integrity, and patriotism, and would support only those who favoured him for President of the United States.

Peter B. Sharpe, a Tammany chief of courage, recently speaker of the Assembly, voiced a faint protest; and later he summoned Marinus Willett from his retirement to preside at an opposition meeting. It was, no doubt, an inspiring sight to see this venerable soldier of the Revolution, who had won proud distinction in that long and bloody war, presiding at an assembly of his fellow citizens nearly half a century afterward; it accentuated the fact that other heroes existed besides the victor of New Orleans; but the Van Buren papers spoke in concert. Within a week, the whole State understood that the election of 1827 must be conducted with express reference to the choice of Jackson in 1828.

The note of this bugle call, blown by Edwin Croswell, the famous editor of the Albany *Argus*, resounded the enthusiasm of the party. The ablest and most popular men, preliminary to the contest, were selected for legislative places. Erastus Root was again nominated in Delaware County; Robert Emmet, the promising son of the distinguished Thomas Addis Emmet, and Ogden Hoffman, the eloquent and brilliant son of Josiah Ogden Hoffman, who was to become the best criminal lawyer of his day, found places on the ticket in New York City; Nathaniel P. Tallmadge, heretofore an opponent of

the Regency, but now to begin a public career which finally placed him in the United States Senate for twelve years, was brought out in Dutchess County; and Benjamin F. Butler, whose revision of the state statutes had made him exceedingly popular, accepted a nomination in the anti-Regency stronghold of Albany.

Not to be outdone in the character or strength of their ticket, the Adams men summoned their ablest and most eloquent campaigners to share the burden of the contest; and Elisha Williams, Peter B. Sharpe, Francis Granger, and Peter B. Porter readily responded. Ezra C. Gross, who had served a term in Congress, also bore a conspicuous part. Gross was rapidly forging to the front, and would doubtless have become one of the most gifted and brilliant men in the State had he not fallen an early victim to intemperance.

For a purely local campaign, without the assistance of a state ticket, it proved a canvass of unusual vehemence, filling the air with caricatures and lampoons, and bringing victory to the drilled and disciplined forces which were now to follow, for half a score of years, the fortunes of the New Orleans hero. From the moment Jackson became the standard-bearer, the crowds were with him. Adams was represented as cold and personally unpopular; Jackson as frank, cordial in manner, and bravely chivalric. When everything in favour of Adams was carefully summed up and admitted, his ability as a writer, as a lawyer, as a diplomatist, and as a statesman, the people, fascinated by the distinguished traits of character and the splendour of the victory at New Orleans, threw their hats into the air for Andrew Jackson. The eloquence of Williams could carry Columbia County; Porter, ever popular and interesting, could sweep the Niagara frontier; and Gross, with an illuminated rhetoric that lives to this day in the memory of men who heard their fathers talk about it, had no trouble in Essex; but from the Hudson to Lake Oneida the Jackson party may be said to have carried everything by storm, electing its ticket by over four thousand majority in New York City, and securing nearly all the senatorial districts and the larger part of the Assembly. So overwhelming was the victory that Van Buren had no trouble at the opening of the Twentieth Congress to defeat the re-election of John W. Taylor for speaker.

As the time approached for nominating a governor to lead the campaign of 1828, Van Buren realised that the anti-masonic sentiment, which had been

rapidly growing since the abduction of William Morgan, had developed into an influence throughout the western part of the State that threatened serious trouble. Morgan was a native of Virginia, born in 1776, a man of fair education, and by trade a stone-mason. Little is known of his life until 1821, when he resided first in York, Canada, and, a year later, in Rochester, New York, where he worked at his trade. Then he drifted to LeRoy, in Genesee County, becoming an active Free Mason. Afterward, he moved back to Rochester, and then to Batavia, where he sought out David C. Miller, a printer, who agreed to publish whatever secrets of Free Masonry Morgan would reveal. The work, done by night and on Sundays, was finally interrupted on September 11, 1826, by Morgan's arrest, on a trifling criminal charge, and transfer to Canandaigua for examination. His acquittal was immediately followed by a second arrest upon a civil process for a small debt and by his imprisonment in the Canandaigua jail. When discharged on the succeeding night, he was quickly seized, and, as it subsequently appeared from the evidence taken at the trial of his abductors, he was bound, gagged, thrust violently into a covered carriage, driven by a circuitous route, with relays of horses and men, to Fort Niagara, and left in confinement in the magazine. Here he dropped out of view.

The excitement following the discovery of this crime was without a parallel in the history of Western New York. Citizens everywhere organised committees for the apprehension of the offenders; the Governor offered a reward for their discovery; the Legislature authorised the appointment of able lawyers to investigate; and William L. Marcy and Samuel Nelson, then judges of the Supreme Court, were designated to hold special circuits for the trial of the accused. Many persons were convicted and punished as aiders and abettors of the conspiracy. For three years the excitement continued without abatement, until the whole State west of Syracuse became soaked with deep and bitter feeling, dividing families, sundering social ties, and breeding lawsuits in vindication of assailed character. Public sentiment was divided as to whether Morgan had been put to death. Half a century afterward, in 1882, Thurlow Weed published an affidavit, rehearsing a statement made to him in 1831 by John Whitney, who confessed that he was one of five persons who took Morgan from the magazine and drowned him in Lake Ontario.[\[253\]](#)

The trouble stirred up by this unfortunate affair gradually drifted into politics. In the spring of 1827, a disinclination had shown itself among the people of Genesee County to support Free Masons for supervisors or justices of the peace, and, although the leading men of the western part of the State deprecated political action, the pressure became so great that Free Masons were excluded from local tickets in certain towns of Genesee and Monroe Counties. This course was resented by their friends. In the summer of the same year, the old treasurer of Rochester, who had been elected year after year without opposition, was defeated. No one had openly opposed him, but a canvass of the returns disclosed a silent vote which was quickly charged to the Masons. This discovery, says Thurlow Weed, "was like a spark of fire dropped into combustible materials." Immediately, Rochester became the centre of anti-Masonry. In September, an anti-masonic convention nominated a legislative ticket, which, to the amazement and confusion of the old parties, swept Monroe County by a majority of over seventeen hundred. Direction was thus given to the movement. In the following year, when the state and national election was approaching, it appeared that throughout "the infected district," as it was called, the opponents of Masonry, although previously about equally divided in political sentiment, had aligned themselves with the Adams party, and that the Masons had affiliated with the followers of Jackson. There was good reason for this division. The prominent men in the anti-masonic body, for the most part, were not only leaders of the Adams party, but, very early in the excitement, President Adams took occasion to let it be known that he was not a Mason. On the other hand, it was well understood that Jackson was a Mason and gloried in it.

This was the situation when the Adams followers, who now called themselves National Republicans, met in convention at Utica on July 22, 1828. The wise policy of nominating candidates acceptable to all Anti-Masons was plain, and the delegates from the western half of the State proposed Francis Granger for governor. Granger was not then a political Anti-Mason, but he was clean, well-known, and popular, and for two years had been a leading member of the Assembly. Thurlow Weed said of him that he was "a gentleman of accomplished manners, genial temperament, and fine presence, with fortune, leisure, and a taste for public life."[\[254\]](#) Indeed, he appears to have felt from the first a genuine delight in the vivid

struggles of the political arena, and, although destined to be twice beaten for governor, and once for Vice President, he had abundant service in the Cabinet, in the Legislature, and in Congress. Just then he was thirty-six years old, the leading antagonist of John C. Spencer at the Canandaigua bar, and one whom everybody regarded as a master-spirit. Dressed in a bottle-green coat with gilt buttons, a model of grace and manhood, he was the attraction of the ladies' gallery. He had youth, enthusiasm, magnificent gifts, and a heart to love. All his resources seemed to be at instant command, according as he had need of them. Besides, he was a born Republican. Thomas Jefferson had made his father postmaster-general, and during the thirteen years he held the office, the son was studying at Yale and fighting Federalism.[\[255\]](#)

Eastern delegates wanted Smith Thompson. Thompson was a man of great learning and an honoured member of the Republican party. But he was sixty years old. With the exception of five years as secretary of the navy, under Monroe, he had been continuously upon the bench for over a quarter of a century, first as justice and chief justice of the Supreme Court of the State, latterly as associate justice of the United States Supreme Court. It was suggested, with some pertinency as it afterward appeared, that the people of the State having declared in the recently adopted Constitution, that a judge, holding office during good behaviour, ought not to be a candidate for an elective office, would resent such a nomination. It was further suggested, with even greater force, that Thompson's nomination would offend the ultra Anti-Masons and bring an independent ticket into the field, thus dividing the Adams vote and giving the election to the Jackson candidate. On the other hand, it was maintained with equal spirit that the nomination of Granger, avowedly to secure the anti-masonic vote, would offend the National Republicans and jeopardise the state as well as the electoral ticket. It took a ballot to decide the question, and Thompson won by a close vote. Francis Granger was then nominated for lieutenant-governor by acclamation.

As predicted, several ultra anti-masonic editors in Genesee and Ontario counties immediately denounced the nomination of Thompson. The Adams people knew it portended danger; but Thompson would not withdraw and the ultras would not relent. Thereupon, the anti-masonic convention, already called to meet at Utica, added to the difficulty of the situation by

nominating Francis Granger and John Crary. Granger had not solicited nomination, and now he was burdened with two. But Thompson refused to relieve the embarrassment, and Crary proved wickedly false to his agreement. The latter admitted that the union of the Adams and anti-masonic forces would probably elect Granger for lieutenant-governor, and he promised to withdraw as soon as Granger should do so. Upon this Granger declined the anti-masonic nomination; but the wily Van Buren, who was intently watching the embarrassment of the National Republicans, took good care to have Crary remain and Solomon Southwick substituted for Granger. The general sentiment of the Anti-Masons did not respond to this movement. But the angry feeling excited by Granger's declination, aided by Van Buren's finesse, gave Southwick, who had acquired some credit with the Anti-Masons by an early renunciation of his masonic ties, an opportunity of advancing his visionary projects of personal ambition. Thurlow Weed declared that the people had been "juggled" out of a candidate for governor; but Weed did not know that Van Buren, needing money to help along the jugglery, wrote James A. Hamilton, the son of the great Federalist, that unless "you do more in New York than you promised, our friends in Albany, at best poor, will break down." Crary was one of the assemblymen who, in 1824, had boldly denounced the removal of Clinton as a canal commissioner. After his broken promise to Granger and his bargain with Van Buren, however, he ceased to be called "Honest John Crary."

Before the meeting of the National Republican convention, Martin Van Buren was announced as the Jackson candidate for governor. It was well-known, at least to the Albany Regency, that if Jackson became President, Van Buren would be his secretary of state. One can readily understand that Van Buren would willingly exchange the Senate for the head of the Cabinet, since the office of secretary of state had been for twenty years a certain stepping-stone to the Presidency. Madison had been Jefferson's secretary of state, Monroe had filled the exalted place under Madison, and John Quincy Adams served Monroe in the same capacity. But Van Buren's willingness to exchange the Senate, an arena in which he had ranked among the ablest statesmen of the Republic, for the governorship, was prompted by the force of circumstances and not by choice. Jackson's election was believed to depend upon New York, and the carrying of New York, to depend upon Van

Buren. The latter, at this time, was at the zenith of his popularity. His speeches had not only stamped him as a genuine parliamentary debater, but had gained for him the reputation of being the congressional leader and chief organiser of the Jackson party. During his seven and a half years in the Senate, his name was associated with every event of importance; his voice was heard on one side or the other of every question that interested the American people; and the force he brought to bear, whether for good or evil, swayed the minds of contemporaries to an unusual degree.

Van Buren looked his best in these days. His complexion was a bright blonde, and he dressed with the taste of Disraeli. Henry B. Stanton describes him as he appeared at church in Rochester on a Sunday during the campaign. "He wore an elegant snuff-colored broadcloth coat with velvet collar; his cravat was orange with modest lace tips; his vest was of a pearl hue; his trousers were white duck; his silk hose corresponded to the vest; his shoes were morocco; his nicely fitting gloves were yellow kid; his long-furred beaver hat, with broad brim, was of Quaker color. As he sat in the wealthy aristocratic church of the town, in the pew of General Gould who had been a lifelong Federalist and supporter of Clinton, all eyes were fixed upon the man who held Jackson's fate in his hands."[\[256\]](#)

Van Buren did not propose to take any chances, either in securing the nomination or the election for governor—hence his visit to Rochester and the western counties to study for himself the anti-masonic situation. "The excitement has been vastly greater than I supposed," he wrote Hamilton. In order to find some way of pacifying it, he turned aside to visit the home of his friend, Enos T. Throop, then living on the wooded and beautiful banks of Lake Owasco. In January, 1827, Throop, who presided at the first trial of the Morgan abductors, had, to the great delight of all Anti-Masons, flayed the defendants, before pronouncing sentence, in a remarkably effective and emphatic address. Such a man was needed to strengthen the Jackson ticket, and before Van Buren got home it was charged that he had secured Throop's promise to stand for lieutenant-governor, with the assurance that within three months after his inauguration, if everything went according to programme, he should be the acting governor.

These tactics meant the turning down of Nathaniel Pitcher, the acting governor in place of DeWitt Clinton. Pitcher had served four years in the

Assembly, one term in Congress, and as a delegate to the convention in 1821. Though a man of limited education and strong prejudices, with a depth of feeling that made him as vigorously independent as he was rigidly honest, he proved his fitness for the high office to which he had suddenly fallen heir by several excellent appointments to the Superior Court, just then created for the city of New York. He honoured himself further by restoring the rule, so rudely broken by Clinton, of offering the chancellorship to Chief Justice Savage, and, upon his declining it, to Reuben H. Walworth, then a young and most promising circuit judge. Later in the year, he named Daniel Mosely for the seventh circuit vacated by the resignation of Enos T. Throop, soon to become lieutenant-governor. These appointments marked him as a wise and safe executive. Van Buren understood this, and his correspondence with Hamilton, and others, while absent in the west, affords many interesting glimpses into his political methods in their immodest undress. As the candidate for governor, he was very active just now. His letters indicate that he gave personal attention to the selection of all delegates, and that he wanted only those in whom reliance could be absolutely placed. "Your views about the delegates are correct," he says to Hamilton. "It would be hazarding too much to make out a list." A list might contain names of men who could not be safely trusted at such a supreme moment; and Van Buren naturally desired that his nomination should be enthusiastically unanimous. The slightest protest from some disappointed friend of Nathaniel Pitcher, who was to be sacrificed for Throop, or of Joseph C. Yates, who was spending his years in forced retirement at Schenectady, would take away the glory and dull the effect of what was intended to be a sudden and unanimous uprising of the people's free and untrammelled delegates in favour of the senior United States senator, the Moses of the newly-born Democratic party.

The anticipated trouble at the Herkimer convention, however, did not appear. Delegates were selected to nominate Martin Van Buren and Enos T. Throop, and, after they had carried out the programme with unanimity, Pitcher ceased to act with the Jackson party. But the contest between the opposing parties proved exceedingly bitter and malevolent. It resembled the scandalous campaign of John Adams and Thomas Jefferson in 1800, and the more recent Blaine and Cleveland canvass of 1884. Everything that could be tortured into apparent wrong was served up to listening thousands. Van

Buren had about him the genius of Edwin Croswell, the unerring judgment of Benjamin F. Butler, the wisdom of William L. Marcy, the diplomacy of Benjamin Knowler, and the scintillating brilliancy of Samuel A. Talcott; but like McGregor, Van Buren sat at the head of the table. He cautioned Noah, he complimented Coleman, he kept Southwick and Crary on the anti-masonic ticket, he selected the candidate for lieutenant-governor, he called for funds, and he insisted upon making the Adams administration odious. In referring to the President and his secretary of state, he did not personally join in the cry of bargain and sale, of fraud and corruption, of treachery and knavery; nor did he speak of them as "the Puritan and the Blackleg;" but for three years his criticisms had so associated the Administration with Federalism and the offensive alien and sedition laws which Jefferson condemned and defeated in 1800, that the younger Adams inherited the odium attached to his father a quarter of a century before.

The National Republicans retaliated with statements no less base and worthless, exhibiting Jackson as a military butcher and utterly illiterate, and publishing documents assailing his marriage, the chastity of his wife, and the execution of six militiamen convicted of mutiny. Thurlow Weed, who conducted the Adams campaign in the western part of the State, indulged in no personal attacks upon Jackson or his wife, refusing to send out the documents known as "Domestic Relations" and "Coffin Handbills." "The impression of the masses was that the six militiamen deserved hanging," he says, in his autobiography, "and I look back now with astonishment that enlightened and able statesmen could believe that General Jackson would be injured with the people by ruthlessly invading the sanctuary of his home, and permitting a lady whose life had been blameless to be dragged forth into the arena of politics."[\[257\]](#)

The result of the election for governor and lieutenant-governor was practically settled by the nomination of an anti-masonic independent ticket. Thurlow Weed advised Smith Thompson that votes enough to defeat him would be thrown away upon Southwick. Van Buren wrote Hamilton to "bet for me on joint-account five hundred dollars that Thompson will be defeated, and one hundred dollars on every thousand of a majority up to five thousand; or, if you can't do better, say five hundred on the result and fifty on every thousand up to ten." The returns justified his confidence. He received one hundred and thirty-six thousand votes to one hundred and six

thousand for Thompson and thirty-three thousand for Southwick.^[258] Francis Granger would probably have received the aggregate vote of Thompson and Southwick, or three thousand more than Van Buren. That Weed rightly understood the situation is evidenced by his insistence that a candidate be nominated acceptable to the Anti-Masons. "Van Buren's election," said Thurlow Weed, in his autobiography, the tears of disappointment and chagrin almost trickling down his cheeks when he wrote the words nearly half a century afterward, "enabled his party to hold the State for the twelve succeeding years."^[259] But it was the last time, for many years, that Thurlow Weed did not have his way in the party. It was apparent that the opponents of Van Buren needed a leader who could lead; and, although it took years of patient effort to cement into a solid fighting mass all the heterogeneous elements that Clinton left and Van Buren could not control, the day was destined to come when one party flag floated over an organisation under the leadership of the stately form of Thurlow Weed.

CHAPTER XXXIII

WILLIAM H. SEWARD AND THURLOW WEED

1830

ALTHOUGH the election in 1828 brought hopeless defeat to the National Republicans, apparently it imparted increased confidence and vigour to anti-Masonry. For a time, this movement resembled the growth of abolitionism at a later day, people holding that a secret society, which sought to paralyse courts, by closing the mouths of witnesses and otherwise unnerving the arm of justice, threatened the existence of popular government. The moral question, too, appealed strongly to persons prominent in social, professional, and church life, who increased the excitement by renouncing masonic ties and signifying their conversion to the new gospel of anti-Masonry. Cadwallader D. Colden, formerly the distinguished mayor of New York and a lawyer of high reputation, wrote an effective letter against Free Masonry, which was supplemented by the famous document of David Barnard, a popular Baptist divine of Chautauqua County. Henry Dana Ward established the *Anti-Masonic Review* in New York City, and Frederick Whittlesey became equally efficient and influential as editor of the *Rochester Republican*.

But the man who led the fight and became the centre from which all influences emanated was Thurlow Weed. Early in the struggle, as a member of the Morgan committee, he investigated the crime of 1826. Soon after, he founded the *Anti-Masonic Enquirer* of Rochester, whose circulation, unparalleled in those days, quickly included the western and northern counties of New York, and the neighbouring States of Ohio, Pennsylvania, and Vermont. Weed had been slow to yield to the influences which carried

the question into politics, but, once having determined to appeal to the ballot-box, he set to work to strengthen and enlarge the party. It became a quasi-religious movement, ministers and churches, without any very far-reaching hopes and plans, labouring to bring about a spirit which should induce men to renounce Masonry; and in their zeal they worked with the singleness of thought and the accepted methods that dominate the revivalist and temperance advocate.

The aim of Thurlow Weed was to reach the people, and it mattered not how often he had to bear defeat, or the sneers of older politicians and an established press; he flung himself into the work with an indomitable spirit and an entire disregard of trouble and pain. Weed was a born fighter. He saw no visions, he believed in no omens, and he had no thought of bearing a charmed life; but he seems to have been indifferent to changes of season or the assaults of men, as he travelled from one end of the State to the other regardless of inclement weather, answering attacks with rough and rasping sarcasms, and meeting every crisis with the candour and courage of a John Wesley. One reads in his autobiography, almost with a feeling of incredulity, of the toil cheerfully borne and the privations eagerly endured while the guiding member of the Morgan committee.

Weed proved a great captain, not only in directing and inspiring anti-masonic movements, but in rallying to his standard a body of young men destined to occupy conspicuous places in the State and in the nation. Among those entering the Assembly, in 1829, were Philo C. Fuller of Livingston and Millard Fillmore of Erie. When Weed first met him, in 1824, Fuller was a law clerk in James Wadsworth's office, only twenty-three years old. But Weed noted his fitness for public place, and in 1828 had him nominated and elected to the Assembly.

Millard Fillmore was a year or two older. His youth, like that of Weed, had been crowded with everything except schooling. He learned the clothier's trade, he was apprenticed to a wool-carder, and he served his time at the woodpile, in the harvest field, and as chore boy. Only at odd moments did he get an education; but when he began studying law and teaching school he quickly evidenced a strength of intellect that distinguished him throughout life. Weed met him at an Adams convention in Buffalo, in 1828,

and so favourably impressed was he with his ability that he suggested his nomination for the Assembly.

One year later, Weed insisted upon the nomination of Albert H. Tracy, of Erie, for the Senate. Tracy, who had already served six years in Congress, had the advantage of being well born and well educated. His father, a distinguished physician of Connecticut, urged him to adopt the profession of medicine, but when about ready for a degree, he entered his brother's law office at Madison, New York, and, in 1815, upon his admission to the bar, settled in Buffalo. He was then twenty-two years old. Four years later he entered Congress. He had earned this quick start by good ability; and so acceptably did he maintain himself, that, in spite of the acrimony existing between Clintonian and Bucktail, his name was regarded with much favour in 1825 as the successor of Rufus King in the United States Senate. Tracy was a man of marked ability. Though neither brilliant nor distinguished as a public speaker, he was a skilful advocate, easy and natural; with the help of a marvellous memory, and a calm, philosophic temperament, he ranked among the foremost lawyers of his day. Like James Tallmadge, he was inordinately ambitious for public life, and his amiability admirably fitted him for it; but like Tallmadge, he was not always governed by principle so much as policy. He showed at times a lamentable unsteadiness in his leadership, listening too often to the whispers of cunning opponents, and too easily separating himself from tried friends. In 1838, he practically left his party; and, soon after, he ceased to practise his profession, burying a life which had promised great usefulness and a brilliant career. In mien, size, bearing, visage, and conversation he was the counterpart of Thomas Jefferson when about the same age—a likeness of which Tracy was fully conscious.

Tracy's nomination to the Senate in 1829 came as a great surprise and a greater gratification. He had not taken kindly to the anti-masonic party. Only the year before, he dissuaded John Birdsall from accepting its nomination to Congress, because of the obloquy sure to follow defeat; but its strength, evidenced in the campaign of 1828, opened his eyes; and, while absent in Albany, unsuccessfully seeking a judgeship from Governor Throop, Thurlow Weed had him nominated. On his way home, he stopped at Rochester to call upon the great apostle of anti-Masonry, reaching the house before sunrise. "He was wrapped in a long camlet cloak," says Weed,

"and wore an air of depression that betokened some great disappointment. 'You have been east?' I asked, for I had not heard of his absence from home. 'Yes,' he answered. 'Then you don't know what happened at Batavia yesterday?' He replied in the negative, and I continued: 'We had a convention and nominated a candidate for senator.' When he laughingly inquired, 'Who?' I said, 'Why, we nominated you.' He instantly jumped two feet from the floor and whooped like an Indian. Then, with brightened countenance and undisguised elation of spirit that he was to have a seat in the Senate for four years, he informed me of his disappointment in not obtaining either the judgeship, or the presidency of the branch of the United States Bank about to be established at Buffalo."[\[260\]](#)

Thus far, Thurlow Weed had won more reputation than money in Rochester. He dwelt in a cheap house in an obscure part of the village. Sometimes he had to borrow clothes to be presentable. "One day," says Henry B. Stanton, "I was standing in the street with him and Frederick Whittlesey when his little boy came up and said: 'Father, mother wants a shilling to buy some bread.' Weed put on a queer look, felt in his pockets, and remarked: 'That is a home appeal, but I'll be hanged if I've got the shilling.' Whittlesey drew out a silver dollar and gave the boy who ran off like a deer."[\[261\]](#) Yet, at that moment, Weed with his bare arms spattered with printer's ink, was the greatest power in the political life of Western New York.

But a scheme more helpful to Weed and to his party than the election of young men of large promise was just now on foot. The need of a newspaper at Albany, to represent the sentiments of the Anti-Masons had long been recognised; and, to enable Weed to establish it, he had been re-elected to the Assembly in the autumn of 1829. In the course of the winter the project quickly took shape; a fund of twenty-five hundred dollars was subscribed; and on March 22, 1830, appeared the first number of the *Albany Evening Journal*, in which were soon to be published the sparkling paragraphs that made it famous.[\[262\]](#) Weed's salary as editor was fixed at seven hundred and fifty dollars. The paper was scarcely larger than the cloud "like a man's hand;" and its one hundred and seventy subscribers, scattered from Buffalo to New York, became somewhat disturbed by the acrimonious and personal warfare instantly made upon it by Edwin Croswell of the *Argus*.

Croswell and Weed had been boys together at Catskill. They were neither intimates nor equals, although of the same age; for young Croswell had the advantage of position and education given him by his father, then publisher of the *Recorder*. To Weed, only such work came as a bare-footed, ragged urchin of eleven was supposed to be capable of doing. This was in 1808. The two boys did not meet again for twenty years, and then only to separate as Hamilton and Burr had parted, on the road to White Plains, in the memorable retreat from Manhattan in September, 1776. But Croswell, retaining the quiet, studious habits that characterised his youth, climbed rapidly. He had become editor of the *Argus*, state printer, and one of the ablest and most zealous members of the Albany Regency. He possessed a judgment that seemed almost inspired, with such untiring industry and rare ability that for years the Democratic press of the country looked upon the *Argus* as its guiding star.

Against this giant in journalism Thurlow Weed was now to be opposed. "You have a great responsibility resting upon your shoulders," wrote the accomplished Frederick Whittlesey, "but I know no man who is better able to meet it."^[263] This was the judgment of a man who had personal knowledge of the tremendous power of Weed's pen. In his later years, Weed mellowed and forgave and forgot, but when he went to Albany, and for years before, as well as after, he seemed to enjoy striking an adversary. An explosion followed every blow. His sarcasms had needle-points, and his wit, sometimes a little gross, smarted like the sting of wasps. Often his attacks were so severe and merciless that the distress of his opponents created sympathy for them.

Very early in the *Evening Journal's* history Croswell invited Weed's fire. It is doubtful if the *Argus'* publisher thought or cared much about the character of the reply. Editors are not usually sensitive to the stricture of others. But when Weed's retort came, the rival writers remained without personal or business relations until, years afterward, Croswell, financially crushed by the failure of the Albany Canal Bank, and suspected of dishonesty, implored Weed's assistance to avoid a criminal indictment. In the meantime subscriptions poured into the *Journal*. The people recognised a fighter; the thoughtful distinguished a powerful mind; and politicians discovered such a genius for leadership that Albany became a political centre for the National Republicans as it was for the Bucktails. Within ten

years after its establishment, the *Evening Journal* had the largest circulation of any political paper in the United States.

The birth year of the *Journal* also witnessed a reorganisation of the Anti-Masons. Heretofore, this party had declared only its own peculiar principles, relying for success upon the aid of the National Republicans; but, as it now sympathised with Henry Clay upon questions of governmental policy, especially the protection of American industry, it became evident that, to secure the greatest political strength, its future policy must be ardent antagonism to the principles of the Jackson party. Accordingly, at the Utica convention, held in August, 1830, it adopted a platform substantially embracing the views of the National Republicans. In acknowledgment of this change, the Adams party accepted the nomination of Francis Granger for governor and Samuel Stevens, a prominent lawyer of Albany City and the son of a distinguished Revolutionary officer, for lieutenant-governor.

The Bucktails did not get on so smoothly at their convention, held at Herkimer, on September 8. Erastus Root thought if Van Buren could afford to take the nomination away from Acting Governor Pitcher, he might deprive Enos T. Throop of the same honour. Throop, who was acting governor in the place of Van Buren, had proved a feeble executive. Besides, it could not be forgotten that Throop suffered Van Buren to humiliate Pitcher simply to make his own election sure. But Throop had friends if nothing else. On the first ballot, he received seventy-eight votes to forty for Root. The wrangle over lieutenant-governor proved less irritating, and Edward P. Livingston, after several ballots, secured seventy-seven votes.

These contests created unusual bitterness. Root had the offer of support from a working men's convention; and his failure to secure the Herkimer nomination left the working men, especially in New York City, in no mood to support the Bucktail choice. All this greatly encouraged the Anti-Masons. Granger and Stevens commanded the cordial support of the National Republicans, while Throop and Livingston were personally unpopular. Throop had the manners of DeWitt Clinton without a tithe of his ability, and Livingston, stripped of his family's intellectual traits, exhibited only its aristocratic pride. But there were obstacles in the way of anti-masonic success. Among other things, Francis Granger had become chairman of an

anti-masonic convention at Philadelphia, which Weed characterised as a mistake. "The men from New York who urged it are stark mad," he wrote; "more than fifty thousand electors are now balancing their votes, and half of them want an excuse to vote against you."^[264] Whether this "mistake" had the baleful influence that Weed anticipated, could not, of course, be determined. The returns, however, proved a serious disappointment.^[265] Granger had carried the eighth or "infected district" by the astounding majority of over seven thousand in each of the first five districts. In the sixth district the anti-masonic vote fell over four thousand. It was evident that the Eastern masons, who had until now acted with the National Republicans, preferred the rule of the Regency to government by Anti-Masons.

The year that witnessed this disheartening defeat of the Anti-Masons, welcomed into political life a young man of great promise, destined to play, for the next forty years, a conspicuous part in the history of his country. William Henry Seward was twenty-nine years old when elected to the State Senate; but to all appearances he might have been eight years younger. He was small, slender, boyish, punctilious in attire, his blue eyes and finely moulded chin and mouth giving an unconscious charm to his native composure, which attracted with a magnetism peculiarly its own; but there was nothing in his looks or manner to indicate that the chronicle of the century would record his name among the country's most prominent statesmen. He had neither the bold, full forehead of Marcy, nor the tall, commanding form of Talcott, although the boyish face suggested the refinement of Butler's features, softened by the blue eyes and light sandy hair. The only noticeable feature was the nose, neither Roman nor Semitic, but long, prominent and aggressive, with nostrils slightly distended. In after years, the brow grew heavier, the eyes more deeply set, and the chin, slightly drawn, gave greater prominence to the jaw and firmness to the mouth.

In 1830, Seward had not yet made his great legal contest in the Freeman case, setting up the then novel and unpopular defence of insanity, and establishing himself as one of the ablest and grittiest lawyers in the State. But early in that year, he made a speech, at an anti-masonic conference, which won the confidence of the delegates sufficiently to admit him to leadership with Thurlow Weed, Francis Granger, John C. Spencer,

Frederick Whittlesey, William H. Maynard, and Albert H. Tracy. He was the youngest man in the council, younger than Whittlesey, four years younger than Weed, and eight years younger than Tracy. Granger and John C. Spencer belonged almost to an earlier generation. Millard Fillmore was one year his senior; but Fillmore, whose force and feeling made for conservatism, had not yet entered that coterie of brilliant anti-masonic leaders.

Seward was neither precocious nor gifted beyond his years. He had spirit and gifts, with sufficient temper and stubbornness to defend him against impositions at home or in college; but the love for adventure and the strenuous life, that characterised Weed's capricious youth, were entirely absent. As a boy, Weed, untidy even to slovenliness, explored the mountain and the valley, drifted among the resolute lads of the town, and lingered in gardens and orchards, infinitely lovable and capable of the noblest tenderness. On the contrary, Seward was precise, self-restrained, possessing the gravity and stillness of a youth who husbanded his resources as if conscious of physical frailty, yet wholesome and generous, and once, at least, splendidly reckless in his race for independence of a father who denied him the means of dressing in the fashion of other college students. By the time he reached the age of nineteen, he had run away to Georgia, taught school six months, studied law six months, and graduated with honour from Union College. Two years later, in 1822, he was admitted to the bar, and, having accepted a partnership with Elijah Miller, located at Auburn. To make this arrangement the more binding, he married his partner's daughter and became a member of his family.

Seward retained the political affiliations of his father, who was a Republican and a Bucktail, until the journey on the canal to Auburn opened his eyes to the importance of internal improvements. This so completely changed him into a Clintonian, that, in the autumn of 1824, he assailed the Albany Regency with great vigour and voted for DeWitt Clinton for governor. Four years later, he presided over a state convention of young National Republicans, favourable to the re-election of John Quincy Adams; and then witnessed that party's defeat and dispersion under the murderous fire of the Jackson forces, aided by Southwick and Crary on the anti-masonic ticket. Seward had not taken kindly to the anti-masonic party. What would have been his final attitude toward it is problematical had he

not fallen under the influence of Weed. The first meeting of this illustrious pair, a very casual meeting, occurred in the summer of 1824 while Seward was passing through Rochester on his return from a visit to Niagara Falls. A wheel of the coach came off, and among the curious who quickly assembled "one taller and more effective, while more deferential and sympathising than the rest," says Seward, in his autobiography, "lent his assistance."[\[266\]](#) This was Thurlow Weed. "My acquaintance with William H. Seward grew rapidly on subsequent occasions," adds Weed, "when he was called to Rochester on professional business. Our views in relation to public affairs, and our estimate of public men, rarely differed, and in regard to anti-Masonry he soon became imbued with my own opinions."[\[267\]](#)

This was the key that opened the way to great achievement. Tracy listened to others and was lost; Fillmore finally preferred the judgment of his associates in Washington, and is to-day without a statue even in his own home; but Seward kept closely in touch with the man whose political judgment inspired him with confidence. "Come now and let us reason together," said Weed, and together these two friends worked out the policy of success. "I saw in him, in a remarkable degree," continued Weed, "rapidly developing elements of character which could not fail to render him eminently useful in public life. I discerned also unmistakable evidences of stern integrity, earnest patriotism, and unswerving fidelity. I saw also in him a rare capacity for intellectual labour, with an industry that never tired and required no relaxation; to all of which was added a purity and delicacy of habit and character almost feminine."[\[268\]](#)

In his *Autobiography*, Seward says he joined the anti-masonic party because he thought it the only active political organisation opposed to Jackson and Van Buren, whose policy seemed to him to involve "not only the loss of our national system of revenue, and of enterprises of state and national improvement, but also the future disunion of the States, and ultimately the universal prevalence of slavery."[\[269\]](#) Once an Anti-Mason, he became, like Weed, a zealous and aggressive member of the party. He embodied its creed in resolutions, he attended its first national convention at Philadelphia, he visited John Quincy Adams at Quincy—just then an anti-masonic candidate for Congress—he aided in the establishment of the *Albany Evening Journal*, and, a little later, as a delegate to the party's second national convention at Baltimore, he saw Chief Justice Marshall upon the platform,

sat beside Thaddeus Stevens, and voted for William Wirt as an anti-masonic candidate for President. It was during his attendance upon the Philadelphia convention that Thurlow Weed had him nominated, without his knowledge, for state senator. "While stopping at Albany on my way south," he says,^[270] "Weed made some friendly but earnest inquiries concerning my pecuniary ability, whether it was sufficient to enable me to give a portion of my time to public office. When I answered my ability was sufficient, but I had neither expectation nor wish for office, he replied that he had learned from my district enough to induce him to think it possible that the party might desire my nomination to the Senate."

Thurlow Weed had many claims to the regard of his contemporaries, but the greatest was the intelligence that enabled him to discern the rising genius of a recruit to anti-Masonry whose name was to help make illustrious any cause which he served.

CHAPTER XXXIV

VAN BUREN'S ENEMIES MAKE HIM VICE PRESIDENT

1829-1832

MARTIN VAN BUREN's single message as governor exhibited a knowledge of conditions and needs that must rank it among the ablest state-papers in the archives of the capitol. Unlike some of his predecessors, with their sentences of stilted formality, he wrote easily and with vigour. His message, however, was marred by the insincerity which shows the politician. He approved canals, but, by cunningly advising "the utmost prudence" in taking up new enterprises, he coolly disparaged the Chenango project; he shrewdly recommended the choice of presidential electors by general ticket instead of by congressional districts, knowing that opposition to the change died with DeWitt Clinton. With full knowledge of what he himself had done, in the last campaign, in urging upon John A. Hamilton the necessity of raising funds, he boldly attacked the use of money in elections, proposing "the imposition of severe penalties upon the advance of money by individuals for any purposes connected with elections except the single one of printing." It is not surprising, perhaps, that a man of Van Buren's personal ambition found himself often compelled, for the sake of his own career, to make his public devotion to principle radically different from his practice; but it is amazing that he should thus brazenly assume the character of a reformer before the ink used in writing Hamilton was dry.

The prominent feature of Van Buren's message was the bank question, which, to do him credit, he discussed with courage, urging a general law for chartering banks without the payment of money bonus, and declaring that the only concern of the State should be to make banks and their circulation

secure. In accord with this suggestion, he submitted the "safety fund" project, subsequently enacted into law, providing that all banks should contribute to a fund, administered under state supervision, to secure dishonoured banknotes. There was a great deal of force in Van Buren's reasoning, and the New York City banks, which, at first, declined to recharter under the law, finally accepted the scheme with apparent cheerfulness. Had the real test, which came with the hard times of 1837, not broken it down, Van Buren's confidence in the project might have continued. After that catastrophe, which was destined to prove his Waterloo, he had confidence in nothing except gold and silver.

As anticipated, Van Buren's inauguration as governor preceded his appointment as secretary of state under President Jackson only seventy days. It gave him barely time gracefully to assume the duties of one position before taking up those of the other. But, in making the change, he did not forget to keep an anchor to windward by having the amiable and timid Charles E. Dudley succeed him in the United States Senate. Dudley had the weakness of many cultured, charming men, who are without personal ambition or executive force. He was incapable of taking part in debate, or of exerting any perceptible influence upon legislation in the committee-room. Nevertheless, he was sincere in his friendships; and the opinion obtained that if Van Buren had desired for any reason to return to the Senate, Dudley would have gracefully retired in his favour.

The appointments of Green C. Bronson as attorney-general, and Silas Wright as comptroller of state, atoned for Dudley's election; for they brought conspicuously to the front two men whose unusual ability greatly honoured the State. Bronson had already won an enviable reputation at the bar of Oneida County. He was now forty years old, a stalwart in the Jackson party, bold and resolute, with a sturdy vigour of intellect that was to make him invaluable to the Regency. He had been a Clintonian surrogate of his county and a Clintonian member of the Assembly in 1822, but he had changed since then, and his present appointment was to give him twenty-two years of continuous public life as a Democrat, lifting him from justice to chief justice of the Supreme Court, and transferring him finally to the Court of Appeals.

Silas Wright was a younger man than Bronson, not yet thirty-five years old; but his admittance to the Regency completely filled the great gap left by Marcy's retirement. Like Marcy, he was large and muscular, although with a face of more refinement; like Marcy, too, he dressed plainly. He had an affable manner stripped of all affectation. From his first entrance into public life, he had shown a great capacity for the administration of affairs. He looked like a great man. His unusually high, square forehead indicated strength of intellect, and his lips, firmly set, but round and full, gave the impression of firmness, with a generous and gentle disposition. There was no evidence of brilliancy or daring. Nor did he have a politician's face, such as Van Buren's. Even in the closing years of Van Buren's venerable life, when people used often to see him, white-haired and bright-eyed, walking on Wall Street arm in arm with his son John, his was still the face of a master diplomatist. Wright, on the other hand, looked more like a strong, fearless business man. His manner of speaking was not unlike Rufus King's. He spoke slowly, without rhetorical embellishment, or other arts of the orator; but, unlike King, he had an unpleasant voice; nevertheless, if one may accept the opinion of a contemporary and an intimate, "there was a subdued enthusiasm in his style of speaking that was irresistibly captivating." The slightly rasping voice was "almost instantly forgotten in the beauty of his argument," which was "clear, forcible, logical and persuasive."[\[271\]](#)

Silas Wright had already been in public life eight years, first as surrogate of St. Lawrence County, afterward as state senator, and later as a member of Congress. He had also increased his earnings at the bar by holding the offices of justice of the peace, town clerk, inspector of schools, and postmaster at Canton. From the outset, he had allied himself with the Regency party, and, with unfailing regularity he had supported all its measures, even those which his better judgment opposed. His ability and gentle manners, too, apparently won the people; for, although St. Lawrence was a Clintonian stronghold, a majority of its voters believed in their young office-holder—a fact that was the more noteworthy since he had broken faith with them. In the campaign of 1823, he favoured the choice of presidential electors by the people; afterward, in the Senate, he voted against the measure. So bitter was the resentment that followed this bill's defeat, that many of the seventeen senators, who voted against it, ever

afterward remained in private life. But Wright was forgiven, and, two years later, sent to Congress, where his public career really began. In a bill finally amended into the tariff act of 1828, he sought to remove the complaint of manufacturers that the tariff of 1824 was partial to iron interests, and the criticism of agriculturalists, that the woollens bill, of 1827, favoured the manufacturer. In this debate, he gave evidence of that genius for legislation which was destined soon to shine in the United States Senate at a time when some of the fiercest political fights of the century were being waged.

It is evident Van Buren did not appreciate the capacity of Silas Wright in 1831; otherwise, instead of William L. Marcy, Wright would have succeeded Nathan Sanford in the United States Senate.^[272] Marcy had made an excellent state comptroller; his able and luminous reports had revealed the necessity of preserving the general fund, and the danger of constructing additional lateral canals. As a judge of the Supreme Court, also, his sound judgment had won him an enviable reputation, especially in the trial of the Morgan abductors, which was held at a time of great excitement and intense feeling. But, as a United States senator, Marcy failed to realise the expectations of his friends. Very likely two years were insufficient to test fairly his legislative capacity. Besides, his services, however satisfactory, would naturally be dwarfed in the presence of the statesmen then engaged in the great constitutional debate growing out of the Foote resolution, limiting the sale of public lands. Congress was rapidly making history; and the Senate, lifted into great prominence by the speeches of Webster and Hayne, had become a more difficult place than ever for a new member. At all events, Marcy did not exhibit the parliamentary spirit that seeks to lead, or which delights in the struggles of the arena where national reputations are made. He, moreover, had abundant opportunity. Thomas H. Benton says that the session of 1832 became the most prolific of party topics and party contests in the annals of Congress; yet Marcy was dumb on those subjects that were interesting every one else.

Even when the great opportunity of Marcy's senatorial career was thrust upon him—the defence of Van Buren at the time of the latter's rejection as minister to Great Britain—he failed signally. The controversy growing out of Jackson's cabinet disagreements, ostensibly because of the treatment of Mrs. Eaton, wife of the Secretary of War, but really because of Calhoun's hostility to Van Buren, due to the President's predilections for him as his

successor, had made it evident to Van Buren that an entire reorganisation of the Cabinet should take place. Accordingly, on April 11, 1831, he opened the way, by voluntarily and chivalrously resigning. President Jackson soon after appointed him minister to England, and Van Buren sailed for his post. But when the question of his confirmation came up, in the following December, Calhoun and his friends, joined by Webster and Clay, formed a combination to defeat it. Calhoun's opposition was simply the enmity of a political rival, but Webster sought to put his antagonism on a higher level, by calling Van Buren to account for instructions addressed to the American Minister at London in regard to our commercial relations with the West Indian, Bahama, and South American colonies of England.

In 1825 Parliament permitted American vessels to trade with British colonies, on condition that American ports be opened within a year to British vessels on the same terms as to American vessels. The Adams administration, failing to comply with the statute within the year, set up a counter prohibition, which was in force when Van Buren, wishing to reopen negotiations, instructed McLane, the American Minister at London, to say to England that the United States had, as the friends of the present administration contended at the time, been wrong in refusing the privileges granted by the act of 1825, but that our "views have been submitted to the people of the United States, and the counsels by which your conduct is now directed are the result of the judgment expressed by the only earthly tribunal to which the late administration was amenable for its acts." In other words, Van Buren had introduced party contests in an official dispatch, not brazenly or offensively, perhaps, but with questionable taste, and, for this, the great senators combined and spoke against him—Webster, Clay, Hayne, Ewing of Ohio, Holmes of Maine, and seven others—"just a dozen and equal to a full jury," wrote Benton. Webster said he would pardon almost anything when he saw true patriotism and sound American feeling, but he could not forgive the sacrifice of these to party. Clay characterised his language as that of an humble vassal to a proud and haughty lord, prostrating the American eagle before the British lion. In the course of his remarks, Clay also referred, in an incidental way, to the odious system of proscription practised in the State of New York, which, he alleged, Van Buren had introduced into the general government.

Only four senators spoke in Van Buren's defence, recalling the weak protest made in the Legislature on the day of DeWitt Clinton's removal as canal commissioner, but this gave William L. Marcy the greater opportunity for acquitting himself with glory and vindicating his friend. It was not a strong argument he had to meet. Van Buren had been unfortunate in his language, although in admitting that the United States was wrong in refusing the privileges offered by the British law of 1825, he did nothing more than had Gallatin, whom Adams sent to England to remedy the same difficulty. Furthermore, by assuming a more conciliatory course Van Buren had been entirely successful. To Webster's suggestion of lack of patriotism, and to Clay's declaration that the American eagle had been prostrated before the British lion, Marcy might have pointed to Van Buren's exalted patriotism during the War of 1812, citing the conscription act, which he drafted, and which Benton declared the most drastic piece of war legislation ever enacted into law. To Clay's further charge, that he brought with him to Washington the odious system of proscription, the New York senator could truthfully have retorted that the system of removals, inaugurated by Jackson, was in full swing before Van Buren reached the national capital; that if he did not oppose it he certainly never encouraged it; that of seventeen foreign representatives, the Secretary of State had removed only four; and that, in making appointments as governor, he never departed from the rule of refusing either to displace competent and trustworthy men, or to appoint the dishonest and incompetent. He could also have read Lorenzo Hoyt's wail that Van Buren would "not lend the least weight of his influence to displace from office such men as John Duer," Adams' appointee as United States attorney at New York. But Marcy did nothing of the kind. He made no use of the abundant material at hand, out of which he might have constructed a brilliant speech if not a perfect defence. Quite on the contrary he contented himself simply with replying to Clay's slur. He defended the practice of political proscription by charging that both sides did it. Ambrose Spencer, he said, the man whom Clay was now ready to honour, had begun it, and he himself "saw nothing wrong in the rule that to the victors belong the spoils of the enemy."

If the conspiracy of distinguished statesmen to defeat Van Buren's confirmation was shallow and in bad taste, Marcy's defence was scarcely above the standard of a ward politician. Indeed, the attempted defence of

his friend became the shame of both; since it forever fixed upon Marcy the odium of enunciating a vicious principle that continued to corrupt American political life for more than half a century, and confirmed the belief that Van Buren was an inveterate spoilsman.[273]

Probably an abler defence would in no wise have changed the result. From the first a majority of senators had opposed Van Buren's confirmation, several of whom refrained from voting to afford Vice President Calhoun the exquisite satisfaction of giving the casting vote. "It will kill him, sir, kill him dead," Calhoun boasted in Benton's hearing; "he will never kick, sir, never kick." This was the thought of other opponents. But Thomas H. Benton believed otherwise. "You have broken a minister and elected a Vice President," he said. "The people will see nothing in it but a combination of rivals against a competitor."

This also was the prophecy of Thurlow Weed. While the question of rejection was still under consideration, that astute editor declared "it would change the complexion of his prospects from despair to hope. His presses would set up a fearful howl of proscription. He would return home as a persecuted man, throw himself upon the sympathy of the party, be nominated for Vice President, and huzzaed into office at the heels of General Jackson." [274] On the evening Van Buren heard of his rejection, in London, Lord Auckland, afterward governor-general of India, said to him: "It is an advantage to a public man to be the subject of an outrage."

In New York, Van Buren's party took his rejection as the friends of DeWitt Clinton had taken his removal as canal commissioner. Indignation meetings were held and addresses voted. In stately words and high-sounding sentences, the Legislature addressed the President, promising to avenge the indignity offered to their most distinguished fellow citizen; to which Jackson replied with equal warmth and skill, assuming entire responsibility for the instructions given the American minister at London and for removals from office; and acquitting the Secretary of State of all participation in the occurrences between himself and Calhoun. He had called Van Buren to the State Department, the President said, to meet the general wish of the Republican party, and his signal success had not only justified his selection, but his public services had in nowise diminished confidence in his integrity and great ability. This blare of trumpets set the State on fire; and various

plans were proposed for wiping out the insult of the Senate. Some suggested Dudley's resignation and Van Buren's re-election, that he might meet his slanderers face to face; others thought he should be made governor; but the majority, guided by the wishes of the Cabinet, and the expression of friends in other States, insisted that his nomination as Vice President would strengthen the ticket and open the way to the Presidency in 1836.

When, therefore, the Democratic national convention met at Baltimore, in May, 1832, only one name was seriously considered for Vice President. Van Buren had opponents in P.P. Barbour of Virginia and Richard M. Johnson of Kentucky, but his friends had the convention. On the first ballot, he received two hundred and sixty votes out of three hundred and twenty-six. Barbour had forty, Johnson twenty-six. Delegates understood that they must vote for Van Buren or quarrel with Jackson.

Van Buren returned from London on July 5. New York was filled with a multitude to welcome him back. At a great dinner, ardent devotion, tempered by decorum, showed the loyalty of old neighbours, in whose midst he had lived, and over whom he had practically reigned for nearly a quarter of a century. Instead of killing him, the Senate's rejection had swung open a wider door for his entrance to the highest office in the gift of the people.

CHAPTER XXXV

FORMATION OF THE WHIG PARTY

1831-1834

THE campaign of 1832 seemed to be without an issue, save Van Buren's rejection as Minister to Great Britain, and Jackson's wholesale removals from office. Yet it was a period of great unrest. The debate of Webster and Hayne had revealed two sharply defined views separating the North and the South; and, although the compromise tariff act of 1832, supported by all parties, and approved by the President, had temporarily removed the question of Protection from the realm of discussion, the decided stand in favour of a State's power to annul an act of Congress had made a profound impression in the North. Under these circumstances, it was deemed advisable to organise a Clay party, and, to this end, a state convention of National Republicans, assembled in Albany in June, 1831, selected delegates to a convention, held in Baltimore in December, which unanimously nominated Henry Clay for President. The Anti-Masons, who had previously nominated William Wirt, of Maryland, and were in practical accord with the National Republicans on all questions relating to federal authority, agreed to join them, if necessary, to sustain these principles.

A new issue, however, brought them together with great suddenness. Though the charter of the United States Bank did not expire until 1836, the subject of its continuance had occupied public attention ever since President Jackson, in his first inaugural address, raised the question of its constitutionality; and when Congress convened, in December, 1831, the bank applied for an extension of its charter. Louis McLane, then secretary of the treasury, advised the president of the bank that Jackson would approve its charter, if certain specified modifications were accepted. These changes proved entirely satisfactory to the bank; but Webster and Clay

declared that the subject had assumed aspects too decided in the public mind and in Congress, to render any compromise or change of front expedient or desirable. Later in the session, the bill for the bank's recharter passed both branches of Congress. Then came the President's veto. The act and the veto amounted to an appeal to the people, and in an instant the country was on fire.

Under these conditions, the anti-masonic state convention, confident of the support of all elements opposed to the re-election of Andrew Jackson, met at Utica on June 21, 1832. Albert H. Tracy of Buffalo became its chairman. After he had warmed the delegates into enthusiastic applause by his happy and cogent reasons for the success of the party, Francis Granger was unanimously renominated for governor, with Samuel Stevens for lieutenant-governor. The convention also announced an electoral ticket, equally divided between Anti-Masons and National Republicans, headed by James Kent^[275] and John C. Spencer. In the following month, the National Republicans adopted the anti-masonic state and electoral tickets. It looked like a queer combination, a "Siamese twin party" it was derisively called, in which somebody was to be cheated. But the embarrassment, if any existed, seems to have been fairly overcome by Thurlow Weed, who patiently traversed the State harmonising conflicting opinions in the interest of local nominations.

Meantime, the Van Buren leaders proceeded with rare caution. There had been some alarming defections, notably the secession of the New York *Courier and Enquirer*, now edited by James Watson Webb, and the refusal of Erastus Root longer to follow the Jackson standard. Samuel Young had also been out of humour. Young declared for Clay in 1824, and had inclined to Adams in 1828. It was in his heart also to rally to the support of Clay in 1832. But, looking cautiously to the future, he could not see his way to renounce old associates altogether; and so, as evidence of his return, he published an able paper in defence of the President's veto. There is no indication, however, that Erastus Root was penitent. He had been playing a double game too long, and although his old associates treated him well, electing him speaker of the Assembly in 1827, 1828, and again in 1830, he could not overlook their failure to make him governor. Finally, after accepting a nomination to Congress, his speeches indicated that he was done forever with the party of Jackson.

The Republican convention, which met at Herkimer, in September, 1832, nominated William L. Marcy for governor. Marcy had reluctantly left the Supreme Court in 1831; and he did not now take kindly to giving up the United States Senate, since the veto message had made success in the State doubly doubtful. But no other candidate excited any interest. Enos T. Throop had been practically ridiculed into retirement. He was nicknamed "Small-light," and the longer he served the smaller and the more unpopular he became. If we may accept the judgment of contemporaries, he lacked all the engaging qualities that usually characterise a public official, and possessed all the faults which exaggerate limited ability.

Marcy had both tact and ability, but his opposition to the Chenango canal weakened him in that section of the State. The Chenango project had been a thorn in the Regency's side ever since Francis Granger, in 1827, forced a bill for its construction through the Assembly, changing Chenango from a reliable Jackson county to a Granger stronghold; but Van Buren now took up the matter, assuring the people that the next Legislature should pass a law for the construction of the canal, and to bind the contract Edward P. Livingston, with his family pride and lack of gifts, was unceremoniously set aside as lieutenant-governor for John Tracy of Chenango. This bargain, however, did not relieve Marcy's distress. He still had little confidence in his success. "I have looked critically over the State," he wrote Jesse Hoyt on the first day of October, "and have come to the conclusion that probably we shall be beaten. The United States Bank is in the field, and I can not but fear the effect of fifty or one hundred thousand dollars expended in conducting the election in such a city as New York."

This was a good enough excuse, perhaps, to give Hoyt. But Marcy's despair was due more to the merciless ridicule of Thurlow Weed's pen than to the bank's money. Marcy had thoughtlessly included, in one of his bills for court expenses, an item of fifty cents paid for mending his pantaloons; and the editor of the *Evening Journal*, in his inimitable way, made the "Marcy pantaloons" and the "Marcy patch" so ridiculous that the slightest reference to it in any company raised immoderate laughter at the expense of the candidate for governor. At Rochester, the Anti-Masons suspended at the top of a long pole a huge pair of black trousers, with a white patch on the seat, bearing the figure 50 in red paint. Reference to the unfortunate item often came upon him suddenly. "Now, ladies and gentlemen," shouted the driver

of a stage-coach on which Marcy had taken passage, "hold on tight, for this hole is as large as the one in the Governor's breeches." All this was telling hard upon Marcy's spirits and the party's confidence. Jesse Hoyt wrote him that something must be done to silence the absurd cry; but the candidate was without remedy. "The law provided for the payment of the judge's expenses," he said, "and while on this business some work was done on pantaloons for which the tailor charged fifty cents. It was entered on the account, and went into the comptroller's hands without a particle of reflection as to how it would appear in print." There was no suggestion of dishonesty. Weed was too skilful to raise a point that might be open to discussion, but he kept the whole State in laughter at the candidate's expense. Marcy felt so keenly the ridiculous position in which his patched pantaloons put him that, although he usually relished jokes on himself, "the patch" was a distressing subject long after he had been thrice elected governor.

The Granger forces had, however, something more influential to overcome than a "Marcy patch." Very early in the campaign it dawned upon the bankers of the State that, if the United States Bank went out of business, government deposits would come to them; and from that moment every jobber, speculator and money borrower, as well as every bank officer and director, rejoiced in the veto. The prejudices of the people, always easily excited against moneyed corporations, had already turned against the "monster monopoly," with its exclusive privileges for "endangering the liberties of the country," and now the banks joined them in their crusade. In other words, the Jackson party was sustained by banks and the opponents of banks, by men of means and men without means, by the rich and the poor. It was a great combination, and it resulted in the overwhelming triumph of Marcy and the Jackson electoral ticket.[\[276\]](#)

The western anti-masonic counties gave their usual majorities for Francis Granger, but New York City and the districts bordering the Hudson, with several interior counties, wiped them out and left the Jackson candidate ten thousand ahead.[\[277\]](#)

This second defeat of Francis Granger had a depressing influence upon his party. It had been a contest of giants. Webster's great speeches in support of the United States Bank were accepted as triumphant answers to the

arguments of the veto message, but nothing seemed capable of breaking the solid Jackson majorities in the eastern and southern counties; and, upon the assembling of the Legislature, in January, 1833, signs of disintegration were apparent among the Anti-Masons. Albert H. Tracy, despairing of success, began accepting interviews with Martin Van Buren, who sought to break anti-Masonry by conciliating its leaders. It was the voice of the tempter. Tracy listened and then became a missionary, inducing John Birdsall and other members of the Legislature to join him. Tracy had been an acknowledged leader. He was older, richer, and of larger experience than most of his associates, and, in appealing to him, Van Buren exhibited the rare tact that characterised his political methods. But the Senator from Buffalo could not do what Van Buren wanted him to do; he could not win Seward or capture the *Evening Journal*. "We had both been accustomed for years," says Thurlow Weed, "to allow Tracy to do our political thinking, rarely differing from him in opinion, and never doubting his fidelity. On this occasion, however, we could not see things from his standpoint, and, greatly to his annoyance, we determined to adhere to our principles." [278]

It must be admitted that many reasons existed well calculated to influence Tracy's action. William Wirt had carried only Vermont, and Henry Clay had received but forty-nine out of two hundred and sixty-five electoral votes. Anti-Masonry had plainly run its course. It aroused a strong public sentiment against secret societies, until most of the lodges in western New York had surrendered their charters; but it signally failed to perpetuate its hold upon the masses. The surrendered charters were soon reissued, and the institution itself became more popular and attractive than ever. These disheartening conditions were re-emphasised in the election of 1833. The county of Washington, before an anti-masonic stronghold, returned a Jackson assemblyman; and the sixth district, which had elected an anti-masonic senator in 1829, now gave a Van Buren member over seven thousand majority. But the most surprising change occurred in the eighth, or "infected district." Three years before it had given Granger thirteen thousand majority; now it returned Tracy to the Senate by less than two hundred. For a long time his election was in doubt. Of the one hundred and twenty-eight assemblymen, one hundred and four belonged to the Jackson party, and of the eight senators elected Tracy alone represented the opposition.

It was certainly not an encouraging outlook, and the leaders, after full consultation, virtually declared the anti-masonic party dissolved. But this did not, however, mean an abandonment of the field. It was impossible for men who believed in internal improvements, in the protection of American industries, and in the United States Bank, to surrender to a party controlled by the Albany Regency, which was rapidly drifting into hostility to these great principles and into the acceptance of dangerous state rights' doctrines. In giving up anti-Masonry, therefore, Weed, Seward, Granger, Whittlesey, Fillmore, John C. Spencer, and other leaders, simply intended to let go one name and reorganise under another. Several Anti-Masons, following the lead of Tracy, fell by the way, but practically all the people who made up the anti-masonic and National Republican forces continued to act together.

Several events of the year aided the opposition party. The hostility of the Jackson leaders to internal improvements aroused former Clintonians who believed in canals, and the widespread financial embarrassment alarmed commercial and mercantile interests. They resented the remark of the President that "men who trade on borrowed capital ought to fail," and the bold denial that "any pressure existed which an honest man should regret." Business men, cramped for money, or already bankrupt because the United States Bank, stripped of its government deposits, had curtailed its discounts, did not listen with patience or amiability to statements of such a character; nor were they inclined to excuse the President's action on the theory that the United States Bank had cut down its loans to produce a panic, and thus force a reversal of his policy. To them such utterances seemed to evince a want of sympathy, and opposition orators and journals took advantage of the situation by eloquently denouncing a policy that embarrassed commerce and manufactures, throwing people out of employment and bringing suffering and want to the masses.

The New York municipal election in the spring of 1834 plainly showed that the voters resented the President's financial policy. For the first time in the history of the city, the people were to elect their mayor, and, although purely a local contest, it turned upon national issues. All the elements of opposition now used the one name of "Whig." Until this time local organisations had adopted various titles, such as "Anti-Jackson," "Anti-Mortgage," and "Anti-Regency;" but the opponents of Jackson now claimed to be the true successors of the Whigs of 1776, calling their movement a

revolution against the tyranny and usurpation of "King Andrew." They raised liberty poles, spoke of their opponents as Tories, and appropriated as emblems the national flag and portraits of Washington.

The prospects of the new party brightened, too, when it nominated for mayor Gulian C. Verplanck, a member of Tammany Hall, a distinguished congressman of eight years' service, and, until then, a representative of the Jackson party, highly esteemed and justly popular. Although best known, perhaps, as a scholar and writer, Verplanck's active sympathies early led him into politics. He entered the Whig party and the mayoralty campaign with high hopes of success. He led the merchants and business men, while his opponent, Cornelius V.R. Lawrence, also a popular member of Tammany, rallied the mechanics and labouring classes. The spirited contest, characterised by rifled ballot-boxes and broken heads, revealed at once its national importance. If the new party could show a change in public sentiment in the foremost city in the Union, it would be helpful in reversing Jackson's financial policy. So the great issue became a cry of "panic" and a threat of "hard times." Like the strokes of a fire bell at night, it alarmed the people, whose confidence began to waver and finally to give way.

The evident purpose of the United States Bank was to create, if possible, the fear of a panic. By suddenly curtailing its loans, ostensibly because of the removal of the deposits, it brought such pressure upon the state banks that a suspension of specie payment seemed inevitable. To relieve this situation, Governor Marcy and the Legislature, acting with great promptness, pledged the State's credit to the banks, should the exigency require such aid, to the amount of six million dollars. This was called "Marcy's mortgage." The Whigs stigmatised it as a pledge of the people's property for the benefit of money corporations, denouncing the project as little better than a vulgar swindle in the interest of the Democratic party. Whether Marcy's scheme really averted the threatened calamity, or whether the United States Bank had already carried its contraction as far as it intended, it is certain that the fear of a panic served its purpose in the campaign. The Whigs became enthusiastic, and, as the United States Bank now began relieving the commercial embarrassment by extending its loans and giving its friends in New York special advantages, the party felt certain of victory. When the polls closed the result did not fully realise Whig anticipations; yet it disclosed a Democratic majority, cut down from five thousand to two

hundred, with a loss of the Council. Verplanck had, indeed, been beaten by one hundred and eighty-one votes; but the Common Council, carrying with it the patronage of the city, amounting to more than one million dollars a year, had been easily won. The Democrats had the shadow, it was said, and the Whigs the substance.

This election, and other successes in many towns throughout the State, greatly encouraged the leaders of the opposition. A convention held at Syracuse, in August, 1834, adopted the title of "Whig," and the new party exulted in its name. To add to the enthusiasm, Daniel Webster declared, in a letter, that, from his cradle, he had "been educated in the principles of the Whigs of '76." The New York City election was referred to as the "Lexington" of the revolution against "King Andrew," as its prototype was against King George.

The Whigs' hope of success was heightened, also, by the unanimous nomination of William H. Seward for governor. Seward was now thirty-three years of age. During his four years in the Senate, political expediency neither limited nor controlled his opinions. He had argued for reform in the military system; he had favoured the abolition of imprisonment for debt; he had vigorously opposed the attacks upon the United States Bank and the removal of the deposits; he had antagonised the Chenango canal for reasons presented by Comptroller Marcy, and he gave generously of his time in the Court of Errors. He had grown into a statesman of acknowledged genius and popularity, placing himself in sympathy with the masses, denouncing misrule and supporting measures of reform. Of all the old and experienced members of the Senate, it was freely admitted that none surpassed him in a knowledge of the affairs of the State, or in a readiness to debate leading questions. But, well fitted as he was, he did not solicit the privilege of being a candidate for governor. On the contrary, with Weed and Whittlesey, he tried to find some one else. Granger preferred going to Congress; Verplanck had not yet recovered from the chagrin and disappointment of losing the mayoralty; Maynard was dead, and James Wadsworth would not accept office. To Seward an acceptance of the nomination, therefore, appealed almost as a matter of duty.

Silas M. Stilwell of New York became the candidate for lieutenant-governor. Stilwell had been a shoemaker, and, until the organisation of the

Whig party, a stalwart supporter of the Regency, occupying a conspicuous place as an industrious and ambitious member of the Assembly. When the deposits were removed and a panic threatened he declared himself a Whig.

Confidence characterised the convention which nominated Seward and Stilwell. Young men predominated, and their enthusiasm was aroused to the highest pitch by the eloquence of Peter R. Livingston, their venerable chairman. Like a new convert, Livingston prophesied victory. Livingston had been a wheel-horse in the party of Jefferson. He had served in the Senate with Van Buren; he had taken a leading part in the convention of 1821, and he had held, with distinction, the speakership of the Assembly and the presidency of the Senate. His creed was love of republicanism and hatred of Clinton. At one time he was the faithful follower, the enthusiastic admirer, almost the devotee of Van Buren; and, so long as the Kinderhook statesman opposed Clinton, he needed Livingston. But, when the time came that Van Buren must conciliate Clinton, Livingston was dropped from the Senate. The consequences were far more serious than Van Buren intended. Livingston was as able as he was eloquent, and Van Buren's coalition with Clinton quickly turned Livingston's ability and eloquence to the support of Clay. Then he openly joined the Whigs; and to catch his influence, and the thrill of his remarkable voice, they made him chairman of their first state convention. As an evidence of their enthusiasm, the whole body of delegates, with music and flags, drove from Syracuse to Auburn, twenty-six miles, to visit their young candidate for governor.

In the same month the Democrats renominated Marcy and John Tracy, strong in prestige of past success and present power. Instantly, the two leading candidates were contrasted—Marcy, the mature and experienced statesman; Seward, a "red-haired young man," without a record and unknown to fame. Stilwell was told to "stick to his boots and shoes;" and, in resentment, tailors, printers, shoemakers, and men of other handicraft, organised in support of "the working man" against the "Jackson Aristocrats." In answer to the *Commercial Advertiser's* sneer that Seward was "red-haired," William L. Stone, with felicitous humour, told how Esau, and Cato, Clovis, William Rufus, and Rob Roy not only had red hair, but each was celebrated for having it; how Ossian sung a "lofty race of red-haired heroes," how Venus herself was golden-haired, as well as Patroclus and Achilles. "Thus does it appear," the article concluded, "that in all ages

and in all countries, from Paradise to Dragon River, has red or golden hair been held in highest estimation. But for his red hair, the country of Esau would not have been called Edom. But for his hair, which was doubtless red, Samson would not have carried away the gates of Gaza. But for his red hair, Jason would not have navigated the Euxine and discovered the Golden Horn. But for the red hair of his mistress, Leander would not have swum the Hellespont. But for his red hair, Narcissus would not have fallen in love with himself, and thereby become immortal in song. But for his red hair we should find nothing in Van Buren to praise. But for red hair, we should not have written this article. And, but for his red hair, William H. Seward might not have become governor of the State of New York! Stand aside, then, ye Tories, and 'Let go of his hair.'" [\[279\]](#)

The mottoes of this campaign illustrate the principles involved in it. "Seward and Free Soil, or Marcy with his Mortgage" was a favourite with the Whigs. "The Monster Bank Party" became the popular cry of Democrats, to which the Whigs retorted with "The Party of Little Monsters." "Marcy's Pantaloon," "No Nullification," and "Union and Liberty" also did service. Copper medals bearing the heads of candidates were freely distributed, and humorous campaign songs, set to popular music, began to be heard.

It was a lively campaign, and reports of elections in other States, showing gratifying gains, kept up the hopes of Whigs. But, at the end, the withering majorities in Democratic strongholds remained unbroken, re-electing Marcy and Tracy by thirteen thousand majority, [\[280\]](#) and carrying every senatorial district save the eighth, and ninety-one of the one hundred and twenty-two assemblymen. The Whigs had put forward their ablest men for the Legislature and for Congress, but, outside of those chosen in the infected district, few appeared in the halls of legislation, either at Albany or at Washington. Francis Granger went to Congress. "He has had a fortunate escape from his dilemma, and I rejoice at it," wrote Seward to Thurlow Weed. "He is a noble fellow, and I am glad that, if we could not make him what we wished, we have been able to put him into a career of honour and usefulness." [\[281\]](#)

Seward was not broken-hearted over his defeat. The majority against him was not so large as Granger encountered in 1832; but it was sufficiently

pronounced to send him back to his profession with the feeling that his principles and opinions were not yet wanted. "If I live," he said to Weed, "and my principles ever do find favour with the people, I shall not be without their respect. Believe me, there is no affectation in my saying that I would not now exchange the feelings and associations of the vanquished William H. Seward for the victory and 'spoils' of William L. Marcy."[\[282\]](#)

FOOTNOTES TO VOLUME I

[1] E.B. Andrews, *History of the United States*, Vol. 1, p. 172.

[2] *Ibid.*, p. 172.

[3] City Hall Park.

[4] *Memorial History of the City of New York*, Vol. 2, p. 608.

[5] John Jay, *Correspondence and Public Papers*, Vol. 1, p. 68.

[6] *Memorial History of the City of New York*, Vol. 2, p. 610.

[7] *Ibid.*, Vol. 2, p. 610.

[8] "The clause directing the governor to *nominate* officers to the Legislature for their approbation being read and debated, was generally disapproved. Many other methods were devised by different members, and mentioned to the house merely for consideration. I mentioned several myself, and told the convention at the time, that, however I might then incline to adopt them, I was not certain, but that after considering them, I should vote for their rejection. While the minds of the members were thus fluctuating between various opinions, I spent the evening of that day with Mr. Morris at your lodgings, in the course of which I proposed the plan for the institution of the Council as it now stands, and after conversing on the subject we agreed to bring it into the house the next day. It was moved and debated and carried."—John Jay, *Correspondence and Public Papers*, Vol. 1, p. 128. Letter of Jay to Robert R. Livingston and Gouverneur Morris, April 29, 1777.

[9] *Memorial History of the City of New York*, Vol. 2, p. 612.

[10] *Duke's Laws*, Vol. 1, Chap. 14.

[11] William Jay, *Life of John Jay; Jay MSS.*, Vol. 1, p. 72.

[12] John Jay, *Correspondence and Public Papers*, Vol. 1, p. 126. "Such a recommendation was introduced by Gouverneur Morris and passed, but subsequently omitted."—*Ibid.*, p. 136, *note*.

[13] *Ibid.*, p. 140.

[14] While in command of the northern department, embracing the province of New York, Schuyler was known as "Great Eye," so watchful did he become of the enemy's movements; and although subsequently, through slander and intrigue, superseded by Horatio Gates, history has credited Burgoyne's surrender largely to his wisdom and patriotism, and has branded Gates with incompetency, in spite of the latter's gold medal and the thanks of Congress.

[15] John Adams, *Life and Works*, Vol. 2, p. 349 (Diary).

[16] Thomas Jones, *History of New York*, Vol. 1, p. 3.

[17] John Jay, *Correspondence and Public Papers*, Vol. 1, p. 142.

[18] "A fragment of the canvass of 1777 shows the returns from Albany, Cumberland, Dutchess, Tryon, and Westchester, as follows: Clinton, 865; Scott, 386; Schuyler, 1012; Jay, 367; Philip Livingston, 5; Robert R. Livingston, 7. The votes from Orange and other southern counties gave the election to Clinton."—*Civil List, State of New York* (1886), p. 164. Subsequently, when the Legislature met at Kingston on September 1, Pierre Van Cortlandt as president of the Senate performed the duties of lieutenant-governor.

[19] John Jay, *Correspondence and Public Papers*, Vol. 1, p. 144.

[20] John Jay, *Correspondence and Public Papers*, Vol. 1, p. 146.

[21] William Jay, *Life of John Jay*, Vol. 1, p. 41.

[22] *Hamilton's Works* (Lodge), Vol. 3, p. 450.

[23] *Republic*, Vol. 1, p. 122.

[24] *Madison Papers*, Vol. 1, pp. 288, 291, 380.

[25] *Works*, Vol. 2, p. 16.

[26] *Hamilton's Works* (Lodge), Vol. 1, p. 277.

[27] *Journal of Congress*, Vol. 12, p. 12.

[28] *Hamilton's Works* (Lodge), Vol. 1, p. 401.

[29] In *Madison Papers*, Vol. 2, Introductory to Debates of 1787, is a history of previous steps toward union.

[30] "After an amendment of the first, so as to declare that 'the government of the United States ought to consist of a supreme legislative, judiciary, and executive,' Lansing moved a declaration 'that the powers of legislation be vested in the United States Congress.' He stated that if the Jersey plan was not adopted, it would produce the mischiefs they were convened to obviate. That the principles of that system were an equality of representation, and dependence of the members of Congress on the States. That as long as state distinctions exist, state prejudices would operate, whether the election be by the States or the people. If there was no interest to oppress, there was no need of an apportionment. What would be the effect of the other plan? Virginia would have sixteen, Delaware one representative. Will the general government have leisure to examine the state laws? Will it have the necessary information? Will the States agree to surrender? Let us meet public opinion, and hope the progress of sentiment will make future arrangements. He would like the system of his colleague (Hamilton) if it could

be established, but it was a system without example."—*Hamilton's MSS. notes*, Vol. 6, p. 77. Lansing's motion was negatived by six to four States, Maryland being divided.

[31] Yates and Lansing retired finally from the convention on July 10.

[32] "That they acted in accordance with Clinton was proved by his deportment at this time. Unreserved declarations were made by him, that no good was to be expected from the appointment or deliberations of this body; that the country would be thrown into confusion by the measure. Hamilton said 'Clinton was not a man governed in ordinary cases by sudden impulses; though of an irritable temper, when not under the immediate influence of irritation, he was circumspect and guarded, and seldom acted or spoke without premeditation or design.' When the Governor made such declarations, therefore, Hamilton feared that Clinton's conduct would induce the confusion he so confidently and openly predicted, and to exhibit it before the public in all its deformity, Hamilton published a pointed animadversion, charging these declarations upon him, and avowing a readiness to substantiate them."—John C. Hamilton, *Life of Alexander Hamilton*, Vol. 2, p. 528.

[33] *Works*, Vol. 1, p. 357. G.T. Curtis, *Commentaries on the Constitution*, pp. 371, 381, presents a very careful analysis of Hamilton's plan. For fac-simile copy of Hamilton's plan, see *Documentary History of the Constitution* (a recent Government publication), Vol. 3, p. 771.

[34] M.E. Lamb, *History of the City of New York*, Vol. 2, p. 318.

[35] *Ibid.*, Vol. 2, p. 318.

[36] W.G. Sumner, *Life of Hamilton*, p. 137.

[37] *Ibid.*, p. 135.

[38] John Fiske, *Critical Period of American History*, p. 340.

[39] John Fiske, *Essays Historical and Literary*, Vol. 1, p. 118.

[40] *Works of Hamilton*, Vol. 9, p. 548.

[41] W.G. Sumner, *Life of Hamilton*, p. 137.

[42] *Ibid.*, 137.

[43] M.E. Lamb, *History of the City of New York*, Vol. 2, p. 320.

[44] *Hamilton's Works*, Vol. 1, p. 491.

[45] *Ibid.*, p. 449.

[46] W.G. Sumner, *Life of Hamilton*, p. 139.

[47] John Fiske, *Essays Historical and Literary*, Vol. 1, p. 125.

[48] *Hamilton's Works*, Vol. 8, p. 187.

[49] *Ibid.*, p. 191.

[50] *Hamilton's Works* (Lodge), Vol. 1, p. 509.

[51] It was his son, William Alexander Duer, the brilliant and accomplished writer, who presided for thirteen years with such distinguished ability over Columbia College.

[52] "No one," said Chancellor Kent, writing of Samuel Jones, "surpassed him in clearness of intellect and in moderation and simplicity of character; no one equalled him in his accurate knowledge of the technical rules and doctrines of real property, and his familiarity with the skilful and elaborate, but now obsolete and mysterious, black-letter learning of the common law."

[53] James Parton, *Life of Aaron Burr*, Vol. 1, p. 169. "New York, much more than New England, was the home of natural leaders and family alliances. John Jay, the governor; the Schuylers, led by Philip Schuyler and his son-in-law, Alexander Hamilton; the Livingstons, led by Robert R. Livingston, with a promising younger brother, Edward, nearly twenty years his junior, and a brother-in-law, John Armstrong, besides Samuel Osgood, Morgan Lewis and Smith Thompson, other connections by marriage with the great Livingston stock; the Clintons, headed by George, the governor, and supported by the energy of DeWitt, his nephew,—all these Jays, Schuylers, Livingstons, Clintons, had they lived in New England, would probably have united in the support of their class; but being citizens of New York they quarrelled."—Henry Adams, *History of the United States*, Vol. 1, pp. 108-09.

[54] In a letter to Theodorus Bailey, Chancellor Kent, then a member of the Assembly, expressed the opinion that "things look auspicious for Burr. It will be in some measure a question of northern and southern interests. The objection of Schuyler's being related to the Secretary has weight."—William Kent, *Memoirs and Letters of James Kent*, p. 39.

[55] "The defeat of Schuyler was attributed partly to the unprepossessing austerity of his manner."—*Ibid.*, p. 38.

[56] James Parton, *Life of Aaron Burr*, Vol. 1, p. 187.

[57] *Ibid.*, 188.

[58] William Jay, *Life of John Jay*, Vol. 1, p. 162.

[59] *Ibid.*, p. 198.

[60] To Thos. Barclay, May 24, 1784, *Hist. Mag.*, 1869, p. 358.

[61] William Jay, *Life of John Jay*, Vol. 1, p. 289.

[62] George Pellew, *Life of John Jay*, p. 275.

[63] Interested in this exciting campaign was yet a younger generation, who soon contested their right-of-way to political leadership. Erastus Root was a junior at Dartmouth; Daniel D. Tompkins had just entered Columbia; Martin Van Buren was in a country school on the farm at Kinderhook; John Treat Irving was playing on the banks of the river to be made famous by his younger brother; and William W. Van Ness, the rarest genius of them all, and his younger cousin, William P. Van Ness, were listening to the voices that would soon summon them, one in support of the brilliant Federalist leader, the other as a second to Aaron Burr in the great tragedy at Weehawken on the 11th of July, 1804.

[64] A few days after Clinton's inauguration Burr wrote a Federalist friend: "I earnestly wished and sought to be relieved from the necessity of giving any opinion, particularly as it would be disagreeable to you and a few others whom I respect and wish always to gratify; but the conduct of Mr. King left me no alternative. I was obliged to give an opinion.... It would, indeed, be the extreme of weakness in me to expect friendship from Mr. Clinton. I have too many reasons to believe that he regards me with jealousy and malevolence.... Some pretend, but none can believe, that I am prejudiced in his favour. I have not even seen or spoken to him since January last." This letter had scarcely been delivered when Clinton appointed him to the Supreme Court, an office which Burr declined, preferring to remain in the Senate.

[65] *Jay MSS.*

[66] William Jay, *Life of John Jay*, Vol. 1, p. 290.

[67] *Ibid.*, p. 292.

[68] *Ibid.*, p. 289.

[69] *Ibid.*, p. 293.

[70] Jabez D. Hammond, *Political History of New York*, Vol. 1, p. 84.

[71] John Jay, 13,481; Robert Yates, 11,892. *Civil List, State of New York* (1887), p. 166.

[72] John Jay, *Second Letter on Dawson's Federalist*, N.Y., 1864, p. 19.

[73] Hamilton's *Camillus*, July 23, 1795, *Works*, Vol. 4, p. 371.

[74] *A Century of American Diplomacy*, p. 165.

[75] To Mr. Abbott, November 6, 1812, *Correspondence of Lord Colchester*, Vol. 2, p. 409.

[76] Jabez D. Hammond, *Political History of New York*, Vol. 1, p. 97.

[77] At twenty-two years of age, while witnessing the disgraceful rout of General Lee at Monmouth, North attracted the attention of Steuben, whose tactics and discipline the young officer subsequently introduced throughout the Continental army. The cordiality existing between the earnest aide and the brave Prussian, so dear to his friends, so formidable to his enemies, ripened into an affectionate regard that recalls the relation between Washington and Hamilton. After the war, with an annuity of twenty-five hundred dollars and sixteen thousand acres of land in Oneida County, the gift of New York, Steuben built a log house, withdrew from society, and played at farming, until in 1794 his remains were borne to the spot, not far from Trenton Falls, where stands the monument that bears his name. The faithful North visited and cared for him to the end, and under the terms of the will parcelled out the great estate among his tenants and old staff officers.

[78] There was a slight vein of eccentricity running through the Morris family, with its occasional outcroppings

accentuated in the presence of death. The grandfather, distinguished as chief justice of New York and governor of New Jersey, forbade in his will the payment of any one for preaching his funeral sermon, but if a person volunteered, he said, commending or blaming his conduct in life, his words would be acceptable. Gouverneur's father desired no notice of his dissolution in the newspapers, not even a simple announcement of his death. "My actions," he wrote, "have been so inconsiderable in the world, that the most durable monument will not perpetuate my folly while it lasts." It is evident that Gouverneur did not inherit from him the almost bumptious self-confidence which was to mar more than help him. That inherent defect came from his mother, who gave him, also, a brilliancy and versatility that other members of the family did not share, making him more conspicuously active in high places during the exciting days of the Revolution. Gouverneur Morris was a national character; Richard and Lewis belonged exclusively to New York.

[79] Gouverneur Morris seemed to find history-making places. With Washington and Greene he opposed the Conway cabal; with Jay and Livingston he drafted the Constitution of the State; with Hamilton and Madison he stood for the Federal Constitution, the revision of its style being committed to his pen. Then Washington needed him, first in England, afterward as minister to France; and when Monroe relieved him in 1794 he travelled leisurely through Europe for four years, meeting its distinguished writers and statesmen, forming friendships with Madame De Staël and the Neckers, aiding and witnessing the release of Lafayette from Olmutz prison, and finally assisting the young and melancholy, but gentle and unassuming Duke of Orleans, afterward King of France, to find a temporary asylum in the United States. He returned to America ten years after he had sailed from the Delaware capes, just in time to be called to the United States Senate.

[80] Rep. to the Am. Philosophical Society, Phila., May, 1803. Within four years the steamboat was running. Latrobe was architect of the Capitol at Washington, which he also rebuilt after the British burned it in 1814.

[81] William Jay, *Life of John Jay*, Vol. 1, p. 400.

[82] "The tall and graceful figure of Chancellor Livingston, and his polished wit and classical taste, contributed not a little to deepen the impression resulting from the ingenuity of his argument, the vivacity of his imagination, and the dignity of his station."—Chancellor Kent's address before The Law Association of New York, October 21, 1836. George Shea, *Life of Alexander Hamilton*, Appendix.

[83] William Jay, *Life of John Jay*, Vol. 1, p. 400.

[84] *Ibid.*

[85] John Jay, 16,012; Robert Livingston, 13,632. *Civil List, State of New York*, (1887), p. 1166.

[86] William P. Van Ness, *Examination of Charges against Aaron Burr*, p. 12.

[87] "Let us not establish a tyranny," Hamilton wrote Oliver Wolcott.—*Works of*, Vol. 8, p. 491. "Let us not be cruel or violent."—*Ibid.*, 490. He thought the Alien Law deficient in guarantees of personal liberty.—*Ibid.*, 5, 26.

[88] "Ambrose Spencer's politics were inconsistent enough to destroy the good name of any man in New England; but he became a chief-justice of ability and integrity."—Henry Adams, *History of the United States*, Vol. 1, p. 112.

[89] Jabez D. Hammond, *Political History of New York*, Vol. 1, p. 132.

[90] *Hamilton's Works* (Lodge), Vol. 8, p. 491.

[91] *Hamilton's Works* (Lodge), Vol. 8, p. 549.

- [92] *Hamilton's Works* (Lodge), Vol. 8, p. 549. Letter to Theo. Sedgwick.
- [93] *Hamilton's Works* (Lodge), Vol. 8, p. 552.
- [94] James Parton, *Life of Aaron Burr*, 267.
- [95] *Ibid.*, 267.
- [96] James Parton, *Life of Aaron Burr*, 270.
- [97] *Ibid.*, 275.
- [98] *Ibid.*, 275.
- [99] *Hamilton's Works* (Lodge), Vol. 8, p. 581.
- [100] *Hamilton's Works* (Lodge), Vol. 8, p. 584.
- [101] *Ibid.*, 581.
- [102] James Parton, *Life of Aaron Burr*, 274.
- [103] *Ibid.*, 274.
- [104] *Ibid.*, 274.
- [105] *Ibid.*, 279.
- [106] *Ibid.*, 272.
- [107] *Ibid.*, 272.
- [108] *Jefferson's Diary*, Feb. 14, 1801.
- [109] James Parton, *Life of Aaron Burr*, p. 272.
- [110] *Ibid.*, 272.
- [111] *Ibid.*, 275.
- [112] William P. Van Ness, *Examination of Charges against Aaron Burr*, p. 61.

[113] *Hamilton's Works* (Lodge), Vol. 8, p. 586.

[114] Jefferson to Livingston, Feb. 24, 1801; *Jefferson's Works*, Vol. 4, p. 360.

[115] Henry Adams, *History of the United States*, Vol. 2, p. 173. *Ibid.*, Vol. 1, p. 113.

[116] Henry Adams, *History of the United States*, Vol. 1, p. 229. *Jefferson's Works*, Vol. 9, p. 207.

[117] "When the Senate met at ten o'clock on the morning of March 4, 1801, Aaron Burr stood at the desk, and having duly sworn to support the Constitution took his seat in the chair as Vice President. This quiet, gentlemanly and rather dignified figure, hardly taller than Madison, and dressed in much the same manner, impressed with favour all who first met him. An aristocrat imbued in the morality of Lord Chesterfield and Napoleon Bonaparte, Colonel Burr was the chosen head of Northern democracy, idol of the wards of New York City, and aspirant to the highest offices he could reach by means legal or beyond the law; for, as he pleased himself with saying after the manner of the First Consul of the French Republic, 'great souls care little for small morals.'"—Henry Adams, *History of the United States*, Vol. 1, p. 195.

[118] "Mr. Oswald returned to Paris on the fourth of May (1782), having been absent sixteen days; during which Dr. Franklin informed each of his colleagues of what had occurred—Mr. Jay, at Madrid, Mr. Adams, in Holland—Mr. Laurens, on parole, in London."—James Parton, *Life and Times of Benjamin Franklin*, Vol. 2, p. 461. Franklin wrote to Adams and Laurens on April 20, suggesting that he had "hinted that, if England should make us a voluntary offer of Canada, expressly for that purpose, it might have a good effect." *Works of Franklin* (Sparks), Vol. 9, pp. 253-256. But his letter to Jay simply urged the latter's coming to Paris at

once. *Works of Franklin* (Bigelow), Vol. 8, p. 48. Also, *Works of Franklin* (Sparks), Vol. 9, p. 254.

[119] George Clinton, 24,808; Stephen Van Rensselaer, 20,843.—*Civil List, State of New York* (1887), p. 166.

[120] "Young DeWitt Clinton and his friend Ambrose Spencer controlled this Council, and they were not persons who affected scruple in matters of political self-interest. They swept the Federalists out of every office even down to that of auctioneer, and without regard to appearances, even against the protests of the Governor, installed their own friends and family connections in power."—Henry Adams, *History of the United States*, Vol. 1, pp. 228, 229. "DeWitt Clinton was hardly less responsible than Burr himself for lowering the standard of New York politics, and indirectly that of the nation."—*Ibid.*, p. 112.

[121] *Letters of "Aristides"*, p. 42.

[122] *Letters of "Aristides"*, p. 42.

[123] *Letters of "Aristides"*, p. 69.

[124] Jabez D. Hammond, *Political History of New York*, Vol. 1, p. 177.

[125] Henry Adams, *History of the United States*, Vol. 1, pp. 294-5.

[126] "All the world knew that not Cheetham, but DeWitt Clinton, thus dragged the Vice President from his chair, and that not Burr's vices but his influence made his crimes heinous; that behind DeWitt Clinton stood the Virginia dynasty, dangling Burr's office in the eyes of the Clinton family, and lavishing honours and money on the Livingstons. All this was as clear to Burr and his friends as though it was embodied in an Act of Congress."—Henry Adams, *History of the United States*, Vol. 1, pp. 331, 332.

[127] Henry Adams, *History of the United States*, Vol. 1, p. 332.

[128] *Ibid.*, 332.

Writing to Henry Post of the duel, Clinton (using the name, "Clinton," instead of the pronoun "I") said: "The affair of the duel ought not to be brought up. It was a silly affair. Clinton ought to have declined the challenge of the bully, and have challenged the principal, who was Burr. There were five shots, the antagonist wounded twice, and fell. C. behaved with cool courage, and after the affair was over challenged Burr on the field."—*Harper's Magazine*, Vol. 50, p. 565. "How Clinton should have challenged Burr on the field," writes John Bigelow, in *Harper's New Monthly Magazine* for May, 1875, "without its resulting in a meeting is not quite intelligible to us now. Though not much given to the redress of personal grievances in that way, Burr was the last man to leave a hostile message from an adversary like Clinton, then a Senator of the United States, unanswered."

[129] "Thompson was brought," says William Cullen Bryant in *Reminiscences of the Evening Post*, "to his sister's house in town; he was laid at the door; the bell was rung; the family came out and found him bleeding and near his death. He refused to name his antagonist, or give any account of the affair, declaring that everything which had been done was honourably done, and desired that no attempt should be made to seek out or molest his adversary."

[130] "DeWitt Clinton was annoyed at his uncle's conduct, and tried to prevent the withdrawal by again calling Jefferson to his aid and alarming him with fear of Burr. But the President declined to interfere. No real confidence ever existed between Jefferson and the Clintons."—Henry Adams, *History of the United States*, Vol. 2, pp. 173, 174.

[131] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 35.

[132] H.C. Lodge, *Life of Alexander Hamilton*, pp. 276-7.

[133] H.C. Lodge, *Life of Alexander Hamilton*, pp. 240-1.

[134] *Hamilton's Works* (Lodge), Vol. 8, p. 570.

[135] January 29, 1804; Lodge's *Cabot*, p. 337.

[136] *Ibid.*, p. 447.

[137] *New England Federalism*, p. 148.

[138] *Hamilton's History*, Vol. 7, p. 781; *New England Federalism*, p. 354.

[139] Henry Adams, *History of the United States*, Vol. 2, p. 180. "Pickering and Griswold could win their game only by bartering their souls; they must invoke the Mephistopheles of politics, Aaron Burr. To this they had made up their minds from the beginning. Burr's four years of office were drawing to a close. He had not a chance of regaining a commanding place among Republicans, for he was bankrupt in private and public character."—*Ibid.*, p. 171.

[140] *Hamilton's Works* (Lodge), Vol. 7, p. 325. "The struggle for control between Hamilton and the conspirators lasted to the eve of the election,—secret, stifled, mysterious; the intrigue of men afraid to avow their aims, and seeming rather driven by their own passions than guided by lofty and unselfish motives."—Henry Adams, *History of the United States*, Vol. 2, p. 184.

[141] *Hamilton's Works* (Lodge), Vol. 8, p. 608.

[142] Morgan Lewis, 30,829; Aaron Burr, 22,139.—*Civil List, State of New York* (1887), p. 166.

[143] "That all Hamilton's doings were known to Burr could hardly be doubted. He was not a vindictive man, but this was the second time Hamilton had stood in his way and vilified his character. Burr could have no reason to suppose that

Hamilton was deeply loved; for he knew that four-fifths of the Federal party had adopted his own leadership when pitted against Hamilton's in the late election, and he knew, too, that Pickering, Griswold, and other leading Federalists had separated from Hamilton in the hope of making Burr himself the chief of a Northern confederacy. Burr never cared for the past,—the present and future were his only thoughts; but his future in politics depended on his breaking somewhere through the line of his personal enemies; and Hamilton stood first in his path, for Hamilton would certainly renew at every critical moment the tactics which had twice cost Burr his prize."—Henry Adams, *History of the United States*, Vol. 2, pp. 185, 186.

[144] *Hamilton's Works* (Lodge), Vol. 8, p. 617.

[145] *Hamilton's Works* (Lodge), Vol. 8, p. 618.

[146] *Ibid.*, p. 621.

[147] *Hamilton's Works* (Lodge), Vol. 8, pp. 626-8.

[148] *Hamilton's Works* (Lodge), Vol. 8, p. 615. Letter to Theo. Sedgwick.

[149] William Kent, *Life of James Kent*, appendix, p. 328.

[150] "Orators, ministers, and newspapers exhausted themselves in execration of Burr."—Henry Adams, *History of the United States*, Vol. 2, p. 190.

[151] *Autobiography of Thurlow Weed*, p. 370.

[152] Alfred B. Street, *New York Council of Revision*, p. 429.

[153] Daniel D. Tompkins, 35,074; Morgan Lewis, 30,989.—*Civil List, State of New York* (1887), p. 166.

[154] Jefferson to Colonel Taylor, August 1, 1807; *Works*, v., 148.

[155] *Governor's Speeches*. January 26, 1808, p. 98.

[156] Daniel D. Tompkins, 43,094; Jonas Platt, 36,484.—*Civil List, State of New York* (1887), p. 166.

[157] "This, in the opinion of the Council, as a novel experiment, the result whereof, as to its influence on the community, must be merely speculative and uncertain, peculiarly requires the application of the policy which has heretofore uniformly obtained—that the powers of corporations relative to their money operations, should be of limited instead of perpetual duration."—Alfred B. Street, *New York Council of Revision*, p. 423.

[158] Jabez D. Hammond, *Political History of New York*, Vol. 1. Appendix, p. 583, Note J.

[159] Jabez D. Hammond, *Political History of New York*, Vol. 1. Appendix, p. 582, Note S.

[160] Alfred B. Street, *New York Council of Revision*, p. 427.

[161] Jabez D. Hammond, *Political History of New York*, Vol. 2. Appendix, p. 582.

[162] *Governors' Speeches*, January 28, 1812, pp. 115-8.

[163] Alfred B. Street, *New York Council of Revision*, p. 432.

[164] Of ninety-eight senators and representatives who voted, on June 18, 1812, for a declaration of war against England, seventy-six, or four less than a majority, resided south of the Delaware. No Northern State except Pennsylvania declared for war, while every Southern State except Kentucky voted solidly for it.

[165] Madison to Jefferson, April 24, 1812, *Writings*, Vol. 2, p. 532.

[166] "This unusual unanimity among the New York Republicans pointed to a growing jealousy of Virginia, which threatened to end in revival of the old alliance between New York and New England."—Henry Adams, *History of the United States*, Vol. 6, p. 215. "George Clinton, who had yielded unwillingly to Jefferson, held Madison in contempt."—*Ibid.*, Vol. 4, p. 227.

[167] "No canvass for the Presidency was ever less creditable than that of DeWitt Clinton in 1812. Seeking war votes for the reason that he favoured more vigorous prosecution of the war; asking support from peace Republicans because Madison had plunged the country into war without preparation; bargaining for Federalist votes as the price of bringing about a peace; or coquetting with all parties in the atmosphere of bribery in bank charters—Clinton strove to make up a majority which had no element of union but himself and money."—Henry Adams, *History of the United States*, Vol. 6, p. 410.

[168] Rufus King, *Life and Correspondence*, Vol. 5, p. 269.

[169] *Ibid.*, Vol. 5, p. 271.

[170] Rufus King, *Life and Correspondence*, Vol. 5, p. 281.

[171] Rufus King, *Life and Correspondence*, Vol. 5, pp. 281-4.

[172] *Ibid.*, Vol. 5, p. 283.

[173] William Allen Butler, *Address on Martin Van Buren* (1862).

[174] "DeWitt Clinton was classed by most persons as a reckless political gambler, but Martin Van Buren, when he intrigued, preferred to intrigue upon the strongest side. Yet one feeling was natural to every New York politician, whether a Clinton or a Livingston, Burr, Federalist, or Republican,—all equally disliked Virginia; and this innate

jealousy gave to the career of Martin Van Buren for forty years a bias which perplexed his contemporaries, and stood in singular contradiction to the soft and supple nature he seemed in all else to show."—Henry Adams, *History of the United States*, Vol. 6, pp. 409, 410.

[175] Jefferson to Madison, Nov. 5, 1812; *Jefferson MSS. Series V.*, Vol. XV.

[176] Daniel D. Tompkins, 43,324; Stephen Van Rensselaer, 39,718.—*Civil List, State of New York* (1887), p. 166.

[177] Winfield Scott, *Autobiography*, p. 94, *note*.

[178] Message; *Niles*, Vol. 7, p. 113.

[179] Report of Oct. 8, 1814; *Niles*, Vol. 7, p. 149.

[180] Gouverneur Morris to Timothy Pickering, Dec. 22, 1814, *Morris's Works*, Vol. 3, p. 324.

[181] "Among the least violent of Federalists was James Lloyd, recently United States senator from Massachusetts. To John Randolph's letter, remonstrating against the Hartford Convention, Lloyd advised the Virginians to coerce Madison into retirement, and to place Rufus King in the Presidency as the alternative to a fatal issue. The assertion of such an alternative showed how desperate the situation was believed by the moderate Federalists to be."—Henry Adams, *History of the United States*, Vol. 8, p. 306.

[182] Edward M. Shepard, *Martin Van Buren*, p. 62.

[183] Daniel D. Tompkins, 45,412; Rufus King, 38,647.—*Civil List, State of New York* (1887), p. 166.

[184] Henry Adams, *History of the United States*, Vol. 8, p. 163.

[185] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 411.

[186] *Ibid.*, Vol. 50, p. 411.

[187] Charles R. King, *Life and Correspondence of Rufus King*, Vol. 6, p. 97.

[188] *Governors' Speeches*, February 2, 1816, p. 132.

[189] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 412.

[190] DeWitt Clinton, 43,310; Peter B. Porter, 1479.—*Civil List, State of New York* (1887), p. 166.

[191] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 412.

[192] Charles R. King, *The Life and Correspondence of Rufus King*, Vol. 6, p. 102.

[193] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 417.

[194] Charles R. King, *Life and Correspondence of Rufus King*, Vol. 6, p. 251.

[195] Edward M. Shepard, *Life of Van Buren*, p. 71.

[196] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 412-7, 563-71.

[197] Martin Van Buren to Rufus King, January 19, 1820; Charles R. King, *Life and Correspondence of Rufus King*, Vol. 6, p. 252.

[198] Charles R. King, *Life and Correspondence of Rufus King*, Vol. 6, p. 254.

[199] Charles R. King, *Life and Correspondence of Rufus King*, Vol. 6, p. 252.

[200] *Ibid.*, Vol. 6, p. 263.

[201] Charles R. King, *Life and Correspondence of Rufus King*, Vol. 6, p. 267.

[202] Charles R. King, *Life and Correspondence of Rufus King*, Vol. 6, p. 331.

[203] *Ibid.*, Vol. 6, p. 332.

[204] DeWitt Clinton to Henry Post, in *Harper's Magazine*, Vol. 50, p. 413.

[205] DeWitt Clinton, 47,444; Daniel D. Tompkins, 45,990. —*Civil List, State of New York* (1887), p. 166.

[206] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 413.

[207] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 413.

[208] *Governors' Speeches*, November 7, 1820, p. 179.

[209] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 413.

[210] *Ibid.*, Vol. 50, p. 413.

[211] *Ibid.*, Vol. 50, p. 414.

[212] *Ibid.*, Vol. 50, p. 415.

[213] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 415.

Clearly discerning Van Buren as his most formidable competitor for political leadership, Clinton's letters to Post from 1817 to 1824 abound in vituperative allusions, as, for example: "Whom shall we appoint to defeat the arch scoundrel Van Buren?" November 30, 1820. "Of his cowardice there can be no doubt. He is lowering daily in public opinion, and is emphatically a corrupt scoundrel," August 30, 1820. "Van Buren is now excessively hated out

of the State as well as in it. There is no doubt of a corrupt sale of the vote of the State, although it cannot be proved in a court of justice," August 6, 1824. "We can place no reliance upon the goodwill of Van Buren. In his politics he is a confirmed knave." And again: "With respect to Van Buren, there is no developing the man. He is a scoundrel of the first magnitude, ... without any fixture of principle or really of virtue." "Van Buren must be conquered through his fears. He has no heart, no sincerity."

[214] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 414.

[215] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 36.

[216] *Autobiography of Thurlow Weed*, Vol. 1, p. 103.

[217] "Always an honoured citizen of New York, it has seemed fitting that the highest mountain-peak in the State by bearing his name should serve as a monument to his memory."—James F. Rhodes, *History of the United States*, Vol. 1, p. 247.

[218] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 415.

[219] Jabez D. Hammond, *Political History of New York*, Vol. 2, p. 34.

[220] Jabez D. Hammond, *Political History of New York*, Vol. 2, p. 101.

[221] *Autobiography of Thurlow Weed*, p. 86.

[222] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 507.

[223] *Ibid.*, p. 565.

[224] *Ibid.*, p. 565.

[225] Southwick received 2910 out of a total of 131,403 votes cast.—*Civil List, State of New York* (1887), p. 166.

[226] *Governors Speeches*, Aug. 2, 1824, p. 218.

[227] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 568.

[228] *Autobiography of Thurlow Weed*, p. 109.

[229] *Autobiography of Thurlow Weed*, p. 110.

[230] *Ibid.*, p. 114.

[231] *Ibid.*, p. 113.

[232] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 569. Clinton seems to have taken a particular dislike to Henry Wheaton. Elsewhere, he writes to Post: "There is but one opinion about Wheaton, and that is that he is a pitiful scoundrel."—*Ibid.*, p. 417.

[233] *Autobiography of Thurlow Weed*, p. 120.

[234] DeWitt Clinton, 103,452; Samuel Young, 87,093.—*Civil List, State of New York* (1887), p. 166.

[235] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 568.

[236] *Ibid.*, Vol. 50, p. 586.

[237] DeWitt Clinton's Letters to Henry Post, in *Harper's Magazine*, Vol. 50, p. 568.

[238] *Ibid.*, p. 568.

[239] *Ibid.*, p. 569.

[240] *Ibid.*, p. 569.

[241] *Ibid.*, p. 569.

[\[242\]](#) *Ibid.*, p. 569.

"Clinton's presidential aspirations made him a very censorious judge of all who did not sympathise with them. The four competing candidates, Crawford, Clay, Calhoun, and Adams, could hardly be paralleled, Clinton being judge, by an equal number of the twelve Cæsars of Suetonius. Crawford is 'as hardened a ruffian as Burr'; Calhoun is 'treacherous', and 'a thorough-paced political blackleg.' Adams 'in politics was an apostate, and in private life a pedagogue, and everything but amiable and honest', while his father, the ex-President, was 'a scamp.' Governor Yates is 'perfidious and weak.' Henry Wheaton's 'conduct is shamefully disgraceful, and he might be lashed naked round the world.' Chief Justice Ambrose Spencer is classed as a minus quantity, and his son John C., 'the political millstone of the West.' Peter B. Porter 'wears a mask.' Woodworth 'is a weak man, with sinister purposes.' Root is 'a bad man.' Samuel Young 'is unpopular and suspicions are entertained of his integrity.' Van Buren 'is the prince of villains.' The first impression produced is one of astonishment that a man capable of such great things could ever have taken such a lively interest, as he seemed to, in the mere scullionery of politics."—John Bigelow, in *Harper's Magazine*, March, 1875.

[\[243\]](#) *Autobiography of Thurlow Weed*, p. 127.

[\[244\]](#) *Ibid.*, p. 127.

[\[245\]](#) Jabez D. Hammond, *Political History of New York*, p. 177.

[\[246\]](#) Thurlow Weed, in his *Autobiography*, says (p. 461): "Of his estimable private character, and of the bounties and blessings he scattered in all directions, or of the pervading atmosphere of happiness and gratitude that his lifelong goodness created, I need not speak, for they are widely known and well remembered."

[247] "'I heard a great deal about Mr. Van Buren,' said Andrew Jackson, who occupied a seat in the United States Senate with him, 'especially about his non-committalism. I made up my mind that I would take an early opportunity to hear him and judge for myself. One day an important subject was under debate. I noticed that Mr. Van Buren was taking notes while one of the senators was speaking. I judged from this that he intended to reply, and I determined to be in my seat when he spoke. His turn came; and he arose and made a clear, straightforward argument, which, to my mind, disposed of the whole subject. I turned to my colleague, Major Seaton, who sat next to me. 'Major,' I said, 'is there anything non-committal about that?' 'No, sir,' said the Major."—Edward M. Shepard, *Life of Martin Van Buren*, p. 151.

"In Van Buren's senatorial speeches there is nothing to justify the charge of 'non-committalism' so much made against him. When he spoke at all he spoke explicitly; and he plainly, though without acerbity, exhibited his likes and dislikes. Van Buren scrupulously observed the amenities of debate. He was uniformly courteous towards adversaries; and the calm self-control saved him, as some great orators were not saved, from a descent to the aspersion of motive so common and futile in political debate."—*Ibid.*, p. 152.

[248] Jabez D. Hammond, *Political History of New York*, Vol. 2, p. 164.

[249] Rochester was lost off the coast of North Carolina, on June 15, 1838, by the explosion of a boiler on the steamer *Pulaski*, bound from Charleston to Baltimore. Of 150 passengers only 50 survived.

[250] Clinton's vote was 99,785—a falling off of 3,667 from 1824, while Rochester's was 96,135, an increase of 9,042 over Young's vote.—*Civil List, State of New York* (1887), p. 166.

[\[251\]](#) James Parton, *Life of Andrew Jackson*, Vol. 3, p. 131.

[\[252\]](#) *Ibid.*, p. 136.

[\[253\]](#) *Autobiography of Thurlow Weed*, p. 332.

[\[254\]](#) *Autobiography of Thurlow Weed*, p. 391.

[255] Writing of Granger, in January, 1831, Seward says: "I believe I have never told you all I thought about this star of the first magnitude in Anti-masonry, and the reason was that, with a limited personal acquaintance, I might give you erroneous impressions which I should afterward be unable to reverse. He is 'six feet and well-proportioned,' as you well know, handsome, graceful, dignified, and affable, as almost any hero of whom you have read; is probably about thirty-six or seven years old. In point of talent he has a quick and ready apprehension, a good memory, and usually a sound judgment. Has no 'genius,' in its restricted sense, not a very brilliant imagination, nor extraordinary reasoning faculties; has no deep store of learning, nor a very extensive degree of information. Yet he is intimately acquainted with politics, and with the affairs, interests, and men of the State. He is never great, but always successful. He writes with ease and speaks with fluency and elegance—never attempts an argument beyond his capacity, and, being a good judge of men's character, motives, and actions, he never fails to command admiration, respect, and esteem. Not a man do I know who is his equal in the skill of exhibiting every particle of his stores with great advantage. You will inquire about his manners. His hair is ever gracefully curled, his broad and expansive brow is always exposed, his person is ever carefully dressed, to exhibit his face and form aright and with success. He is a gallant and fashionable man. He seems often to neglect great matters for small ones, and I have often thought him a trifler; yet he is universally, by the common people, esteemed grave and great. He is an aristocrat in his feelings, though the people who know him think him all condescension. He is a prince among those who are equals, affable to inferiors, and knows no superiors. In principle he has redeeming qualities—more than enough to atone for his faults—is honest, honourable, and just, first and beyond comparison with other politicians of the day. You will ask impatiently, 'Has he a heart?' Yes. Although he

has less than those who do not know him believe him to possess, he has much more than those who meet him frequently, but not intimately, will allow him to have. He loves, esteems, and never forgets his friends; but you must not understand me that he possesses as confiding and true a heart as Berdan had, or as you think I have, or as we both know Weed has. There is yet one quality of Granger's character which you do not dream of—he loves money almost as well as power."—Frederick W. Seward, *Life of W.H. Seward*, Vol. 1, p. 171.

[256] H.B. Stanton, *Random Recollections*, p. 32.

[257] *Autobiography of Thurlow Weed*, p. 309.

[258] *Civil List, State of New York* (1887), p. 166.

[259] *Autobiography of Thurlow Weed*, p. 307.

[260] *Autobiography of Thurlow Weed*, p. 340.

[261] H.B. Stanton, *Random Recollections*, p. 25.

[262] "Writing slowly and with difficulty, Weed was for twenty years the most sententious and pungent writer of editorial paragraphs on the American press."—Horace Greeley, *Recollections of a Busy Life*, p. 312.

[263] *Autobiography of Thurlow Weed*, p. 361.

[264] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 39.

[265] Throop, 128,842; Granger, 120,361.—*Civil List, State of New York* (1887), p. 166.

[266] *Autobiography of William H. Seward*, p. 56.

[267] *Autobiography of Thurlow Weed*, p. 137.

[268] *Autobiography of Thurlow Weed*, p. 423.

[269] *Autobiography of William H. Seward*, p. 74.

[270] *Autobiography of William H. Seward*, p. 79.

[271] John S. Jenkins, *Lives of the Governors of New York*, p. 790.

[272] "Marcy was the immediate predecessor of Wright as state comptroller and United States senator. Each possessed rare talents, but they were totally dissimilar in mental traits and political methods. Both were statesmen of scrupulous honesty, who despised jobbery. Marcy was wily and loved intrigue. Wright was proverbially open and frank. Marcy never trained himself to be a public speaker, and did not shine in the hand-to-hand conflicts of a body that was lustrous with forensic talents. A man's status in the United States Senate is determined by the calibre and skill of the opponents who are selected to cross weapons with him in the forum. Wright was unostentatious, studious, thoughtful, grave. Whenever he delivered an elaborate speech the Whigs set Clay, Webster, Ewing, or some other of their leaders to reply to him."—H.B. Stanton, *Random Recollections*, p. 39.

[273] "To this celebrated and execrable defence Van Buren owes much of the later and unjust belief that he was an inveterate spoilsman. Benton truly says that Van Buren's temper and judgment were both against it."—Edward M. Shepard, *Life of Martin Van Buren*, p. 233.

[274] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 1, p. 375.

[275] "Chancellor Kent's bitter, narrow, and unintelligent politics were in singular contrast with his extraordinary legal equipment and his professional and literary accomplishments."—Edward M. Shepard, *Life of Martin Van Buren*, p. 246.

[276] "On one important question, Mr. Weed and I were antipodes. Believing that a currency in part of paper, kept at

par with specie, and current in every part of our country, was indispensable, I was a zealous advocate of a National Bank; which he as heartily detested, believing that its supporters would always be identified in the popular mind with aristocracy, monopoly, exclusive privileges, etc. He attempted, more than once, to overbear my convictions on this point, or at least preclude their utterance, but was at length brought apparently to comprehend that this was a point on which we must agree to differ."—Horace Greeley, *Recollections of a Busy Life*, p. 314.

[277] William L. Marcy, 166,410; Francis Granger, 156,672. *Civil List, State of New York* (1887), p. 166.

[278] *Autobiography of Thurlow Weed*, p. 421. Seward, in his *Autobiography*, says of Tracy, p. 166: "Albert H. Tracy is ... a man of original genius, of great and varied literary acquirements, of refined tastes, and high and honourable principles. He seems the most eloquent, I might almost say the only eloquent man in the Senate. He is plainly clothed and unostentatious. Winning in his address and gifted in conversation, you would fall naturally into the habit of telling him all your weaknesses, and giving him unintentionally your whole confidence. He is undoubtedly very ambitious; though he protests, and doubtless half the time believes, that dyspepsia has humbled all his ambition, and broken the vaultings of his spirit. I doubt not that, dyspepsia taken into the account, he will be one of the great men of the nation."

[279] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 238.

[280] William L. Marcy, 181,905; William H. Seward, 168,969.—*Civil List, State of New York* (1887), p. 166.

[281] *Autobiography of William H. Seward*, p. 241.

[282] *Autobiography of William H. Seward*, p. 241.

A POLITICAL HISTORY
OF THE
STATE OF NEW YORK

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A POLITICAL HISTORY OF THE STATE OF NEW YORK

CHAPTER I

VAN BUREN AND ABOLITION

1833-1837

AFTER Van Buren's inauguration as Vice President, he made Washington his permanent residence, and again became the President's chief adviser. His eye was now intently fixed upon the White House, and the long, rapid strides, encouraged by Jackson, carried him swiftly toward the goal of his ambition. He was surrounded by powerful friends. Edward Livingston, the able and accomplished brother of the Chancellor, still held the office of secretary of state; Benjamin F. Butler, his personal friend and former law partner, was attorney-general; Silas Wright, the successor of Marcy, and Nathaniel P. Tallmadge, the eloquent successor of the amiable Dudley, were in the United States Senate. Among the members of the House, Samuel Beardsley and Churchill C. Cambreling, firm and irrepressible, led the Administration's forces with conspicuous ability. At Albany, Marcy was governor, Charles L. Livingston was speaker of the Assembly, Azariah C. Flagg state comptroller, John A. Dix secretary of state, Abraham Keyser state treasurer, Edwin Croswell state printer and editor of the *Argus*, and Thomas W. Olcott the able financier of the Regency. All were displaying a devotion to the President, guided by infinite tact, that distinguished them as the organisers and disciplinarians of the party. "I do not believe," wrote Thurlow Weed, "that a stronger political organisation ever existed at any state capital, or even at the national capital. They were men of great ability, great industry, indomitable courage, and strict personal integrity."^[1]

John A. Dix seemed destined from the first to leave an abiding mark in history. Very early in life he was distinguished for executive ability. Although but a boy, he saw active service throughout the War of 1812, having been appointed a cadet at fourteen, an ensign at fifteen, and a second

lieutenant at sixteen. After the war, he served as aide-de-camp on the staff of General Brown, living at Fortress Monroe and at Washington, until feeble health led to his resignation in 1828. Then he began the practice of law at Cooperstown. In 1830, when Governor Throop made him adjutant-general, he removed to Albany. He was now twenty-six years old, an accomplished writer, a vigorous speaker, and as prompt and bold in his decisions as in 1861, when he struck the high, clear-ringing note for the Union in his order to shoot the first man who attempted to haul down the American flag. He was not afraid of any enterprise; he was not abashed by the stoutest opposition; he was not even depressed by failure. When the call came, he leaped up to sudden political action, and very soon was installed as a member of the Regency.

Dix had one great advantage over most of his contemporaries in political life—he was able to write editorials for the *Argus*. It took a keen pen to find an open way to its columns. Croswell needed assistance in these days of financial quakings and threatened party divisions, but he would accept it only from a master. Until this time, Wright and Marcy had aided him. Their love for variety of subject, characteristic, perhaps, of the gifted writer, presented widely differing themes, flavoured with humour and satire, making the paper attractive if not spectacular. To this work Dix, who had already published a *Sketch of the Resources of the City of New York*, now brought the freshness of a strong personality and the training of a scholar and linguist. He had come into public life under the influence of Calhoun, for whom the army expressed a decided preference in 1828; but he never accepted the South Carolinian's theory of nullification. Dix had inherited loyalty from his father, an officer in the United States army, and he was quick to strike for his country when South Carolina raised the standard of rebellion in 1861.

There was something particularly attractive about John A. Dix in these earlier years. He had endured hardships and encountered dangers, but he had never known poverty; and after his marriage he no longer depended upon the law or upon office for life's necessities. Educated at Phillips Exeter Academy, at the College of Montreal, and at St. Mary's College in Baltimore, he learned to be vigorous without egotism, positive without arrogance, and a man of literary tastes without affectation. Even long years of earnest controversy and intense feeling never changed the serene purity

of his life, his lofty purposes, or the nobility of his nature. It is doubtful if he would have found distinction in the career of a man of letters, to which he was inclined. He had the learning and the scholarly ambition. Like Benjamin F. Butler, he could not be content with a small measure of knowledge. He studied languages closely, he read much of the world's literature in the original, and he could write on political topics with the firm grasp and profound knowledge of a statesman of broad views; but he could not, or did not, turn his English into the realm of literature. Yet his *Winter in Madeira and a Summer in Spain and Florence*, published in 1850, ran through five editions in three years, and is not without interest to-day, after so many others, with, defter pen, perhaps, have written of these sunny lands. His appointment as secretary of state in 1833 made him also state superintendent of common schools, and his valuable reports, published during the seven years he filled the office, attest his intelligent devotion to the educational interests of New York, not less than his editorial work on the *Argus* showed his loyal attachment to Van Buren.

But, despite the backing of President Jackson, and the influence of other powerful friends, there was no crying demand outside of New York for Van Buren's election to the Presidency. He had done nothing to stir the hearts of his countrymen with pride, or to create a pronounced, determined public sentiment in his behalf. On the contrary, his weaknesses were as well understood without New York as within it. David Crockett, in his life of Van Buren, speaks of him as "secret, sly, selfish, cold, calculating, distrustful, treacherous," and "as opposite to Jackson as dung is to a diamond." Crockett's book, written for campaign effect, was as scurrilous as it was interesting, but it proved that the country fully understood the character of Van Buren, and that, unlike Jackson, he had no great, redeeming, iron-willed quality that fascinates the multitude. Tennessee, the home State of Jackson, opposed him with bitterness; Virginia declared that it favoured principles, not men, and that in supporting Van Buren it had gone as far astray as it would go; Calhoun spoke of the Van Buren party as "a powerful faction, held together by the hopes of plunder, and marching under a banner whereon is written 'to the victors belong the spoils.'" Everywhere there seemed to be unkindness, unrest, or indifference.

Nevertheless, Van Buren's candidacy had been so persistently and systematically worked up by the President that, from the moment of his

inauguration as Vice President, his succession to the Presidency was accepted as inevitable. It is doubtful if a man ever slipped into an office more easily than Martin Van Buren secured the Presidency. That there might be no failure at the last moment, a national democratic convention, the second one in the history of the party, was called to nominate him at Baltimore, in May, 1835, eighteen months before the election. When the time came, South Carolina, Alabama, and Illinois were unrepresented; Tennessee had one delegate, and Mississippi and Missouri only two each; but Van Buren's nomination followed with an ease and a unanimity that caused a smile even among the office-holding delegates.

Indeed, slavery was the only thing in sight to disturb Van Buren. At present, it was not larger than a cloud "like a man's hand," but the agitation had begun seriously to disturb politicians. After the North had emerged from the Missouri struggle, chafed and mortified by the treachery of its own representatives, the rapidly expanding culture of cotton, which found its way in plenty to northern seaports, had apparently silenced all opposition. A few people, however, had been greatly disturbed by the arguments of a small number of reformers, much in advance of their time, who were making a crusade against the whole system of domestic slavery. Some of these men won honoured names in our history. One of them was Benjamin Lundy. In 1815, when twenty-six years old, Lundy organised an anti-slavery association, known as the "Union Humane Society," and, in its support, he had traversed the country from Maine to Tennessee, lecturing, editing papers, and forming auxiliary societies. He was a small, deaf, unassuming Quaker, without wealth, eloquence, or marked ability; but he had courage, tremendous energy, and a gentle spirit. He had lived for a time in Wheeling, Virginia, where the horrors, inseparable from slavery, impressed him very much as the system in the British West Indies had impressed Zachary Macaulay, father of the distinguished essayist and historian; and, like Macaulay, he ever after devoted his time and his abilities to the generous task of rousing his countrymen to a full sense of the cruelties practised upon slaves.

In 1828, he happened to meet William Lloyd Garrison. Garrison's attention had not previously been drawn to the slavery question, but, when he heard Lundy's arguments, he joined him in Baltimore, demanding, in the first issue of *The Genius*, immediate emancipation as the right of the slave and

the duty of the master. William Lloyd Garrison was young then, not yet twenty-three years of age, but he struck hard, and soon found himself in jail, in default of the payment of fifty dollars fine and costs for malicious libel. At the end of forty-nine days, Arthur Tappan, of New York City, paid the fine, and Garrison, returning to Boston, issued the first number of *The Liberator* on January 1, 1830.

This opened the agitation in earnest. Garrison treated slavery as a crime, repudiating all creeds, churches, and parties which taught or accepted the doctrine that an innocent human being, however black or down-trodden, was not the equal of every other and entitled to the same inalienable rights. The South soon heard of him, and the Georgia Legislature passed an act offering a reward of five thousand dollars for his delivery into that State. Indictments of northern men by southern grand juries now became of frequent occurrence, one governor making requisition upon Governor Marcy for the surrender of Arthur Tappan, although Tappan had never been in a Southern State. The South, finding that long-distance threats, indictments, and offers of reward accomplished nothing, waked into action its northern sympathisers, who appealed with confidence to riot and mob violence. In New York City, the crusade opened in October, 1833, a mob preventing the organisation of an anti-slavery society at Clinton Hall. Subsequently, on July 4, 1834, an anti-slavery celebration in Chatham Street chapel was broken up, and five days later, the residence of Lewis Tappan was forced open and the furniture destroyed. These outrages were followed by the destruction of churches, the dismantling of schoolhouses, and the looting of dwellings, owned or used by coloured people. In October, 1835, a committee of respectable citizens of Utica, headed by Samuel Beardsley, then a congressman and later chief justice of the State, broke up a meeting called to organise a state anti-slavery society, and destroyed the printing press of a democratic journal which had spoken kindly of Abolitionists. The agitators, however, were in no wise dismayed or disheartened. It would have taken a good deal of persecution to frighten Beriah Green, or to confuse the conscience of Arthur Tappan.

In the midst of such scenes came tidings that slavery had been abolished in the British West Indies, and that the Utica indignity had been signalled by the conversion of Gerrit Smith. Theretofore, Smith had been a leading colonisationist—thereafter he was to devote himself to the principles of

abolitionism. Gerrit Smith, from his earliest years, had given evidence of precocious and extraordinary intelligence. Thurlow Weed pronounced him "the handsomest, the most attractive, and the most intellectual young man I ever met." Smith was then seventeen years old—a student in Hamilton College. "He dressed *à la* Byron," continues Weed, "and in taste and manners was instinctively perfect."^[2] His father was Peter Smith, famous in his day as one of the largest landowners in the United States; and, although this enormous estate was left the son in his young manhood, it neither changed his simple, gentle manners, nor the purpose of his noble life.^[3] By profession, Gerrit Smith was a philanthropist, and in his young enthusiasm he joined the American Colonisation Society, organised in 1817, for the purpose of settling the western coast of Africa with emancipated blacks. It was a pre-eminently respectable association. Henry Clay was its president, and prominent men North and South, in church and in state, approved its purpose and its methods. In 1820 it purchased Sherbro Island; but finding the location unfortunate, other lands were secured in the following year at Cape Mesurado, and about a thousand emigrants sent thither during the next seven years. Gerrit Smith, however, found the movement too slow, if not practically stranded, by the work of the cotton-gin and the doctrine of Calhoun, that "the negro is better off in slavery at the South than in freedom elsewhere." So, in 1830, he left the society to those whose consciences condemned slavery, but whose conservatism restrained them from offensive activity. The society drifted along until 1847, when the colony, then numbering six or seven thousand, declared itself an independent republic under the name of Liberia. In the meantime, Smith, unaided and alone, had provided homes in northern States, on farms of fifty acres each, for twice as many emancipated blacks, his gifts aggregating over two hundred thousand acres.

Gerrit Smith's conversion to abolitionism helped the anti-slavery cause, much as the conversion of St. Paul benefited the Christian church. He brought youth, courage, enthusiasm, wealth, and marked ability. Although alienated from him for years because of his peculiar creed, Thurlow Weed refers in loving remembrance to "his great intellect, genial nature, and ample fortune, which were devoted to all good works." When the people of Utica, his native town, broke up the meeting called to form a state anti-slavery society, Smith promptly invited its projectors to his home at

Peterborough, Madison County, where the organisation was completed. He was thirty-three years old then, and from that day until Lincoln's proclamation and Lee's surrender freed the negro, he never ceased to work for the abolition of slavery. The state organisation, nourished under his fostering care, led to greater activity. Anti-slavery societies began to form in every county and in most of the towns of some counties. Abolitionism did not take the place of anti-Masonry, which was now rapidly on the wane; but it awakened the conscience, setting people to thinking and, then, to talking. The great contest to abolish slavery in the British West Indies, led by the Buxtons, the Wilberforces, and the Whitbreads, had aroused public indignation in the United States, as well as in England, by the overwhelming proofs that men and women were being constantly flogged; and that branding female slaves on the breast with red-hot iron, was used as a means of punishment, as well as of identification. Other more revolting evidences of the horrors, which seemed to be the inevitable accompaniment of the slave system, found lodgment in American homes through the eloquence of the noted English abolition lecturer, George Thompson, then in this country; until the cruelties, characterising slavery in Jamaica, were supposed and believed by many to be practised in the Southern States.

Naturally enough, the principal avenue between the promoter of anti-slavery views and the voter was the United States mails, and these were freighted with abolition documents. It is likely that Harrison Gray Otis, the wealthy and aristocratic mayor of Boston, did not exaggerate when he advised the southern magistrate, who desired the suppression of Garrison's *Liberator*, that "its office was an obscure hole, its editor's only visible auxiliary a negro boy, and his supporters a few insignificant persons of all colours;"^[4] but the Southerners knew that from that "obscure hole" issued a paper of uncompromising spirit, which was profoundly impressing the people of the United States, and their journals and orators teemed with denunciations. The Richmond *Whig* characterised Abolitionists as "hell-hounds," warning the northern merchants that unless these fanatics were hung they would lose the benefit of southern trade. A Charleston paper threatened to cut out and "cast upon the dunghill" the tongue of any one who should lecture upon the evils or immorality of slavery. The *Augusta Chronicle* declared that if the question be longer discussed the Southern States would secede and settle the matter by the sword, as the only possible

means of self-preservation. A prominent Alabama clergyman advised hanging every man who favoured emancipation, and the Virginia Legislature called upon the non-slave-holding States to suppress abolition associations by penal statutes.

In the midst of such sentiments, it was evident to Van Buren, whose election depended upon the Southern States, that something definite must be done, and that nothing would be considered definite by the South which did not aim at the total abolition of the anti-slavery agitator. Accordingly, his friends held meetings in every county in the State, adopting resolutions denouncing them as "fanatics and traitors to their country," and indorsing Van Buren "as a patriot opposed to the hellish abolition factions and all their heresies." Van Buren himself arranged for the great meeting at Albany at which Governor Marcy presided. "I send you the inclosed proceedings of the citizens of Albany," wrote Van Buren to the governor of Georgia, "and I authorise you to say that I concur fully in the sentiments they advance."

In commenting upon the Albany meeting, Thurlow Weed, with the foresight of a prophet, wrote in the *Evening Journal*: "This question of slavery, when it becomes a matter of political controversy, will shake, if not unsettle, the foundations of our government. It is too fearful, and too mighty, in all its bearings and consequences, to be recklessly mixed up in our partisan conflicts."^[5] When the Legislature convened, in January, 1836, Governor Marcy took up the question in his message. "I cannot doubt," he said, "that the Legislature possesses the power to pass such penal laws as will have the effect of preventing the citizens of this State, and residents within it, from availing themselves, with impunity, of the protection of its sovereignty and laws, while they are actually employed in exciting insurrection and sedition in a sister State, or engaged in treasonable enterprises, intending to be executed therein."^[6] Not content with this show of loyalty to the South on the part of his friends, Van Buren secured the support of Silas Wright and Nathaniel P. Tallmadge for the bill, then pending in the United States Senate, prohibiting postmasters from knowingly transmitting or delivering any documents or papers relating to the abolition of slavery, and when the measure, on a motion for engrossment, received a tie vote, Van Buren cast the decisive vote in the affirmative.^[7]

Van Buren's prompt action gave him the confidence and support of three-fourths of the slave-holding States, without losing his hold upon the Democracy of the free States. Indeed, there was nothing new that the Whigs could oppose to Van Buren. They were not ready to take the anti-slavery side of the issue, and questions growing out of the bank controversy had practically been settled in 1832. This, therefore, was the situation when the two parties in New York assembled in convention, in September, 1836, to nominate state candidates. Marcy and John Tracy were without opposition. From the first moment he began to administer the affairs of the State, Marcy must have felt that he had found his work at last.

The Whigs were far from being united. Henry Clay's disinclination to become a nominee for President resulted in two Whig candidates, Hugh L. White of Tennessee, the favourite of the southern Whigs, and William Henry Harrison, preferred by the Eastern, Middle, and Western States. This weakness was soon reflected in New York. Thurlow Weed was full of forebodings, and William H. Seward found his law office more satisfactory than a candidate's berth. Like Clay he was perfectly willing another should bear the burden of inevitable defeat. So the Whigs put up Jesse Buel for governor, Gamaliel H. Barstow for lieutenant-governor, and an electoral ticket favourable to Harrison.

Jesse Buel was not a brilliant man. He was neither a thinker, like Seward, nor an orator, like Granger; but he was wise, wealthy, and eminently respectable, with enough of the statesman in him to be able to accept established facts and not to argue with the inexorable. Years before, he had founded the *Albany Argus*, editing it with ability and great success. Through its influence he became state printer, succeeding Solomon Southwick, after the latter's quarrel with Governor Tompkins over the Bank of America. This was in 1813. Three years later Thurlow Weed, then a young man of nineteen, worked for him as a journeyman printer. "From January till April," he writes, "I uniformly reached the office before daylight, and seldom failed to find Mr. Buel at his case, setting type by a tallow candle and smoking a long pipe." Buel made so much money that the party managers invited him to let others, equally deserving, have a turn at the state printing. So he went into the Assembly, distinguishing himself as an able, practical legislator. But he gradually drew away from the Democrats, as their financial policy became more pronounced; and upon the organisation of the Whig party

gave it his support. Had he chosen he might have been its candidate for governor in 1834; and it is difficult to understand why he should have accepted, in 1836, with little expectation of an election, what he declined two years before when success seemed probable.

Gamaliel H. Barstow had been a Clintonian and an anti-Clintonian, a follower and a pursuer of Van Buren, an Adams man and an Anti-Mason—everything, in fact, except a Federalist. But, under whatever standard he fought, and in whatever body he sat, he was a recognised leader, full of spirit, fire, and force. In 1824, he had stood with James Tallmadge and Henry Wheaton at the head of the Adams party; in 1831, he had accompanied John C. Spencer and William H. Seward to the national anti-masonic convention at Baltimore; and, in the long, exciting debate upon the bill giving the people power to choose presidential electors, he exhibited the consummate shrewdness and sagacity of an experienced legislator. There was nothing sinister or vindictive about him; but he had an unsparing tongue, and he delighted to indulge it. This is what he did in 1836. Having turned his back upon the Democratic party, the campaign to him became an occasion for contrasting the past and "its blighting Regency majorities" with the future of a new party, which, no doubt, seemed to him and to others purer and brighter, since the longer it was excluded from power the less opportunity it had for making mistakes.

But 1836 was a year of great prosperity. The undue depression of 1835 was now succeeded by commercial activity and an era of expansion and inflation. Visionary schemes were everywhere present. Real estate values doubled, farms were platted into village lots, wild lands were turned into farms, and a new impulse was given to legitimate and illegitimate enterprises. Stocks rose, labour went up, farm products sold at higher prices, and the whole country responded to the advantages of the money plethora. Democracy rode on the crest of the wave, and Jackson's financial policy was accepted with joy.

Nevertheless the Whig party, hoping to strengthen its numbers in Congress, did not relax its zeal. When the vote, however, revealed nearly thirty thousand majority for Marcy^[8] and the Van Buren electoral ticket, with ninety-four Democrats in the Assembly and only one Whig in the Senate, it made Thurlow Weed despair for the Republic.

CHAPTER II

SEWARD ELECTED GOVERNOR

1836-1838

THE overwhelming defeat of the Whigs, in 1836, left a single rift in the dark cloud through which gleamed a ray of substantial hope. It was plain to the most cautious business man that if banking had been highly remunerative, with the United States Bank controlling government deposits, it must become more productive after Jackson had transferred these deposits to state institutions; and what was plain to the conservative banker, was equally patent to the reckless speculator. The legislatures of 1834 and 1835, therefore, became noted as well as notorious for the large number of bank charters granted. As the months passed, increased demands for liberal loans created an increasing demand for additional banks, and the greater the demand the greater the strife for charters. Under the restraining law of the State, abundant provision had been made for a fair distribution of bank stocks; but the dominant party, quick to take an advantage helpful to its friends, carefully selected commissioners who would distribute it only among their political followers. At first it went to merchants or capitalists in the locality of the bank; but gradually, Albany politicians began to participate, and then, prominent state officers, judges, legislators and their relatives and confidential friends, many of whom resold the stock at a premium of twenty to twenty-five per cent. before the first payment had been made. Thus, the distribution of stock became a public scandal, deplored in the messages of the Governor and assailed by the press. "The unclean drippings of venal legislation," the New York *Evening Post* called it. But no remedy was applied. The Governor, in spite of his regrets, signed every charter the Legislature granted, and the commissioners, as if ignorant

of the provisions to secure a fair distribution of the stock, continued to evade the law with boldness and great facility.

Members of the Democratic party in New York City, who believed that banking, like any other business, ought to be open to competition, had organised an equal rights party in 1834 to oppose all monopolies, and the bank restraining law in particular. Several meetings were held during the summer. Finally, in October, both factions of Tammany Hall attempted forcibly to control its proceedings, and, in the contest, the lights were extinguished. The Equal Righters promptly relighted them with loco-foco or friction matches and continued the meeting. From this circumstance they were called Locofocos, a name which the Whigs soon applied to the whole Democratic party.

The Equal Rights party was not long-lived. Two years spanned its activity, and four or five thousand votes measured its strength; but, while it lasted, it was earnest and the exponent of good principles. In 1836, these people held a state convention at Utica, issued a declaration of principles, and nominated a state and congressional ticket. In New York City, the centre of their activity, Frederick A. Tallmadge was put up for state senator and Edward Curtis for Congress, two reputable Whigs; and, to aid them, the Whig party fused successfully with the Equal Righters, electing their whole ticket. This victory was the one ray of hope that came to the Whigs out of the contest of 1836. It proved that some people were uneasy and resentful.

But other Whig victories were soon to follow. Reference has already been made to the unprecedented prosperity that characterised the year 1836. This era of expansion and speculative enterprises, which began with the transfer of government deposits, continued at high pressure under the influence of the newly chartered banks. With such a money plethora, schemes and projects expanded and inflated, until success seemed to turn the heads of the whole population. So wild was the passion for new enterprises, that one had only to announce a scheme to find people ready to take shares in it. Two per cent. a month did not deter borrowers who expected to make one hundred per cent. before the end of the year. In vain did the Governor inveigh against this "unregulated spirit of speculation." As the year advanced, men grew more reckless, until stocks and shares were quickly purchased at any price without the slightest care as to the risk taken.

The beginning of the end of this epoch of insane speculation was felt, early in the spring of 1837, by a money pressure of unexampled severity. Scarcely had its effect reached the interior counties, before every bank in the country suspended specie payments. Then confidence gave way, and tens of thousands of people, who had been wealthy or in comfortable circumstances, waked up to the awful realisation of their bankruptcy and ruin. The panic of 1837 reached the proportions of a national calamity. Most men did not then know the reason for the crash, and the knowledge of those who did, brought little comfort. But, gradually, the country recognised that the prosperity of a nation is not increased in proportion to the quantity of paper money issued, unless such currency be maintained at its full value, convertible, at pleasure, into hard cash—the money standard of the world.

It so happened that the Legislature had not adjourned when the crash came, and, without a moment's delay, it suspended for one year the section of the Safety Fund act forbidding banks to issue notes after refusing to pay them in coin on demand; but it refused to suspend the act, passed in March, 1835, prohibiting the issue or circulation of bills under the denomination of five dollars. This left the people without small bills, and, as New York banks dared not issue them, necessity forced into circulation foreign bills, issued by solvent and insolvent banks, the losses from which fell largely upon the poorer classes who could not discriminate between the genuine and the spurious. So great was the inconvenience and loss suffered by the continuance of this act, that the people petitioned the Governor to call an extra session of the Legislature for its repeal; but Marcy declined, for the reason that the Legislature had already refused to give the banks the desired authority. Thus, the citizens of New York, staggering under a panic common to the whole country, were compelled to suffer the additional hardships of an irredeemable, and, for the most part, worthless currency, known as "shin-plasters."

In the midst of these "hard times," occurred the election in November, 1837. The New York municipal election, held in the preceding spring and resulting, with the help of the Equal Righters, in the choice of a Whig mayor, had prepared the way for a surprise; yet no one imagined that a political revolution was imminent. But the suffering people were angry, and, like a whirlwind, the Whigs swept nearly every county in the State. Of one hundred and twenty-eight assemblymen, they elected one hundred and

one, and six of the eight senators. It happened, too, that as the triennial election of sheriffs and clerks occurred this year, the choice of these officers swelled the triumph into a victory that made it the harder to overthrow. In a moment, the election of 1837 had given the Whigs a powerful leverage in local contests, enabling them to build up a party that could be disciplined as well as organised. To add to their strength, the Legislature, when it convened, in January, 1838, proceeded to take the "spoils." Luther Bradish was chosen speaker, Orville L. Holley surveyor-general, and Gamaliel L. Barstow state treasurer. It also suspended for two years the act prohibiting banks from issuing small bills, passed a general banking law, and almost unanimously voted four millions for enlarging the Erie canal.

Although the spring elections of 1838 showed a decided falling off in the Whig vote, hopes of carrying the State in November were so well founded that Whig candidates for governor appeared in plenty. Looking back upon the contest from a distance, especially with the present knowledge of his superlative fitness for high place, it seems strange that William H. Seward should not have had an open way in the convention. But Francis Granger had also won the admiration of his party by twice leading a forlorn hope. Amidst crushing defeat he had never shown weariness, and his happy disposition kept him in friendly touch with his party. The Chenango people were especially ardent in his support. Twice he had forced their canal project through a hostile Assembly, and they did not forget that, in the hour of triumph, Seward opposed it. Besides, Granger had distinguished himself in Congress, resisting the policy of Jackson and Van Buren with forceful argument and ready tact. He was certainly a man to be proud of, and his admirers insisted with great pertinacity that he should now be the nominee for governor.

There was another formidable candidate in the field. Luther Bradish had proved an unusually able speaker, courteous in deportment, and firm and resolute in his rulings at a time of considerable political excitement. He had entered the Assembly from Franklin in 1828, and, having early embraced anti-Masonry with Weed, Granger, and Seward, was, with them, a leader in the organisation of the Whig party. The northern counties insisted that his freedom from party controversies made him peculiarly available, and, while the supporters of other candidates were quarrelling, it was their intention, if possible, to nominate him. Seward and Granger were eager for the

nomination, but neither seems to have encouraged the ill-will which their followers exhibited. Indeed, Seward evidenced a disposition to withdraw; and he would doubtless have done so, had not his friends, and those of Granger, thought it better to let a convention decide. As the campaign grew older, the canvass proceeded with asperity. Granger's adherents accused Seward of an unjust conspiracy to destroy him, and of having canvassed the State, personally or by agents, to secure the prize even at the cost of a party division. They charged him with oppressing the settlers in Chautauqua, with editing the *Albany Journal*, with regulating the Bank of the United States, and controlling the movements of Henry Clay. "I am already so wearied of it," Seward wrote, "that, if left to myself, I should withdraw instantly and forever. I am ill-fitted for competition with brethren and friends. But with a clear conscience and greater magnanimity than there is manifested toward me, I shall go safely through all this storm."^[9]

The confidence disclosed in the closing sentence was due largely to his confidence in Thurlow Weed. The editor of the *Albany Journal* seriously desired to take no part in the choice of delegates, since his personal and political relations with all the candidates were intimate and confidential; but he had known Granger longer than the others, and, if controlled by personal friendship, he must have favoured the Ontario candidate. Weed, however, believed that Seward's nomination would awaken greater enthusiasm, especially among young men, thus giving the ticket its best chance of success. At the last moment, therefore, he declared in favour of the Auburn statesman.

The sequel showed that his help came none too soon. Four informal ballots were taken, and, on the following day the formal and final one. The first gave Seward 52, Granger 39, and Bradish 29, with 4 for Edwards of New York. This was supposed to be Granger's limit. On the second ballot, Bradish's friends transferred thirteen votes to him, making Seward 60, Granger 52, Bradish 10, and Edwards 3. If this was a surprise to the friends of Seward, the third ballot was a tremendous shock, for Seward fell off to 59, and Granger got 60. Bradish had 8. Then Weed went to work. Though he had understood that Granger, except in a few counties, had little strength, the last ballot plainly showed him to be the popular candidate; and during an intermission between the third and fourth ballots, the *Journal's* editor exhibited an influence few men in the State have ever exercised. The

convention was made up of the strongest and most independent men in the party. Nearly all had held seats in the state or national legislature, or had occupied other important office. Experience had taught them to act upon their own convictions. The delegates interested in the Chenango Valley canal were especially obstinate and formidable. "Weed," said one of them, "tell me to do anything else; tell me to jump out of the window and break my neck, and I will do it to oblige you; but don't ask me to desert Granger!" [10] Yet the quiet, good-natured Weed, his hand softly purring the knee of his listener as he talked—never excited, never vehement, but sympathetic, logical, prophetic—had his way. The fourth ballot gave Seward 67, Granger 48, Bradish 8. The work was done. When the convention reassembled the next morning, on motion of a warm supporter of Granger, the nomination was made unanimous, and Bradish was named for lieutenant-governor by acclamation.

Much disappointment was exhibited by Granger's friends, especially the old anti-Mason farmers who were inclined to reproach Weed with disloyalty. Granger himself stoically accepted defeat and zealously supported the ticket. He had said to a departing delegate, "if either Mr. Seward or Mr. Bradish attain a majority at the informal ballot, my friends must give the successful competitor their united support." [11] How heartily Seward would have responded under like circumstances is evidenced by his action when a premature report went forth of Granger's selection. Being informed of it, Seward at once told his friends that Auburn must be the first to ratify, and immediately set to work preparing resolutions for the meeting.

Thurlow Weed was pre-eminently a practical politician. He believed in taking advantage of every opportunity to strengthen his own party and weaken the adversary, and he troubled himself little about the means employed. He preferred to continue the want of small bills for another year rather than allow the opposite party to benefit by a repeal of the obnoxious law; he approved Van Buren's course in the infamous Fellows-Allen controversy; and, had he been governor in place of John Jay in 1800, the existing Legislature would undoubtedly have been reconvened in extra session, and presidential electors chosen favourable to his own party, as Hamilton wanted. But, at the bottom of his nature, there was bed-rock principle from which no pressure could swerve him. He could exclaim with Emerson, "I will say those things which I have meditated for their own sake

and not for the first time with a view to that occasion." In these words is the secret of his relation to the Whig party. He asked no office, and he gave only the ripe fruit of his meditative life. It is not to be supposed that, in 1838, he saw in the young man at Auburn the astute United States Senator of the fifties; or the still greater secretary of state of the Civil War; but he had seen enough of Seward to discern the qualities of mind and heart that lifted him onto heights which extended his horizon beyond that of most men, enabling him to keep his bearing in the midst of great excitement, and, finally, in the presence of war itself. Seward saw fewer things, perhaps, than the more active and eloquent Granger, but Weed knew that he saw more deeply.[\[12\]](#)

The Democratic state convention assembled at Herkimer on September 12, and unanimously renominated William L. Marcy and John Tracy. Marcy had made an able governor for three consecutive terms. His declaration that "to the victors belong the spoils" had not impaired his influence, since all parties practised, if they did not preach it; and, although he stultified himself by practically recommending and finally approving the construction of the Chenango canal, which he bitterly opposed as comptroller, he had lost no friends. Canal building was in accord with the spirit of the times. A year later, he had recommended an enlargement of the Erie canal; but when he discovered that the Chenango project would cost two millions instead of one, and the Erie enlargement twelve millions instead of six, he protested against further improvements until the Legislature provided means for paying interest on the money already borrowed. He clearly saw that the "unregulated spirit of speculation" would lead to ruin; and, to counteract it, he appealed to the Legislature, seeking to influence the distribution of bank stock along lines set forth in the law. But Marcy failed to enforce his precepts with the veto. In refusing, also, to reassemble the Legislature, for the repeal of the Small Bills act, the passage of which he had recommended in 1835, he gave the *Evening Post* opportunity to assail him as "a weak, cringing, indecisive man, the mere tool of a monopoly junto—their convenient instrument."

Marcy held office under difficult conditions. The panic, coming in the summer of 1837, was enough to shatter the nerves of any executive; but, to the panic, was now added the Canadian rebellion which occurred in the autumn of 1837. Though not much of a rebellion, William L. McKenzie's

appeal for aid to the friends of liberty aroused hundreds of sympathetic Americans living along the border. Navy Island, above the Falls of Niagara, was made the headquarters of a provisional government, from which McKenzie issued a proclamation offering a reward for the capture of the governor-general of Canada and promising three hundred acres of land to each recruit.

The Canadian authorities effectually guarded the border, and destroyed the *Caroline*, presumably an insurgent steamer, lying at Schlosser's dock on the American side. In the conflict, one member of the crew was killed, and several wounded. The steamer proved to be an American vessel, owned by New York parties, and its destruction greatly increased the indignation against Canada; but Governor Marcy did not hesitate to call upon the people to refrain from unlawful acts within the territory of the United States; and, to enforce his proclamation, supplied General Scott, now in command of the Canadian frontier, with a force of militia. The American troops quickly forced the abandonment of Navy Island, scattered the insurgents and their allies to secret retreats, and broke up the guerrilla warfare. The loss of life among the patriots, due to their audacity and incompetent leadership, was considerable, and the treatment of prisoners harsh and in some instances inhuman. Many young men of intelligence and character were banished for life to Van Dieman's Land, McKenzie was thrown into a Canadian dungeon, and, among others, Van Schoultz, a brave young officer and refugee from Poland, who led an unsuccessful attack upon Prescott, was executed. Small as was the uprising, it created an intense dislike of Marcy among the friends of those who participated in it.

Still another political splinter was festering in Marcy's side. Several leading Democrats, who had sustained Jackson in his war upon the United States Bank, and in his removal of the deposits, refused to adopt Van Buren's sub-treasury scheme, proposed to the extra session of Congress, convened in September, 1837. This measure meant the disuse of banks as fiscal agents of the government, and the collection, safekeeping, and disbursement of public moneys by treasury officials. The banks, of course, opposed it; and thousands who had shouted, "Down with the United States Bank," changed their cry to "Down with Van Buren and the sub-treasury scheme." Among those opposing it, in New York, Nathaniel P. Tallmadge, a Democratic United States senator, took the lead, calling a state convention to meet at

Syracuse. This convention immediately burned its bridges. It denounced Van Buren, it opposed Marcy, and it indorsed Seward. Behind it were bank officers and stockholders who were to lose the privilege of loaning the money of the United States for their own benefit, and the harder it struck them the more liberally they paid for fireworks and for shouters.

If trouble confronted the Democrats, discouragement oppressed the Whigs. Under the direction of Gerrit Smith the Abolitionists were on the war-path, questioning Seward as to the propriety of granting fugitive slaves a fair trial by jury, of abolishing distinctions in constitutional rights founded solely on complexion, and of repealing the law authorising the importation of slaves into the State and their detention as such during a period of nine months. Seward avowed his firm faith in trial by jury and his opposition to all "human bondage," but he declined making ante-election pledges. He preferred to wait, he said, until each case came before him for decision. Seward undoubtedly took the wise course; but he did not satisfy the extremists represented by Smith, and many of the Whig leaders became panic-stricken. "The Philistines are upon us," wrote Millard Fillmore, who was canvassing the State. "I now regard all as lost irrevocably. We shall never be able to burst the withes. Thank God, I can endure it as long as they, but I am sick of our Whig party. It can never be in the ascendant."[\[13\]](#)

Francis Granger was no less alarmed. He estimated the Abolitionist vote at twenty thousand, "and before the grand contest of 1840," he wrote Weed, "they will control one-fourth the votes of the State. They are engaged in it with the same honest purpose that governed the great mass of Anti-Masons."[\[14\]](#) The young candidate at Auburn was also in despair. "I fear the State is lost," he wrote Weed on November 4. "This conclusion was forced upon me strongly by news from the southern tier of counties, and is confirmed by an analogy in Ohio. But I will not stop to reason on the causes. Your own sagacity has doubtless often considered them earlier and more forcibly than mine."[\[15\]](#)

But Horace Greeley did not share these gloomy forebodings. He was then engaged in editing the *Jeffersonian*, a weekly journal of eight pages, which had been established in February solely as a campaign newspaper. His regular business was the publication of the *New Yorker*, a journal of literature and general intelligence. During the campaign he consented to

spend two days of each week at Albany making up the *Jeffersonian*, which was issued from the office of the *Evening Journal*, and he was doing this work with the indefatigable industry and marvellous ability that marked his character.

Greeley had battled for a place in the world after the manner of Thurlow Weed. He was born on a New Hampshire farm, he had worked on a Vermont farm, and for a time it seemed to him as if he must forever remain on a farm; but after a few winters of schooling he started over the Vermont hills to learn the printer's trade. A boy was not needed in Whitehall, and he pushed on to Poultney. There he found work for four years until the *Northern Spectator* expired. Then he went back to the farm. But newspaper life in a small town had made him ambitious to try his fortunes in a city, and, journeying from one printing office to another, he finally drifted, in 1831, at the age of twenty, into New York.

Up to this time Greeley's life had resembled Weed's only in his voracious appetite for reading newspapers. He cared little for the boys about town and less for the sports of youth; he could dispense with sleep, and wasted no time thinking about what he should eat or wear; but books, and especially newspapers, were read with the avidity that a well-fed threshing machine devours a stack of wheat. He seemed to have only one ambition—the acquisition of knowledge and the career of a man of letters, and in his efforts to succeed, he ignored forms and social usages, forgot that he had a physical body to care for, and detested man-worship. Standing at last before a printer's case on Broadway, he was able to watch, almost from the beginning, the great political drama in which he was destined to play so great a part. Seward had just entered the State Senate; Weed, having recently established the *Evening Journal*, was massing the Anti-Masons and National Republicans for their last campaign; William Lloyd Garrison had issued the first number of the *Liberator*; Gerrit Smith, already in possession of his father's vast estate, still clung to the Liberian colonisation scheme; and Van Buren, not yet returned from England, was about entering upon the last stage of his phenomenally successful political career. Politicians for the first time disturbed about the tariff, the bank, and internal improvements, had come to the parting of the ways; the old order of things had ended under John Quincy Adams—the new had just commenced under Andrew Jackson. But the young compositor needed no guide-post to direct his

political footsteps. In 1834, he had established the *New Yorker* and those who read it became Whigs. His mind acted upon other minds of a certain constitution with wonderful magnetism, attracting thousands of readers by his marvellous gift of expression and the broad sympathies and clear discernments that characterised his writings. He had his own ideas about the necessity for reforms, and he seems easily to have fallen a victim to countless delusions and illusions which young visionaries and gray-headed theorists brought to him; but, in spite of remonstrances and crushing opposition, he stood resolutely for whatever awoke the strongest emotions of his nature.

Thurlow Weed had been a constant reader of the *New Yorker*. He did not know the name of its editor and had never taken the trouble to inquire, but when a cheap weekly Whig newspaper was needed for a vigorous campaign in 1838, the editor of the *New Yorker*, whoever he might be, seemed the proper man to edit and manage it. Going to New York, he called at the Ann Street office and found himself in the presence of a young man, slender, light-haired, slightly stooping, and very near-sighted, who introduced himself as Horace Greeley. At the moment, he was standing at the case, with coat off and sleeves rolled up, setting type with the ease and rapidity of an expert. "When I informed him of the object of my visit," says Weed, "he was, of course, surprised, but evidently gratified. Nor was his surprise and gratification diminished to learn that I was drawn to him without any other reason or information but such as I had derived from the columns of the *New Yorker*. He suggested the *Jeffersonian* as the name for the new paper, and the first number appeared in February, 1838."^[16]

It is one of the privileges of genius to discern the genius of others; but even Thurlow Weed could not have dreamed that he was giving opportunity to a man whose name was to rank higher than his own in history. There was a certain affinity between the intellectual nature of the two men, and they had now a common object. Both were journalists of tremendous energy, indomitable industry, and marvellous gifts; but Weed was a politician, Greeley a political preacher. Weed's influence lay in his remarkable judgment, his genius for diplomacy, and his rare gift of controlling individuals by personal appeal and by the overpowering mastery of his intellect; Greeley's supremacy grew out of his broad sympathies with the human race and his matchless ability to write. Weed's field of operations

was confined largely to the State of New York and to delegates and men of influence who assemble at national conventions; Greeley preached to the whole country, sweeping along like a prairie fire and converting men to his views as easily as steel filings are attracted to the magnet. From the outset he was above dictation. He lacked judgment, and at times greatly grieved the friends who were willing to follow him through fire and flood; but once his mind was made up he surrendered his understanding, his consciousness of convictions, of duty, and of public good, to no man or set of men. "I trust we can never be enemies," he once wrote Weed, "but better anything than I should feel the weight of chains about my neck, that I should write and act with an eye to any man's pleasure, rather than to the highest good."^[17]

As the editor of the *Jeffersonian*, which now quickly won a multitude of readers, he did his work with marked ability, discussing measures calmly and forcibly, and with an influence that baffled his opponents and surprised his friends. Greeley seems never to have been an immature writer. His felicity of expression and ability to shade thought, with a power of appeal and invective that belongs to experience and mature age, came to him, as they did to Hamilton, before he was out of his teens, and whether he was right or whether he was wrong, he was always the most interesting, always the most commanding figure in American journalism in the epoch-making political controversies of his day.

The Whigs thought it a happy omen that election day, November 7, came this year on the anniversary of General Harrison's victory at Tippecanoe. As the returns came in Seward's friends grew more elated, and on Saturday, the 11th, Weed covered the entire first page of the *Evening Journal* with the picture of an eagle, having outspread wings and bearing in its beak the word "Victory." It was the first appearance in politics of this American bird, which was destined to play a part in all future celebrations of the kind. The completed returns showed that the Whigs had elected Seward and Bradish by ten thousand four hundred and twenty-one majority,^[18] five of the eight senators, and nearly two-thirds of the assemblymen. "Well, dear Seward," wrote Weed, "we are victorious; God be thanked—gratefully and devoutly thanked."^[19] Seward was no less affected. "It is a fearful post I have coveted," he wrote; "I shudder at my temerity.... Indeed, I feel just now as if your zeal had been blind; but I may, perhaps, get over this. God grant, at all

events, that I be spared from committing the sin of ingratitude. I hate it as the foulest in the catalogue."[\[20\]](#)

Marcy seemed to accept his defeat good-naturedly. "Even before the ballot-boxes were closed," he wrote, facetiously, "I had partly persuaded myself to engage in a work for *my* posterity, by writing the history of the rise, progress, and termination of the Regency. It will embrace the transactions of the golden days of the Republic (Empire State). It began with my entrance into public life, and terminates with my exit from it. The figures in the tableau will not be of the largest size, but the ascendancy of honest men, for such I think them to have been (*Ilium fuit*), will be interesting on account of great rarity." But, to the same friend, a few weeks later, he took a desponding view, expressing the fear that the power which had passed from the Democratic party would not return to as honest hands. His financial condition, too, caused him much uneasiness. He had given eighteen years to the State, he said, the largest portion of an active and vigorous life, and now found himself poorer than when he took office. "If my acquisitions in a pecuniary way have probably been less and my labours and exertions greater," he asks, "what compensating advantages are to be brought into the calculation to balance the account?" An office-holder rarely asks such a question until thrown out of a position; while in office, it is evident he thinks the privilege of holding it sufficient compensation; otherwise, it may be presumed, he would resign. Marcy, however, was not forgotten. Indeed, his political career had scarcely begun, since the governorship became only a stepping-stone to continued honours. Within a few months, President Van Buren appointed him, under the convention of April, 1839, to the Mexican Claims Commission, and a few years later he was to become a member of two Cabinets.

CHAPTER III

THE DEFEAT OF VAN BUREN FOR PRESIDENT

1840

AFTER Seward's election, the Whig party in New York may be fairly described as under the control of Thurlow Weed, who became known as the "Dictator." Although no less drastic and persevering, perhaps, than DeWitt Clinton's, it was a control far different in method. Clinton did not disguise his power. He was satisfied in his own mind that he knew better than any other how to guide his party and govern his followers, and he acted accordingly—dogmatic, overbearing, often far from amiable, sometimes unendurable, to those around him. Weed, on the contrary, was patient, sympathetic, gentle, and absolutely without asperity. "My dear Weed," wrote Seward on December 14, 1838, "the sweetness of his temper inclines me to love my tyrant. I had no idea that dictators were such amiable creatures."^[21] In a humorous vein, William Kent, the gifted son of the Chancellor, addressed him. "Mr. Dictator, the whole State is on your shoulders. I take it, some future chronicler, in reciting the annals of New York during this period, in every respect equal to England in the time of Elizabeth, will devote the brightest colours to 'the celebrated Thurlow Weed, who so long filled the office of Governor Seward during his lengthened and prosperous administration.' It behooves you, therefore, to act circumspectly, and particularly in the advice you give the Governor as to appointments to office."^[22]

Few chapters of personal history can be more interesting than that which tells of the strange, subtle influence exercised by Weed over the mind of Seward; but it is doubtful if there was conscious control at any time.

Certainly Seward never felt "the weight of chains" about his neck. Weed probably saw good reason to believe that in Seward he could have just the sort of an associate who would suit all his purposes, since their views of public affairs and their estimate of public men rarely differed. "Our relations had become so intimate," he says, "and our sentiments and sympathies proved so congenial, that our interests, pursuits, and hopes of promoting each other's welfare and happiness became identical."^[23] Weed seemed to glory in Seward's success, and Seward was supremely happy in and proud of Weed's friendship. Weed and Greeley were so differently constituted that, between them, such a relation could not exist, although at times it seemed to give Greeley real pain that it was so. "I rise early from a bed of sleepless thought," he once wrote Weed, "to explain that we differ radically on the bank question, and I begin to fear we do on the general policy and objects of political controversy."^[24] But there were no such sleepless nights for Seward. Looking back upon four years of gubernatorial life, he opens his heart freely to the friend of his young manhood. "Without your aid," he declares, "how helpless would have been my prospect of reaching the elevation from which I am to-day descending. How could I have sustained myself there; how could I have secured the joyous reflections of this hour, but for the confidence I so undeniably reposed on your affection?"^[25] It was not Seward's nature to depend upon somebody to have his path in life or his ways of thinking pointed out to him; nor did he have the weakness of many highly cultured and gifted men who believe too much in the supremacy of intellect and culture. On the contrary, he had a way of speaking out his own honest thoughts, and would have despised himself, as much as would Greeley, if it had been necessary to enjoy any one's friendship on terms of humiliation. It was his nature, as well as his wish, to share with Weed the benefit of the latter's almost infallible judgment in political matters. In this way, Weed, more than either realised, had great influence with Seward. But Weed was no more the directing mind of the administration of Seward than was Hamilton of Washington's, or Van Buren of Jackson's, or Seward of Lincoln's. Many anecdotes were told illustrative of this influence, which serve to show how strongly the notion obtained in the minds of the common people that Weed was really "the Dictator." The best, associated Seward with his invariable custom of riding outside the coach while smoking his after-dinner cigar. The whip, on this occasion, did not know the distinguished traveller, and, after answering

Seward's many questions, attempted to discover the identity of his companion. The Governor disclaimed being a merchant, a lecturer, a minister, or a teacher. "Then I know what you are," said the driver; "you must be a lawyer, or you wouldn't ask so many questions." "That is not my business at present," replied Seward. "Then who are you?" finally demanded Jehu. "I am the governor of this State," replied Seward. The driver at once showed incredulity, and the Governor offered to leave it to the landlord at the next tavern. On arriving there, and after exchanging salutations, Seward suggested the question in dispute. "No, you are not the governor," replied the landlord, to the great satisfaction of the driver. "What!" exclaimed Seward, in astonishment; "then who is governor?" "Why," said the landlord, "Thurlow Weed."[\[26\]](#)

"Though the incident never occurred," says Frederick W. Seward, in the biography of his father, "the story was so accordant with his habit of riding outside to smoke, and with the popular understanding of his relations with Mr. Weed, that it was generally accepted as true. Seward himself used laughingly to relate it, and say that, though it was not quite true, it ought to be."[\[27\]](#)

With Governor Seward's inauguration the Whig party was placed on trial. Ten years had passed since DeWitt Clinton's death, and Seward was the first successor whose opinions and sentiments harmonised with those of that distinguished statesman. During the intervening period the Regency had been in absolute control of the State. It had contented itself with looking after things as they existed, rather than undertaking further improvements and reforms. Seward's election, therefore, was not only a revolution of parties, but a radical change of policy. Every Whig, fearful lest some misstep might lead to the early loss of the power just gained, had an opinion as to what should and should not be done. Some were afraid the Governor would say too much, others fearful he would say too little. Seward, moving on broad lines of economics and reform, believed that the promotion of transportation, the development of capital and credit, and the enlargement of educational advantages, would bring wealth to the State and greater happiness to the people; and his first message contained the policy that guided him throughout his entire political career. In its preparation, he relied upon President Knott of Union College for assistance on the subject of education; on John H. Beach for financial statistics; on Samuel B.

Ruggles for canal figures; and on John C. Spencer for general suggestions. Then he sat down with Weed for its final revision. When completed, it contained the groundwork of his political philosophy. He would prosecute the work of the canals, he would encourage the completion of railroads, establish a board of internal improvement, extend charitable institutions, improve the discipline of prisons, elevate the standard of education in schools and colleges, establish school district libraries, provide for the education of the coloured race, reform the practice of courts, cut off superfluous offices, repeal the Small Bills law, authorise banking under general laws, and apply rigorous safeguards, especially in populous cities, for the purity of the ballot-box. In concluding, he paid a handsome tribute to DeWitt Clinton and recommended that a monument be erected to his memory in Albany.

None of our statesmen, with whom reform has been a characteristic trait, was more devoted or happy. His delight, deep and unfailing, extended to every department of the government, and the minuteness of his knowledge betrayed the intimate acquaintance which he had gained of the affairs of the State during his four years in the Senate. His message caught the inspiration of this fresh and joyous maturity. It was written, too, in the easy, graceful style, rhythmical and subdued in expression, which afterward contributed to his extreme charm as an orator. From the first, Seward was an ardent optimist, and this first message is that of noble youth, delighting in the life and the opportunities that a great office presents to one who is mindful of its harassing duties and its relentless limitations, yet keenly sensitive to its novelty and its infinite incitements. The Democrats, whose hearts must have rejoiced when they heard his message, declared it the visionary schemes of a theorising politician, the work of a sophomore rather than a statesman; yet, within little more than a decade, most of his suggestions found a place in the statute book. Though the questions of that time are not the questions of our day, and engage only the historian and his readers, these twenty printed pages of recommendations, certain to excite debate and opposition, must always be read with deep enjoyment.

The chief criticism of his opponents grew out of his acceptance of Ruggles's estimate that the canals would more than reimburse the cost of their construction and enlargement. The *Argus* asserted that Seward, instead of sustaining the policy of "pay as you go," favoured a "forty million debt;"

and this became the great campaign cry of the Democrats in two elections. On the other hand, the Whigs maintained that the canals had enriched the people and the State, and that their future prosperity depended upon the enlargement of the Erie canal, so that its capacity would meet the increasing demands of business. In the end, the result showed how prophetically Seward wrote and how wisely Ruggles figured; for, although the Erie canal, in 1862, had cost \$52,491,915.74, it had repaid the State with an excess of \$42,000,000.

In the midst of so many recommendations, one wonders that Seward had nothing to say for civil service reform. We may doubt, and with reason, whether anything he might have said could have strengthened the slight hold which such a theory then had in the minds of the people, but it would have brought the need of reform strikingly before the country to bear, in time, ripe fruit. The Whig party, however, was not organised to keep Democrats in office, and no sooner had the *Albany Journal* announced Seward's election than applications began pouring in upon the Governor-elect until more than one thousand had been filed. Seward afterward said that, of these applications, only two came from persons living west of Cayuga Bridge, although the eighth district had given him a majority equal to his entire majority in the State.

Under the Constitution of 1821, there were more places to fill by appointment than under the Constitution of 1846, and twice as many as now exist. In 1839, the Governor not only appointed port-wardens, harbour-masters, notaries public, and superintendents and commissioners of various sorts, but he nominated judges, surrogates, county clerks, examiners of prisons, weighers of merchandise, measurers of grain, cullers of staves, and inspectors of flour, lumber, spirits, salt, beef and pork, hides and skins, and fish and oil, besides numerous other officers. They applied formally to the Governor and then went to Weed to get the place. Just so the Whig legislators went through the form of holding a caucus to select state officers after the slate had been made up. John C. Spencer became secretary of state; Bates Cook of Niagara County, comptroller; Willis Hall of New York City, attorney-general; Jacob Haight, treasurer; and Orville L. Holley, surveyor-general. Thurlow Weed's account, read with the knowledge that he alone selected them, is decidedly humorous. "Bates Cook had but a local reputation," he says, "and it required the strongest assurances from

Governor Seward and myself that he was abundantly qualified." In other words, it was necessary for the caucus to know that Weed wanted him. "The canvass for attorney-general was very spirited," he continues, "Joshua A. Spencer of Oneida and Samuel Stevens of Albany being the most prominent candidates;" but Willis Hall, "who was better known on the stump than at the bar, and whose zeal, energy, and tact had been conspicuous and effective in overthrowing the Democratic party," got the office. Van Buren could not have surpassed this for practical politics. "The nomination of Jacob Haight," he goes on, "afforded me great satisfaction. I had learned in my boyhood at Catskill to esteem and honour him. In 1824 when, as a Democratic senator, he arrayed himself against William H. Crawford, the caucus nominee for President, and zealously supported John Quincy Adams, my early remembrances of him grew into a warm personal friendship."^[28] It was easy to fuse in Weed's big heart Democratic apostasy and the associations of boyhood.

Yet Weed had able indorsers behind his candidates. "I hear there is great opposition to Willis Hall," wrote William Kent, "and I am sorry for it. He has a great heart, and a great head, too. It has been his misfortune, but our good fortune, that his time and talents have been devoted to advancing the Whig party, while those who oppose him were taxing costs and filing demurrers. The extreme Webster men in New York have formed a combination against Willis. It is the dog in the manger, too, for no man from New York is a candidate."^[29]

But the dictator made a greater display of practical politics in the selection of a United States senator to succeed Nathaniel P. Tallmadge. There were several aspirants, among them Millard Fillmore, John C. Spencer, John A. Collier, and Joshua A. Spencer. All these men were intensely in earnest. Fillmore, then in Congress, was chairman of the Committee on Ways and Means; and advancement to the Senate would have been a deserved promotion. But Tallmadge had rallied to the support of Seward, under the name of Conservatives, many former National Republicans, who had joined the Democratic party because of anti-Masonry, and Weed believed in keeping them in the Whig party by reelecting their leader. Fillmore, and other candidates, earnestly protested against the policy of discarding tried and faithful friends, and of conferring the highest and most important place in the gift of the party upon a new recruit whose fidelity could not be

trusted; "but, strong as those gentlemen were in the Whig party, they were unable to overcome a conviction in the minds of the Whig members of the Legislature," says Weed, solemnly, as if the Whig members of the Legislature really did have something to do with it, "that in view of the approaching presidential election Mr. Tallmadge was entitled to their support. He was, therefore, nominated with considerable unanimity."^[30] It was a great shock to Fillmore, which he resented a few years later. Indeed, Weed's dictatorship, although quiet and gentle, was already raising dissent. Albert H. Tracy, indignant at Seward's nomination over the heads of older and more experienced men, had withdrawn from politics, and Gamaliel H. Barstow, the first state treasurer elected by the Whigs, resigned in a huff because he did not like the way things were going. Weed fully realised the situation. "There are a great many disappointed, disheartened friends," he wrote Granger. "It has been a tremendous winter. But for the presidential question which will absorb all other things, the appointments would tear us to pieces."^[31] To his door, Seward knew, the censure of the disappointed would be aimed. "The list of appointments made this winter is fourteen hundred," he writes, "and I am not surprised by any manifestation of disappointment or dissatisfaction. This only I claim—that no interest, passion, prejudice or partiality of my own has controlled any decision I have made."^[32]

But there was one wheel lacking in the Weed machine. The Democrats controlled the Senate, obstructing bills deemed by the Whigs essential to the public welfare, and refusing to confirm Seward's nominations. By preventing an agreement upon a candidate, preliminary to a joint ballot, they also blocked the election of a United States senator. This situation was intolerable to Weed. Without the Senate, little could be accomplished and nothing of a strictly partisan character. Besides, Weed had his eye on the lucrative place of state printer. In the campaign of 1839, therefore, he set to work to win the higher body of the Legislature by carrying the Albany district, in which three senators were to be chosen. For eighteen years, the Senate had been held by the Regency party, and, in all that time, Albany was numbered among the reliable Democratic districts. But Weed's friends now brought up eight thousand dollars from New York. The Democrats had made a spirited fight, and, although they knew Weed was endowed with a faculty for management, they did not know of his money, or of the ability of

his lieutenants to place it. When the votes were counted, Weed's three nominees had an average majority of one hundred and thirty-three. This gave the Whigs nineteen senators and the Democrats thirteen. It was an appalling change for the Democrats, to whom it seemed the prologue to a defeat in 1840. In the "clean sweep" of office-holders that followed, Tallmadge went back to the United States Senate, and Weed took from Croswell the office of public printer.

The presidential election of 1840 began in December, 1839. During Clay's visit to Saratoga, in the preceding summer, Weed had told him he could not carry New York; but, that Clay's friends in New York City, and along the river counties, might not be unduly alarmed, Weed masked his purpose of forcing Harrison's nomination, by selecting delegates ostensibly favourable to General Scott. Twenty delegates for Scott were, therefore, sent to the national convention at Harrisburg, two for Harrison and ten for Clay. On his way, Weed secured an agreement from the New England leaders to act with him, and, by a combination of the supporters of Scott and Harrison, the latter finally received one hundred and forty-eight votes to ninety for Clay. The disappointment of Clay's friends is historic. Probably nothing parallels it in American politics. The defeat of Seward at Chicago in 1860, and of Elaine at Cincinnati in 1876, very seriously affected their friends, but the disappointment of Clay's supporters at Harrisburg, in December, 1839, took the form of anger, which, for a time, seemed fatal to the ticket. "The nomination of Harrison," wrote Thurlow Weed, "so offended the friends of Clay that the convention was thrown entirely in the dark on the question of Vice President. The Kentucky delegation was asked to present a candidate, but they declined. Then John Clayton of Delaware was fixed upon, but Reverdy Johnson withdrew his name. Watkins Leigh of Virginia and Governor Dudley of North Carolina were successively designated, but they declined. While this was passing the Vice Presidency was repeatedly offered to New York, but we had no candidate. Albert H. Tracy was eminently qualified for usefulness in public life. He entertained a high and strict sense of official responsibility, and had he not previously left us he would have been nominated. John Tyler was finally taken because we could get nobody else to accept." [33]

The Harrisburg convention, unlike its unselfish predecessors, adjourned without a platform or declaration of principles; nor did the candidates, in

accepting their nominations, indulge in political discussion. Votes were wanted from all who opposed Van Buren's administration—from the strict constructionist friends of Tyler, although opposed to the whole Whig theory of government, as much as from the followers of Harrison, who believed in protective tariffs and internal improvements.

Such action contrasted strangely with the work of the national Democratic convention which met at Baltimore on May 6, 1840. If despondency filled the air, the delegates at least had the courage of their convictions. After unanimously renominating Van Buren, it declared for a limited federal power, for the separation of public moneys from private banks, and for the constitutional inability of Congress to interfere with slavery in the States, pronouncing the efforts of Abolitionists both alarming and dangerous to the Union; it opposed internal improvements by the general government; the fostering of one industry to the injury of another; the raising of more money than was needed for necessary expenses; and the rechartering of a national bank. If this declaration did not shape the phrases, and marshal the sentences of future platforms of the party, it embraced the principles upon which Democracy went up to victory or down to defeat during the next two decades; and it must have carried Van Buren through successfully had not his administration fallen upon evil times.

The President, with great moral courage and keen-sighted wisdom, met the crisis of 1837 with an admirable bearing. The statesman suddenly displaced the politician. In the three months intervening between the suspension of specie payments and the extra session of Congress, Van Buren prepared a message as clear and as unanswerable as the logic of Hamilton's state papers. The law, he said, required the secretary of the treasury to deposit public moneys only in banks paying their notes in specie, and, since all banks had suspended specie payments, it was necessary to provide some other custody. For this reason, he had summoned Congress. Then he analysed the cause of the panic, arguing that "the government could not help people earn a living, but it could refuse to aid the deception that paper is gold, and the delusion that value can arise without labour." Those who look to the action of the government, he declared, for specific aid to the citizen to relieve embarrassments arising from losses by reverses in commerce and credit, lose sight of the ends for which government is created, and the powers with which it is clothed. In conclusion, he

recommended the enactment of an independent treasury scheme, divorcing the bank and the state.

These words of wisdom, often repeated, long ago became the principle of all administrations, notably of that of President Grant in the great crisis of 1873; and, except from 1841 to 1846, the sub-treasury scheme has been a cardinal feature of American finance. But its enactment was a long, fierce battle. Beginning in 1837, the contest continued through one Congress and half of another. Clay resisted and Webster denounced the project, which did not become a law until July 4, 1840—too late to be of assistance to Van Buren in November. Friends of the New Yorker loved to dwell upon his courage in thus placing himself in the chasm between failing banks and a patriotic people, often paralleling it with the historic leap of Marcus Curtius into the Roman Forum to save the republic. "But with this difference," once exclaimed Andrew B. Dickinson, an unlearned but brilliant Steuben County Whig, generally known as Bray Dickinson: "the Roman feller jumped into the gap of his own accord, but the people throw'd Van Buren in!"

On August 12, 1840, the Whigs renominated William H. Seward for governor, and in the following month the Democrats named William C. Bouck. There was a rugged honesty and ability about Bouck that commended him to the people. He was not brilliant; he rarely attempted to speak in public; and his education had been limited to a few months of school in each winter; but he was a shrewd, wise Schoharie farmer, well read in the ways of men and in the book of the world. Seward thought him "a kind, honest, amiable, and sagacious man, his easy and fascinating manners lacking neither dignity nor grace." Beginning as town clerk, Bouck had served acceptably as sheriff, assemblyman, and for nineteen years as canal commissioner, personally superintending the construction of the canal from Brockport to Lake Erie, and disbursing, without loss, eight millions of dollars. He had travelled up and down the State until the people came to know him as "the old white horse," in allusion to a favourite animal which he rode for many years; and to labourers and contractors his election became a matter of the greatest personal interest.

But the hardships growing out of the panic of 1837 and the crisis of 1839 guided the actions of men. It made little difference to them that Bouck had been a faithful, prudent, and zealous supporter of the canals, or that, like

DeWitt Clinton, he had been removed as canal commissioner on purely political grounds. The issues were national—not state. Van Buren clearly saw the force and direction of public sentiment. Yet his sub-treasury measure, so beneficent in its aims that its theory was not lost in the necessities growing out of the Civil War, proved the strongest weapon in the armory of his opponents. Webster, with mingled pathos and indignation, denounced his "disregard for the public distress" by his "exclusive concern for the interest of government and revenue," declaring that help must come to the people "from the government of the United States—from thence alone!" This was the cry of the greenbacker in 1876 and the argument of the free silver advocate in 1896. "Upon this," said Webster, "I risk my political reputation, my honour, my all. He who expects to live to see these twenty-six States resuming specie payments in regular succession once more, may expect to see the restoration of the Jews. Never. He will die without the sight." Yet Webster lived to see the resumption of specie payments in a very short time, and he lived long enough also to exclude this St. Louis speech from his collected works. Nevertheless, Webster's eloquence contributed to Van Buren's overwhelming defeat.

Much has been written of the historic campaign of 1840. The enthusiasm has been called "frenzy" and "crazy fanaticism." It has also been likened to the crusading spirit, aroused by the preaching of Peter the Hermit. "The nation," said Clay, "was like the ocean when convulsed by some terrible storm." Webster declared that "every breeze says change; the cry, the universal cry, is for a change." Long before campaigns usually begin New York was a blaze of excitement. Halls were insufficient to hold the crowds. Where hundreds had formerly assembled, thousands now appeared. The long lines of wagons, driven to the meeting places, raised clouds of dust such as mark the moving of armies. The Whig state convention at Utica became a mass-meeting of twenty-five thousand people, who formed into one great parade. "How long is this procession?" asked a bystander of one of the marshals. "Indeed, sir, I cannot tell," was the reply. "The other end of it is forming somewhere near Albany."

The canvass became one of song, of association, and of imagination, which aroused thoughts that were intensely animating and absorbing. The taunt of a Virginia newspaper that Harrison should remain in his log cabin on the banks of the Ohio made the log cabin "a symbol," as Weed happily

expressed it, "of virtue that dwells in obscurity, of the hopes of the humble, of the privations of the poor, of toil and danger, of hospitality and charity and frugality." Log cabins sprang up like gourds in a night. At the door, stood the cider barrel, and, hanging by the window, the omnipresent coonskin swayed in the breeze. They appeared on medals, in pictures, in fancy work, and in processions. Horace Greeley, who had done so much in 1838 through the columns of the *Jeffersonian*, now began the publication of the *Log Cabin*, filling whole sides of it with songs elaborately set to music, and making it so universally popular that the New York *Tribune*, established in the following year, became its legitimate successor in ability and in circulation.

In his biography of Henry Clay, Schurz says that in no presidential canvass has there ever been "less thought." It is likely if there had been no log cabins, no cider, no coon-skins, and no songs, the result would have been the same, for, in the presence of great financial distress, the people seek relief very much as they empty a burning building. But the reader of the *Log Cabin* will find thought enough. Greeley's editorials summed up the long line of mistakes leading to the panic of 1837, and the people understood the situation. They were simply unwilling longer to trust the party in power.

Evidence of this distrust astonished Democrats as much as it pleased the Whigs. The September election in Maine, followed in October by the result in Ohio and Indiana, both of which gave large Whig majorities, anticipated Harrison's overwhelming election in November. In New York, however, the returns were somewhat disappointing to the Whigs. Harrison carried the State by thirteen thousand majority, receiving in all 234 electoral votes to 60 for Van Buren; but Seward's majority of ten thousand in 1838 now dropped to five thousand,^[34] while the Whig majority in the Assembly was reduced to four.

Seward's weakness undoubtedly grew out of his message in the preceding January. With the approval of Dr. Knott of Union College, and Dr. Luckey, a distinguished Methodist divine, he recommended the establishment of separate schools for the children of foreigners and their instruction by teachers of the same faith and language. The suggestion created an unexpected and bitter controversy. Influential journals of both parties

professed to see in it only a desire to win Catholic favour, charging that Bishop Hughes of New York City had inspired the recommendation. At that time, the Governor had neither met nor been in communication, with the Catholic prelate; but, in the excitement, truth could not outrun misstatement, nor could the patriotism that made Seward solicitous to extend school advantages to the children of foreign parents, who were growing up in ignorance, be understood by zealous churchmen.

After his defeat, Van Buren retired to Lindenwald, in the vicinity of Kinderhook, his native village, where he was to live twenty-one years, dying at the age of eighty. Lindenwald was an old estate, whose acres had been cultivated for one hundred and sixty years. William P. Van Ness, the distinguished jurist and orator, once owned it, and, thirty years before the ex-President bought it, Irving had secluded himself amidst its hills, while he mourned the death of his betrothed, and finished the *Knickerbocker*. As the home of Van Buren, Lindenwald did not, perhaps, become a Monticello or a Montpelier. Jefferson and Madison, having served eight years, the allotted term of honour, had formally retired, and upon them settled the halo of peace and triumph that belongs to the sage; but life at Lindenwald, with its leisure, its rural quiet, and its freedom from public care, satisfied Van Buren's bucolic tastes, and no doubt greatly mitigated the anguish arising from bitter defeat, the proscription of friends, and the loss of party regard which he was destined to suffer during the next decade.

CHAPTER IV

HUMILIATION OF THE WHIGS

1841-1842

THE Whig state convention, assembled at Syracuse on October 7, 1842, looked like the ghost of its predecessor in 1840. The buoyancy which then stamped victory on every face had given place to fear and forebodings. Eighteen months had left nothing save melancholy recollections. Even the log cabins, still in place, seemed to add to Whig depression, being silent reminders of the days when melody and oratory, prophetic of success, filled hearts which could no longer be touched with hope and faith. This meant that the Whigs, in the election of 1841, had suffered a decisive defeat, losing the Assembly, the Senate, and most of the congressmen. Even Francis Granger, whose majority usually ran into the thousands, was barely elected by five hundred. Orleans County, at one time the centre of the anti-masonic crusade, sent Sanford E. Church to Albany, the first Democrat to break into the Assembly from the "infected district" since the abduction of William Morgan.

Several reasons accounted for this change. Harrison's death, within a month after his inauguration, made John Tyler President, and Tyler first refused appointments to Whigs, and then vetoed the bill, passed by a Whig Congress, re-establishing the United States Bank. He said that he had been opposed, for twenty-five years, to the exercise of such a power, if any such power existed under the Constitution. This completed the break with the party that elected him. Henry Clay denounced his action, the Cabinet, except Webster, resigned in a body, and the Whigs with great unanimity indorsed the Kentucky statesman for President in 1844. To add to the complications in New York, John C. Spencer, who now became secretary of war, so zealously espoused and warmly defended the President that feelings

of mutual distrust and ill-will soon grew up between him and Weed. It is doubtful if any New York Whig, at a time of such humiliation, could have accepted place in Tyler's Cabinet and remained on terms of political intimacy with Weed; but, of all men, John C. Spencer was the least likely to do so. In Freeman's celebrated cartoon, "The Whig Drill," Spencer is the only man in the squad out of step with Thurlow Weed, the drum-major.

Governor Seward also played a part in the story of his party's downfall. The school question, growing out of his recommendation that separate schools for the children of Roman Catholics should share in the public moneys appropriated by the State for school purposes, lost none of its bitterness; the McLeod controversy put him at odds with the national Administration; and the Virginia controversy involved him in a correspondence that made him odious in the South. In his treatment of the McLeod matter, Seward was clearly right. Three years after the destruction of the *Caroline*, which occurred during the Canadian rebellion, Alexander McLeod, while upon a visit in the State, boasted that he was a member of the attacking party and had killed the only man shot in the encounter. This led to his arrest on a charge of murder and arson. The British Minister based his demand for McLeod's release on the ground that the destruction of the *Caroline* "was a public act of persons in Her Majesty's service, obeying the orders of their superior authorities." In approving the demand, Lord Palmerston suggested that McLeod's execution "would produce war, war immediate and frightful in its character, because it would be a war of retaliation and vengeance." Webster, then secretary of state, urged Seward to discontinue the prosecution and discharge McLeod; but the Governor, promising a pardon if McLeod was convicted, insisted that he had no power to interfere with the case until after trial, while the courts, upon an application for McLeod's discharge on habeas corpus, held that as peace existed between Great Britain and the United States at the time of the burning of the *Caroline*, and as McLeod held no commission and acted without authority, England's assumption of responsibility for his act after his arrest did not oust the court of its jurisdiction. Fortunately, McLeod, proving his boast a lie by showing that he took no part in the capture of the *Caroline*, put an end to the controversy, but Seward's refusal to intervene broke whatever relations had existed between himself and Webster.

The Virginia correspondence created even greater bitterness. The Governor discovered that a requisition for the surrender of three coloured men, charged with aiding the escape of a fugitive slave, was based upon a defective affidavit; but, before he could act, the court discharged the prisoners upon evidence that no offence had been committed against the laws of Virginia. Here the matter might very properly have ended; but, in advising Virginia's governor of their discharge, Seward voluntarily and with questionable propriety, enlarged upon an interpretation of the constitutional provision for the surrender of fugitives from justice, contending that it applied to acts made criminal by the laws of both States, and not to "an act inspired by the spirit of humanity and of the Christian religion," which was not penal in New York. This was undoubtedly as good law as it was poor politics, for it needlessly aroused the indignation of Virginia, whose legislature retaliated by imposing special burdens upon vessels trading between Virginia and New York until such time as the latter should repeal the statute giving fugitive slaves the right of trial by jury.

The immediate cause of the Whig defeat, however, had its origin in disasters incident to the construction of the canals. It had been the policy of Governor Marcy, and other Democratic leaders, to confine the annual canal expenditures to the surplus revenues, and, in enlarging the Erie, it was determined to continue this policy. On the other hand, the Whigs advocated a speedy completion of the public works, limiting the state debt to an amount upon which interest could be paid out of the surplus revenues derived from the canal. This policy, backed by several Democratic members of the Senate in 1838, resulted in the authorisation of a loan of four millions for the Erie enlargement. In 1839 Seward, still confident of the State's ability to sustain the necessary debt, advised other improvements, including the completion of the Genesee Valley and Black River canals, as well as the construction of three railroads, at a total estimated expenditure of twelve to fifteen millions. By 1841, the debt had increased to eighteen millions, including the loan of four millions, while the work was scarcely half finished. To add to the difficulty, state stocks depreciated over twenty per cent., embarrassing the administration in its efforts to raise money. The Democrats pronounced such a policy disastrous and ruinous; and, although the Whigs replied that the original estimates were wrong, that the price of labour and material had advanced, and that when completed the canals

would speedily pay for themselves, the people thought it time to call a halt, and in the election of 1841 they called it.[35]

It was this overwhelming defeat that so depressed the Whigs, gathered at the Syracuse convention, as they looked over the field for a gubernatorial candidate to lead them, if possible, out of the wilderness of humiliation. Seward had declined a renomination. He knew that his course, especially in the Virginia controversy, had aroused a feeling of hostility among certain Whigs who not only resented his advancement over Granger and Fillmore, his seniors in years and in length of public service, but who dreaded his lead as too bold, too earnest, and too impulsive. The fact that the Abolitionists had already invited him to accept their nomination for President in 1844 indicated the extent to which his Virginia correspondence had carried him. So, he let his determination be known. "My principles are too liberal, too philanthropic, if it be not vain to say so, for my party," he wrote Christopher Morgan, then a leading member of Congress. "The promulgation of them offends many; the operation of them injures many; and their sincerity is questioned by about all. Those principles, therefore, do not receive fair consideration and candid judgment. There are some who know them to be right, and believe them to be sincere. These would sustain me. Others whose prejudices are aroused against them, or whose interests are in danger, would combine against me. I must, therefore, divide my party in convention. This would be unfortunate for them, and, of all others, the most false position for me. And what have I to lose by withdrawing and leaving the party unembarrassed? My principles are very good and popular ones for a man out of office; they will take care of me, when out of office, as they always have done. I have had enough, Heaven knows, of the power and pomp of place." [36]

With Seward out of the way, Luther Bradish was the logical candidate for governor. Fillmore had many friends present, and John A. Collier of Binghamton, alternating between hope and fear, let his wishes be known. But, as lieutenant-governor, Bradish had won popularity by firmness, patience, and that tact which springs from right feeling, rather than cold courtesy; and, in the end, the vote proved him the favourite. For lieutenant-governor, the convention chose Gabriel Furman, a Brooklyn lawyer of great natural ability, who had been a judge of the municipal court and was just then closing a term in the State Senate, but whose promising career was

already marred by the opium habit. He is best remembered as one of Brooklyn's most valued local historians. The resolutions, adhering to the former Whig policy, condemning Tyler's vetoes and indicating a preference for Clay, showed that the party, although stripped of its enthusiastic hopes, had lost none of its faith in its principles or confidence in its great standard-bearer.

The Democrats had divided on canal improvements. Beginning in the administration of Governor Throop, one faction, known as the Conservatives, had voted with the Whigs in 1838, while the other, called Radicals, opposed the construction of any works that would increase the debt. This division reasserted itself in the Legislature which convened in January, 1842. The Radicals elected all the state officers. Azariah C. Flagg became comptroller, Samuel Young secretary of state, and George P. Barker attorney-general. Six canal commissioners, belonging to the same wing of the party, were also selected. Behind them, as a leader of great force in the Assembly, stood Michael Hoffman of Herkimer, ready to rain fierce blows upon the policy of Seward and the Conservatives. Hoffman had served eight years in Congress, and three years as a canal commissioner. He was now, at fifty-four years of age, serving his first term in the Assembly, bringing to the work a great reputation both for talents and integrity, and as a powerful and effective debater.^[37] Hoffman was educated for a physician, but afterward turned to the law. "Had he not been drawn into public life," says Thurlow Weed, "he would have been as eminent a lawyer as he became a statesman."^[38]

The Albany Regency, as a harmonious, directing body, had, by this time, practically gone out of existence. Talcott was dead, Marcy and Silas Wright were in Washington, Benjamin F. Butler, having resigned from the Cabinet as attorney-general, in 1838, had resumed the practice of his profession in New York City, and Van Buren, waiting for another term of the Presidency, rested at Lindenwald. The remaining members of the original Regency, active as ever in political affairs, were now destined to head the two factions—Edwin Croswell, still editor of the Albany *Argus*, leading the Conservatives, with Daniel S. Dickinson, William C. Bouck, Samuel Beardsley, Henry A. Foster, and Horatio Seymour. Azariah C. Flagg, with Samuel Young, George P. Barker, and Michael Hoffman, directed the Radicals. All were able men. Bouck carried fewer guns than Young;

Beardsley had weight and character, without much aptitude; Foster overflowed with knowledge and was really an able man, but his domineering nature and violent temper reduced his influence. Seymour, now only thirty-two years old, had not yet entered upon his illustrious and valuable public career; nor had Daniel S. Dickinson, although of acknowledged ability, exhibited those traits which were to distinguish him in party quarrels. He did not belong in the class with Marcy and Wright, though few New Yorkers showed more indomitable courage than Dickinson—a characteristic that greatly strengthened his influence in the councils of the leaders whose differences were already marked with asperity.

Success is wont to have magical effects in producing a wish to put an end to difference; and the legislative winter of 1843 became notable for the apparent adjustment of Democratic divisions. The Radicals proposed the passage of an act, known as the "stop and tax law of 1842," suspending the completion of the public works, imposing a direct tax, and pledging a portion of the canal revenues as a sinking fund for the payment of the existing debt. It was a drastic measure, and leading Conservatives, with much vigour, sought to obtain a compromise permitting the gradual completion of the most advanced works. Bouck favoured sending an agent to Holland to negotiate a loan for this purpose, a suggestion pressed with some ardour until further effort threatened to jeopardise his chance of a renomination for governor; and when Bouck ceased his opposition other Conservatives fell into line. The measure, thus unobstructed, finally became the law, sending the Democrats into the gubernatorial campaign of 1842 with high hopes of success.

By accident or design, the Democratic state convention also met at Syracuse on October 7. William C. Bouck and Daniel S. Dickinson had been the candidates, in 1840, for governor and lieutenant-governor, and they now demanded renomination. The Radicals wanted Samuel Young or Michael Hoffman for governor; and, before the passage of the "stop and tax law," the contest bid fair to be a warm one. But, after making an agreement to pledge the party to the work of the last Legislature, the Radicals withdrew all opposition to Bouck and Dickinson. In their resolutions, the Democrats applauded Tyler's vetoes; approved the policy of his administration; denounced the re-establishment of a national bank; opposed

a protective tariff; and favoured the sub-treasury, hard money, a strict construction of the Constitution, and direct taxation for public works.

The campaign that followed stirred no enthusiasm on either side. The Whigs felt the weight of the canal debt, which rested heavily upon the people; and, although many enthusiastic young men, active in the organisation of Clay clubs and in preparing the way for the Kentucky statesman in 1844, held mass-meetings and read letters from their great leader, New York again passed under the control of the Democrats by a majority of nearly twenty-two thousand.^[39] It was not an ordinary defeat; it was an avalanche. Only one Whig senator, thirty Whig assemblymen, and nine or ten congressmen were saved in the wreck. "I fear the party must break up from its very foundations," Fillmore wrote Weed. "There is no cohesive principle—no common head."^[40]

Seward took no such pessimistic view. He had the promise of the future in him, a capacity for action, a ready sympathy with men of all classes, occupations, and interests, and he saw rays of light where others looked only into darkness. "It is not a bad thing to be left out of Congress," he wrote Christopher Morgan, depressed by his defeat. "You will soon be wanted in the State, and that is a better field."^[41] Seward had the faculty of slow, reflective brooding, and he often saw both deep and far. In the night of that blinding defeat only such a nature could find comfort in the outlook.

CHAPTER V

DEMOCRATS DIVIDE INTO FACTIONS

1842-1844

FROM the moment of William C. Bouck's inauguration as governor, in January, 1843, Democratic harmony disappeared. It was supposed the question of canal improvement had been settled by the "stop and tax law" of 1842, and by the subsequent agreement of the Conservatives, at the Syracuse convention, in the following October. No one believed that any serious disposition existed on the part of the Governor to open the wound, since he knew a large majority of his party opposed the resumption of the work, and that the state officers, who had viewed his nomination with coldness, were watching his acts and critically weighing his words.

But he also knew that his most zealous and devoted friends, living along the line of the Erie, Black River, and Genesee Valley canals, earnestly desired the speedy completion of certain parts of these waterways. In order to please them, his message suggested the propriety of taking advantage of the low prices of labour and provisions to finish some of the work. He did it timidly. There was no positive recommendation. He touched the subject as one handles a live electric wire, trembling lest he rouse the sleeping opposition of the Radicals, or fail to meet the expectation of friends. But the recommendation, too expressionless to cheer his friends and too energetic to suit his opponents, foreshadowed the pitfalls into which he was to tumble. He had been the first to suggest the Erie enlargement, and he knew better than any other man in the State how important was its completion; yet he said as little in its favour as could be said, if he said anything at all, and that little seemed to be prompted, not so much for the good of the State, as to satisfy the demands of ardent friends, who had contributed to his nomination and election.

Severe criticism of the message, by the radical press, quickly showed that not even a temporary reconciliation had been effected by the act of 1842. Had the Governor now been sufficiently endowed with a faculty for good management, he must have strengthened himself and weakened his enemies with the vast amount of patronage at his command. Not since the days of Governor Lewis, had the making of so many appointments been committed to an executive. The Whigs, under Seward, had taken every office in the State. But Bouck, practising the nepotism that characterised Lewis' administration forty years before, took good care of his own family, and then, in the interest of harmony, turned whatever was left over to the members of the Legislature, who selected their own friends regardless of their relations to the Governor. There is something grim and pathetic in the picture of the rude awakening of this farmer governor, who, while working in his own weak way for harmony and conciliation, discovered, too late, that partisan rivalries and personal ambition had surrounded him with a cordon of enemies that could not be broken. To add to his humiliation, it frequently happened that the nominations of those whom he greatly desired confirmed, were rejected in the Senate by the united votes of Radicals and Whigs.

The controversy growing out of the election of a state printer to succeed Thurlow Weed increased the bitterness between the factions. Edwin Croswell had been removed from this office in 1840, and the Conservatives now proposed to reinstate him. Croswell had carefully avoided taking part in the factional contests then beginning to rend the party. He had supported, apparently in good faith, the "stop and tax law" of 1842, and, in the campaigns of 1841 and 1842, had been associated with Azariah C. Flagg in the publication of the *Rough Hewer*, a weekly paper of radical views, issued from the press of the *Argus*; but his sympathies were with the Conservatives, and when they sought to re-elect him public printer, the Radicals, led by Flagg, announced as their candidate Henry H. Van Dyck, the owner, since 1840, of a one-third interest in the *Argus*. For seventeen years, from 1823 to 1840, Croswell had held the office of state printer, accumulating wealth and enjoying the regard of the party; and Flagg and his colleagues contended that he should now give way to another equally deserving. This was a strong reason in a party that believed in rotation in office, especially when coupled with a desire on the part of the Radicals to

control the *Argus*; and, to avoid an open rupture, Croswell proposed that a law be passed making the *Argus* the state paper, without naming a public printer. Van Dyck objected to this, as it would leave Croswell in control of the establishment. Besides, Van Dyck claimed that, at the time he purchased an interest in the *Argus*, Croswell promised to support him for state printer. This Croswell denied.

Instantly, the air was alive with the thrill of battle. Croswell faced difficulties such as no other office-seeker had thus far encountered, difficulties of faction, difficulties of public sentiment, and difficulties of personnel. Flagg's conceded fidelity and honesty as a public officer, supplemented by his shrewdness and sagacity, made him the unquestioned leader of the Radicals; and, in this initial and crucial test of strength, he was indisposed to compromise or conciliate; but in Edwin Croswell he met the most impressive figure among the gladiators of the party. Croswell was the veteran editor whose judgment had guided its tactics, and whose words were instinct with life, with prophecy, and with fate. When he entered the pilot-house of his party, men knew something was going to happen. A perceptible hush seemed to announce his presence. At such times, his caustic sentences, clear and compact, were rarely conciliatory; but when he turned away from the wheel, achievement had proven his right to leadership.

In his contest with Flagg, however, Croswell encountered angry criticism from the Radicals and frigid approval from some Conservatives. His candidacy plainly impaired the high respect which his conduct and abilities had brought him. It was a mistake from every point of view; but, once committed to such a course his Conservative friends persevered, giving him finally sixty-six out of one hundred and six votes cast. A speech made by Assemblyman Leland of Steuben affords an interesting glimpse of the many influences summoned from every quarter, until men found themselves in the centre of a political cauldron from which there seemed no escape. "All who have come up here for office," said Leland, "have been compelled to take one side or the other, and as neither side knows what will be the result, some have been disposed to cry 'good Lord, if a Lord, or good devil, if not a Lord.'" The newspapers added to the perils of the quarrel. In the discussion preceding the election, the Albany *Atlas*, a daily paper recently established, but until now without political prominence, became the organ of the

Radicals; and between it and the *Argus* a fierce editorial battle, which extended to other Democratic papers throughout the State, made the factional division broader and more bitter.

Despite their quarrels, which continued throughout the legislative session, the Democrats, in the state election of November, 1843, carried two-thirds of the Assembly and five-sixths of the Senate. Nevertheless, the strength of the Conservatives was greatly increased. The utter and sudden abandonment of the canals, marked by a long line of tools left where the workmen dropped them, had played an important part in the campaign, and when the Democratic legislative caucus convened, in January, 1844, the friends of canal improvement easily defeated Michael Hoffman for speaker by a vote of fifty-six to thirty-five, in favour of Elisha Litchfield of Onondaga. Henry A. Foster, also an uncompromising champion of the Conservatives, was elected president *pro tem.* of the Senate. Litchfield had been in Congress. He was a strong man of acknowledged influence in the central counties of the State. Besides, he had been a faithful follower and an ardent admirer of Croswell. There were those who thought Horatio Seymour ought to be speaker; and, for a time, it looked as if he might secure the office. He was the real leader of the Conservatives, and he had more friends than Litchfield. But Litchfield had Croswell.

Backed by such a re-enforcement of Conservatives, Governor Bouck spoke of canal improvement with less timidity. He admitted the necessity of the tax law of 1842, but suggested the completion of "such new works as can be done with better economy than to sustain those designed to be superseded" and "are exposed to great and permanent injury." There was nothing forceful in this recommendation. He still kept the middle of the road, but his request practically amounted to the completion of some of the new work. It meant the finishing of the Schoharie aqueduct, improving the Jordan level, enlarging the locks of the Erie canal, and going on with the construction of the Black River and Genesee Valley canals.

The Radicals, realising the seriousness of the situation, now rested their hopes upon an elaborate report by Robert Dennison, chairman of the Senate canal committee. It was a telling blow. It attacked the estimated, as compared to the actual, cost of the canals, charging engineers with culpable ignorance or corrupt intention. The Chenango canal, it said, was estimated

to cost \$1,000,000; it actually cost \$2,417,000. The first estimate of the Black River canal called for an expenditure of \$437,000; after work was commenced, a recalculation made it \$2,431,000. It cost, finally, over \$2,800,000. The Genesee Valley canal presented even greater disparity, and more glaring ignorance. The original estimate fixed the cost at \$1,774,000. Afterward, the same engineer computed it at \$4,900,000; and it cost over \$5,500,000. The State would have made money, the report said, had it built macadamised roads, instead of canals, at a cost of \$4,000 a mile, and paid teamsters two dollars a day for hauling all the produce that the canals would transport when finished. In conclusion, Dennison declared that work on the canals could not be resumed without laying an additional direct tax. This statement touched the pocket-books of the people; and, in the opinion of the Radicals, closed the discussion, for no Democrat, confronting a presidential and gubernatorial election, would dare burden his party with another direct canal tax.

Horatio Seymour, chairman of the canal committee of the Assembly, now appeared with a report, covering seventy-one octavo pages, which illuminated the question even to the enlightenment of Michael Hoffman. It was the first display of that mastery of legislative skill and power, which Seymour's shrewd discerning mind was so well calculated to acquire. The young Oneida statesman had been a favourite since his advent in the Assembly in 1842. His handsome face, made more attractive by large, luminous eyes, and a kind, social nature, peculiarly fitted him for public life; and, back of his fascinating manners, lay sound judgment and great familiarity with state affairs. Like Seward, he possessed, in this respect, an advantage over older members, and he was now to show something of the moral power which the Auburn Senator displayed when he displeased the short-sighted partisans who seemed to exist and to act only for the present.

In presenting his report Seymour was careful to sustain the pledges of the act of 1842, and to condemn the pre-existing policy of creating additional debts for the purpose of constructing new canals or enlarging the Erie. With gentle and cunning skill he commended Azariah C. Flagg's policy, adopted in 1835, of using only the surplus revenue of the canals for such purposes. "The errors we have committed," said his report, "are not without their utility or profitable teaching. The corruptions of extravagance and the bitter consequences of indebtedness, have produced their own correctives, and

public opinion, admonished by the past, has returned to its accustomed and healthful channels, from which it will not be readily diverted. There is no portion of our citizens who desire to increase our state indebtedness, or to do aught to the detriment of our common interests, when they are shown the evils that inevitably follow in the train of borrowing large sums of money, to be repaid, perhaps, in periods of pecuniary distress and embarrassment. Neither is it true, on the other hand, that any considerable number of our citizens are opposed to the extension of our canals when it can be effected by the aid of surplus revenues."[\[42\]](#)

This last sentence was the keynote. Bouck had suggested the principle, and other Conservatives had vainly tried to enforce it, but it remained for Seymour to obtain for it a fair and candid hearing. With great clearness, he unfolded the condition of the public works and of the public finances, and, with able reasoning, he showed that, out of the canal revenues, all the pledges of the act of 1842 could be met, and out of the surplus revenues, all the pledges of the act of 1836 could be completed. At the conclusion, he introduced a bill providing for the resumption of work along the lines set forth in the report.

The reports of Dennison and Seymour reduced the issue to its lowest terms. Dennison wanted the surplus revenues, if any, applied to the payment of the state debt; Seymour insisted upon their use for the enlargement of the Erie and the completion of the Black River and Genesee Valley canals. Both favoured a sinking fund, with which to extinguish the state debt, and both opposed the construction of any new work which should add to that debt. But Dennison, with pessimistic doggedness, denied that there would be sufficient surplus to produce the desired result. Seymour, with much of the optimism of Seward, cherished the hope that rich tolls, growing larger as navigation grew better, would flow into the treasury, until all the canals would be completed and all the debts wiped out. The Radical was more than a pessimist—he was a strict constructionist of the act of 1842. He held that the Seymour bill was a palpable departure from the policy of that act, and that other measures, soon to follow, would eventually overthrow such a policy. To all this Seymour replied in his report, that "just views of political economy are not to be disseminated by harsh denunciations, which create the suspicion that there is more of hostility to the interests of those assailed than an honest desire to protect the treasury of the State."[\[43\]](#)

Hoffman and Seymour set the tone to the debate in the Assembly. They were, admittedly, the leaders of the two factions, and, although Hoffman possessed remarkable powers of denunciation, which he used freely against measures, his courtesy toward opponents was no less marked than Seymour's.^[44] Other Conservatives supported the measure with ability. But it was Seymour's firmness of mind, suavity of manner, unwearied patience, and incomparable temper, under a thousand provocations, that made it possible to pass the bill, substantially as he wrote it, by a vote of sixty-seven to thirty-eight. Even Michael Hoffman refused to vote against it, although he did not vote for it.

The measure met fiercer opposition in the Senate. It had more acrid and irritable members than the Assembly, and its talkers had sharper tongues. In debate, Foster was the most formidable, but Albert Lester's acerbity of temper fixed the tone of the discussion. Finally, when the vote was taken the Democrats broke evenly for and against the measure; but, as five Whigs supported it, the bill finally passed, seventeen to thirteen.

It was a great victory for Seymour, then only thirty-four years old. Indeed, the history of the session may be described as the passage of a single measure by a single man whose success was based on supreme faith in the Erie canal. Seymour flowingly portrayed its benefits, and, with prophetic eye, saw the deeply laden boats transporting the produce of prosperous farmers who had chosen homes in the West when access was rendered so easy. What seemed to others to threaten disaster to the State, appealed to him as a great highway of commerce that would yield large revenues to the Commonwealth and abundantly bless its people. He predicted the building of villages and the development of diversified industries along its banks, and, in one of his captivating sentences, he described the pleasure of travelling quickly by packets, viewing the scenery of the Mohawk Valley by day and sleeping comfortably in a cabin-berth at night. But he did not favour building so rapidly as to burden the State with debt. This was the mistake of the Seward administration, and the inevitable reaction gave the Radicals an argument for delay, and Dennison an opportunity for a telling report. Seymour put his faith in the earning capacity of the Erie canal. Forty years later, when he advocated the abolition of tolls, he found all his predictions more than verified.

CHAPTER VI

VAN BUREN DEFEATED AT BALTIMORE

1844

THE canal contest and Horatio Seymour's success preceded many surprises and disappointments which were to be disclosed in the campaign of 1844. Never were the motions of the political pendulum more agitated or more irregular. For three years, public sentiment had designated Henry Clay and Martin Van Buren as the accepted candidates of their respective parties for President; and, until the spring of 1844, the confidence of the friends of the Kentucky statesman did not exceed the assurance of the followers of the ex-President. Indeed, the Democratic party was known throughout the country as the "Van Buren party," and, although James Buchanan, John C. Calhoun, and Lewis Cass had each been named as suitable persons for Chief Executive, the sage of Lindenwald was the party's recognised leader and prospective candidate. His sub-treasury scheme, accepted as wise and salutary, was still the corner-stone of the party, buttressed by a tariff for revenue and opposition to a national bank.

In national affairs, the Democratic party in New York was still a unit. The Legislature of 1843 had re-elected Silas Wright to the United States Senate, without a dissenting Democratic vote; and a state convention, held at Syracuse in September of the same year, and made up of Radicals and Conservatives, had instructed its delegation to support New York's favourite son. But a troublesome problem suddenly confronted Van Buren. President Tyler had secretly negotiated a treaty of annexation with Texas, ostensibly because of the contiguity and great value of its territory, in reality, because, as Calhoun, then secretary of state, showed in his correspondence with Great Britain, Texas seemed indispensable to the preservation and perpetuation of slavery. Texas had paved the way for such a treaty by

providing, in its constitution, for the establishment of slavery, and by prohibiting the importation of slaves from any country other than the United States. But for three months friends of the treaty in the United States Senate had vainly endeavoured to find a two-thirds majority in favour of its ratification. Then, the exponents of slavery, having secretly brought to their support the enormous prestige of Andrew Jackson, prepared to nominate a successor to President Tyler who would favour the treaty.

Van Buren had never failed the South while in the United States Senate. He had voted against sending abolition literature through the mails into States that prohibited its circulation; he had approved the rules of the Senate for tabling abolition petitions without reading them; he had publicly deprecated the work of abolition leaders; and, by his silence, had approved the mob spirit when his friends were breaking up abolition meetings. But, in those days, American slavery was simply seeking its constitutional right to exist unmolested where it was; and, although the anti-slavery crusade from 1830 to 1840, had profoundly stirred the American conscience, slavery had not yet, to any extended degree, entered into partisan politics. The annexation of Texas, however, was an aggressive measure, the first of the great movements for the extension of slavery since the Missouri Compromise; and it was important to the South to know in advance where the ex-President stood. His administration had been adverse to annexation, and rumour credited him with unabated hostility. To force him into the open, therefore, William H. Hammit, a member of Congress from Mississippi, addressed him a letter on the 27th of March, 1844. "I am an unpledged delegate to the Baltimore convention," wrote Hammit, "and it is believed that a full and frank declaration of your opinion as to the constitutionality and expediency of immediately annexing Texas will be of great service to the cause, at a moment so critical of its destiny."^[45] Van Buren held this letter until the 20th of April, thirty-seven days before the meeting of the convention. When he did reply he recalled the fact that in 1837, after an exhaustive consideration of the question, his administration had decided against annexation, and that nothing had since occurred to change the situation; but that if, after the subject had been fully discussed, a Congress chosen with reference to the question showed that the popular will favoured it, he would yield. It was a letter of great length, elaborately discussing every point directly or indirectly relating to the subject.

Van Buren deeply desired the nomination, and if the South supported him he was practically certain of it. It was in view of the necessity of such support that Van Buren's letter has been pronounced by a recent biographer "one of the finest and bravest pieces of political courage, and deserves from Americans a long admiration."^[46] Such eulogy is worthily bestowed if Van Buren, at the time of the Hammit letter, fully appreciated the gravity of the situation; but there is no evidence that he understood the secret and hostile purpose which led up to the Hammit inquiry, and the letter itself is evidence that he sought to conciliate the Southern wing of his party. Charles Jared Ingersoll of Pennsylvania, in his diary of May 6, 1844, declares that nearly all of Van Buren's admirers and most of the Democratic press were even then committed to annexation. Nevertheless, Van Buren and his trusted advisers could not have known of the secret plotting of Buchanan's and Cass's followers, or of the deception shrewdly practised by Cave Johnson of Tennessee, ostensibly a confidential friend, but really a leader in the plot to defeat Van Buren.^[47] Besides, the sentiment of the country unmistakably recognised that powerful and weighty as the inducements for annexation appeared, they were light when opposed in the scale of reason to the treaty of amity and commerce with Mexico, which must be scrupulously observed so long as that country performed its duties and respected treaty rights. Even after the nomination of a President only sixteen senators out of fifty-one voted for annexation, proving that the belief still obtained, in the minds of a very large and influential portion of the party, that annexation was decidedly objectionable, since it must lead, as Benton put it in his great speech delivered in May, 1844, to an unjust, unconstitutional war with Mexico upon a weak and groundless pretext. Thus, Van Buren had behind him, the weight of the argument, a large majority of the Senate, including Silas Wright, his noble friend, and a party sentiment that had not yet yielded to the crack of the southern whip; and he was ignorant of the plan, already secretly matured, to defeat him with the help of the followers of Buchanan and Cass by insisting upon the two-thirds rule in the convention. Under these circumstances, it did not require great courage to reaffirm his previous views so forcibly and ably expressed. Cognisant, however, of the growing desire in the South for annexation, he took good care to remove the impression that he was a hard-shell, by promising to yield his opinion to the judgment of a new Congress. This was a long step in the direction of consent. It virtually said, "If you elect a Congress that will ratify the treaty

and pay the price, I will not stand in your way." In the presence of such complacency, the thought naturally occurs that he might have gone a step farther and consented to yield his opinions at once had he known or even suspected the secret plans of his southern opponents, the bitterness of Calhoun and Robert J. Walker, and their understanding with the friends of Buchanan and Cass. Jackson's letter favourable to annexation, skilfully procured for publication just before the convention, "to blow Van out of water," as his enemies expressed it, was, indeed, known to Van Buren, but the latter believed its influence discounted by the great confidence Jackson subsequently expressed in his wisdom.[48]

Three days before the date of Van Buren's letter, Henry Clay, writing upon the same subject, expressed the opinion that annexation at this time, without the assent of Mexico, would be a measure "compromising the national character, involving us certainly in war with Mexico, probably with other foreign powers, dangerous to the integrity of the Union, inexpedient to the present financial condition of the country, and not called for by any general expression of public opinion." Van Buren had visited Clay at Ashland in 1842, and, after the publication of their letters, it was suggested that a bargain had then been made to remove the question of annexation from politics. However this may be, the friends of the ex-President, after the publication of his letter, understood, quickly and fully, the gravity of the situation. Subterranean activity was at its height all through the month of May. Men wavered and changed, and changed again. So great was the alarm that leading men of Ohio addressed their delegation in Congress, insisting upon Van Buren's support. It was a moment of great peril. The agitators themselves became frightened. A pronounced reaction in favour of Van Buren threatened to defeat their plans, and the better to conceal intrigue and tergiversation they deemed it wise to create the belief that opposition had been wholly and finally abandoned. In this they proved eminently successful. "Many of the strongest advocates of annexation," wrote a member of the New York delegation in Congress, on May 18, nine days before the convention, "have come to regard the grounds taken by Van Buren as the only policy consistent not only with the honour, but the true interests of the country. Such is fast becoming and will soon be the opinion of the whole South." [49] But the cloud, at last, burst. No sooner had the Baltimore convention convened than Benjamin F. Butler, the ardent friend

and able spokesman of Van Buren, discovered that the backers of Cass and Buchanan were acting with the Southerners in the interest of a rule that required two-thirds of all the delegates in the convention to nominate. Instantly the air was thick with suggestion, devices, expedients. All the arts of party emergency went on at an unprecedented rate. The eloquent New Yorker, his clear, tenor voice trembling with emotion, fought the battle on the highest moral grounds.

With inexhaustible tenacity, force, and resource, he laboured to hold up to men's imagination and to burn into their understanding the shame and dishonour of adopting a rule, not only unsound and false in principle, but which, if adhered to, would coerce a majority to yield to a minority. "I submit," declared Butler, in closing, "that to adopt a rule which requires what we know cannot be done, unless the majority yield to the minority, is to subject ourselves to the rule, not of reason, but of despotism, and to defeat the true purposes and objects of this convention—the accomplishment of the people's will for the promotion of the people's good."[\[50\]](#)

The adoption of the rule, by a vote of 148 to 118, showed that the Democratic party did not have a passionate devotion for Martin Van Buren. Buchanan opposed his nomination; leading men in other States did not desire him. The New England States, with Pennsylvania, Ohio, Michigan, Illinois, Arkansas, Louisiana, Mississippi, and Alabama, had instructed for him; yet sixty-three of these instructed delegates voted for the two-thirds rule, knowing that its adoption would defeat him. The rule received thirty majority, and Van Buren, on the first ballot, received only thirteen. On the second ballot he dropped to less than a majority; on the seventh he had only ninety-nine votes. The excitement reached a climax when a motion to declare him the nominee by a majority vote, was ruled out of order. In the pandemonium, the New Yorkers, for the first time, seemed to unloose themselves, letting fly bitter denunciations of the treachery of the sixty-three delegates who were pledged to Van Buren's support. When order was restored, a Virginian suddenly put forward the name of James K. Polk as that of "a pure, whole-hogged Democrat." Then the convention adjourned until the next day.

Harmony usually follows a bitter convention quarrel. Men become furiously and sincerely indignant; but the defeated ones must accept the results, or, Samson-like, destroy themselves in the destruction of their party. The next morning, Daniel S. Dickinson, the most violently indignant the day before, declared that "he loved this convention because it had acted so like the masses." In a high state of nervous excitement, Samuel Young had denounced "the abominable Texas question" as the firebrand thrown among them, but his manner now showed that he, also, had buried the hatchet. Even the serene, philosophic Butler, who, in "an ecstasy of painful excitement," had "leaped from the floor and stamped," to use the language of an eye-witness, now resumed his wonted calmness, and on the ninth ballot, in the midst of tremendous cheering, used the discretion vested in him to withdraw Van Buren's name. In doing so, he took occasion to indicate his preference for James K. Polk, his personal friend. Following this announcement, Dickinson cast New York's thirty-five votes for the Tennesseean, who immediately received the necessary two-thirds vote. The situation had given Polk peculiar advantages. The partisans of Cass and Buchanan, having willingly defeated Van Buren, made the friends of the New Yorker thirsty to put their knives into these betrayers. This situation, opening the door for a compromise, brought a "dark horse" into the race for the first time in the history of national conventions. Such conditions are common enough nowadays, but it may well be doubted if modern political tactics ever brought to the surface a more inferior candidate. "Polk! Great God, what a nomination!" wrote Governor Letcher of Kentucky to Buchanan.

To make the compromise complete, the convention, by acclamation, nominated Silas Wright for Vice President. But the man who had recently declined a nomination to the Supreme Court of the United States, and who, after the defeat of Van Buren, had refused the use of his name for President, did not choose, he said, "to ride behind the black pony." A third ballot resulted in the selection of George M. Dallas of Pennsylvania. Among the resolutions adopted, it was declared that "our title to the whole of Oregon is clear and unquestionable; that no portion of the same ought to be ceded to England or any other power; and the reoccupation of Oregon and the reannexation of Texas at the earliest practicable period, are great American

measures, which the convention recommends to the cordial support of the Democracy of the Union."

Van Buren's defeat practically closed his career. His failure of re-election in 1840 had left his leadership unimpaired, but with the loss of the nomination in 1844 went prestige and power which he was never to regain. Seldom has it been the misfortune of a candidate for President to experience so overwhelming an overthrow. Clay's failure in 1839 and Seward's in 1860 were as complete; but they lacked the humiliating features of the Baltimore rout. Harrison was an equal favourite with Clay in 1839; and at Chicago, in 1860, Lincoln shared with Seward the prominence of a leading candidate; but at Baltimore, in 1844, no other name than Van Buren's appeared conspicuously above the surface, until, with the help of delegates who had been instructed for him, the two-thirds rule was adopted. It seemed to Van Buren the result of political treachery; and it opened a chasm between him and his former southern friends that was destined to survive during the remaining eighteen years of his life. The proscription of his New York friends undoubtedly aided this division, and the death of Jackson, in 1845, and rapidly accumulating political events which came to a climax in 1848, completed the separation.

There are evidences that Van Buren's defeat did not break the heart of his party in New York. Contemporary writers intimate that after his election as President the warm, familiar manners changed to the stiffer and more formal ways of polite etiquette, and that his visit to New York, during his occupancy of the White House, left behind it many wounds, the result of real or fancied slights and neglect. Van Buren's rule had been long. His good pleasure sent men to Congress; his good pleasure made them postmasters, legislators, and cabinet officers. In all departments of the government, both state and national, his influence had been enormous. For years his friends, sharing the glory and profits of his continued triumphs, had been filling other ambitious men with envy and jealousy, until his overthrow seemed necessary to their success. Even Edwin Croswell shared this feeling, and, although he did not boldly play a double part, the astute editor was always seeking a position which promised the highest advantage and the greatest security to himself and his faction. This condition of mind made him quick to favour Polk and the annexation of Texas, and to leave Van Buren to his now limited coterie of followers.

Van Buren had much liking for the career of a public man. Very probably he found his greatest happiness in the triumphs of such a life; but we must believe he also found great contentment in his retirement at Lindenwald. He did not possess the tastes and pleasures of a man of letters, nor did he affect the "classic retirement" that seemed to appeal so powerfully to men of the eighteenth century; but, like John Jay, he loved the country, happy in his health, in his rustic tastes, in his freedom from public cares, and in his tranquil occupation. Skilled in horticulture, he took pleasure in planting trees, and in cultivating, with his own hand, the fruits and flowers of his table. There can be no doubt of his entire sincerity when he assured an enthusiastic Pennsylvania admirer, who had pronounced for him as a candidate in 1848, that whatever aspirations he may have had in the past, he now had no desire to be President.

CHAPTER VII

SILAS WRIGHT AND MILLARD FILLMORE

1844

THE New York delegation, returning from the Baltimore convention, found the Democratic party rent in twain over the gubernatorial situation. So long as Van Buren seemed likely to be the candidate for President, opposition to Governor Bouck's renomination was smothered by the desire of the Radicals to unite with the Conservatives, and thus make sure of the State's electoral vote. This was the Van Buren plan. After the latter's defeat, however, the Radicals demanded the nomination of Silas Wright of Canton. Van Buren and Wright had taken no part in the canal controversy; but they belonged to the Radicals, and, with Wright, and with no one else, could the latter hope to defeat the "Agricultural Governor." Their importunity greatly distressed the Canton statesman, who desired to remain in the United States Senate, to which he had been recently re-elected for a third term, and to whom, from every point of view, the governorship was distasteful.^[51] Besides taking him from the Senate, it meant contention with two bitterly jealous and hostile factions, one of which would be displeased with impartiality, the other ready to plunge the party into a fierce feud on the slightest show of partiality. Therefore, he firmly declined to be a candidate.

But the Albany *Atlas*, representing the Radicals, insisted upon Wright's making the sacrifice; and, to give Bouck an easy avenue of escape, Edwin Croswell, representing the Conservatives, advised that the Governor would withdraw if he should consent to stand. But he again refused. Still the *Atlas* continued to insist. By the middle of July things looked very black. In Albany, the atmosphere became thick with political passion. Finally, Van Buren interfered. He was profoundly affected with the idea that political treachery had compassed his defeat, and he knew the nomination of Polk

was personally offensive to Silas Wright; but, faithful to his promise to support the action of the Baltimore convention, he requested his friend to lead the state ticket, since the result in New York would probably decide, as it did decide, the fate of the Democratic party in the nation. Still the Senator refused. His decision, more critical than he seemed to be aware, compelled his Radical friends to invent new compromises, until the refusal was modified into a conditional consent. In other words, he would accept the nomination provided he was not placed in the position of opposing "any Republican who is, or who may become a candidate."

This action of the Radicals kept the Conservatives busy bailing a sinking boat. They believed the candidacy of Bouck would shut out Wright under the terms of his letter, and, although the Governor's supporters were daily detached by the action of county conventions, and the Governor himself wished to withdraw to avoid the humiliation of a defeat by ballot, the Conservatives continued their opposition. For once it could be truthfully said of a candidate that he was "in the hands of his friends." Even the "judicious" delegate, whom the Governor directed to withdraw his name, declined executing the commission until a ballot had nominated Wright, giving him ninety-five votes to thirty for Bouck. "Wright's nomination is the fatality," wrote Seward. "Election or defeat exhausts him."[\[52\]](#) Seward had the gift of prophecy.

The bitterness of the contest was further revealed in the refusal of Daniel S. Dickinson, a doughty Conservative, to accept a renomination for lieutenant-governor, notwithstanding Silas Wright had especially asked it. There were many surmises, everybody was excited, and the door to harmony seemed closed forever; but it opened again when the name of Addison Gardiner of Rochester came up. Gardiner had been guided by high ideals. He was kind and tolerant; the voice of personal anger was never heard from his lips; and Conservative and Radical held him in high respect. At Manlius, in 1821, Gardiner had become the closest friend of Thurlow Weed, an intimacy that was severed only by death. He was a young lawyer then, anxious to seek his fortune in the West, and on his way to Indianapolis happened to stop at Rochester. The place proved too attractive to give up, and, through his influence, Weed also made it his residence. "How curious it seems," he once wrote his distinguished journalistic friend, "that circumstances which we regard at the time as scarcely worthy of notice often change the entire

current of our lives." A few years later, through Weed's influence, Gardiner became a judge of the Supreme Court, laying the foundation for a public life of honourable and almost unceasing activity.

Though the Whigs needed their ablest and most popular men to meet Wright and Gardiner, preceding events guided the action of their state convention, which met at Syracuse, on the 11th of September, 1844. Horace Greeley had picked out Millard Fillmore for the Vice Presidency on the ticket with Henry Clay, and his New York friends, proud of his work in Congress, as chairman of the Committee on Ways and Means, presented his name with the hope that other States, profiting by the tariff which he had framed, might join them in recognising his valuable public service. But the convention had not taken kindly to him, probably for the same reason that Greeley desired his promotion; for, upon the slavery question, Fillmore had been more pronounced and aggressive than Seward, sympathising and acting in Congress with Giddings of Ohio and John P. Hale of New Hampshire, a part very difficult to perform in those days without losing caste as a Whig.

Fillmore's defeat on May 1, however, made him the candidate for governor on September 11. Weed pronounced for him very early, and the party leaders fell into line with a unanimity that must have been as balm to Fillmore's sores. "I wish to say to you," wrote George W. Patterson to Weed, "that you are right, as usual, on the question of governor. After Frelinghuysen was named for Vice President, it struck me that Fillmore above all others was the man. You may rest assured that he will help Mr. Clay to a large number of good men's votes. Mr. Clay's slaves and his old duel would have hurt him with some men who will now vote the ticket. Fillmore is a favourite everywhere; and among the Methodists where 'old Father Fillmore' is almost worshipped, they will go him with a rush."[\[53\]](#) Yet the Buffalo statesman, not a little disgruntled over his treatment at Baltimore, disclaimed any desire for the nomination. To add to his chagrin, he was told that Weed and Seward urged his selection for his destruction, and whether he believed the tale or not, it increased his fear and apprehension. But people did not take his assumed indifference seriously, and he was unanimously nominated for governor, with Samuel J. Wilkin, of Orange, for lieutenant-governor. Wilkin had been a leader of the Adams party in the Assembly of 1824 and 1825. He was then a young lawyer of

much promise, able and clear-headed, and, although never a showy debater, he possessed useful business talent, and an integrity that gave him high place among the men who guided his party. "I like Wilkin for lieutenant-governor," wrote Seward, although he had been partial to the selection of John A. King.

Without doubt, each party had put forward, for governor, its most available man. Fillmore was well known and at the height of his popularity. During the protracted and exciting tariff struggle of 1842, he had sustained himself as chairman of the Ways and Means Committee with marked ability. It added to his popularity, too, that he had seemed indifferent to the nomination. In some respects Fillmore and Silas Wright were not unlike. They were distinguished for their suavity of manners. Both were impressive and interesting characters, wise in council, and able in debate, with a large knowledge of their State and country; and, although belonging to opposite parties and in different wings of the capitol at Washington, their service in Congress had brought to the debates a genius which compelled attention, and a purity of life that raised in the public estimation the whole level of congressional proceedings. Neither was an orator; they were clear, forcible, and logical; but their speeches were not quoted as models of eloquence. In spite of an unpleasant voice and a slow, measured utterance, there was a charm about Wright's speaking; for, like Fillmore, he had earnestness and warmth. With all their power, however, they lacked the enthusiasm and the boldness that captivate the crowd and inspire majorities. Yet they had led majorities. In no sphere of Wright's activities, was he more strenuous than in the contest for the independent treasury plan which he recommended to Van Buren, and which, largely through his efforts as chairman of the Senate Finance Committee, was finally forced into law on the 4th of July, 1840. Fillmore, in putting some of the hated taxes of 1828 into the tariff act of 1842, was no less strenuous, grappling facts with infinite labour, until, at last, he overcame a current of public opinion that seemed far too powerful for resistance.

Of the two men, Silas Wright was undoubtedly the stronger character. He was five years older than Fillmore, and his legislative experience had been four or five years longer. His great intellectual power peculiarly fitted him for the United States Senate. He had chosen finance as his specialty, and in its discussion had made a mark. He could give high and grave counsel in

great emergencies. His inexhaustible patience, his active attention and industry, his genius in overcoming impediments of every kind, made him the peer of the ablest senator. He was not without ambitions for himself; but they were always subordinate in him to the love of party and friends. It will never be known how far he influenced Van Buren's reply to Hammit. He bitterly opposed the annexation of Texas, and his conferences with the ex-President must have encouraged the latter's adherence to his former position. Van Buren's defeat, however, in no wise changed Wright's attitude toward him. It is doubtful if the latter could have been nominated President at Baltimore had he allowed the use of his name, but it was greatly to his credit, showing the sincerity of his friendship for Van Buren, that he spurned the suggestion and promptly declined a unanimous nomination for Vice President. Such action places him in a very small group of American statesmen who have deliberately turned their backs upon high office rather than be untrue to friends.

Silas Wright was strictly a party man. He came near subjecting every measure and every movement in his career to the test of party loyalty. He started out in that way, and he kept it up until the end. In 1823 he sincerely favoured the choice of presidential electors by the people, but, for the party's sake, he aided in defeating the measure. Two years later, he preferred that the State be unrepresented in the United States Senate rather than permit the election of Ambrose Spencer, then the nominee of a Clintonian majority, and he used all his skill to defeat a joint session of the two houses. For the sake of party he now accepted the gubernatorial nomination. Desire to remain in the Senate, opposition to the annexation of Texas, dislike of participating in factional feuds, refusal to stand in the way of Bouck's nomination, the dictates of his better judgment, all gave way to party necessity. He anticipated defeat for a second term should he now be elected to a first, but it had no influence. The party needed him, and, whatever the result to himself, he met it without complaint. This was the man upon whom the Democrats relied to carry New York and to elect Polk.

There were other parties in the field. The Native Americans, organised early in 1844, watched the situation with peculiar emotions. This party had suddenly sprung up in opposition to the ease with which foreigners secured suffrage and office; and, although it shrewdly avoided nominations for governor and President, it demoralised both parties by the strange and

tortuous manœuvres that had ended in the election of a mayor of New York in the preceding spring. It operated, for the most part, in that city, but its sympathisers covered the whole State. Then, there was the anti-rent party, confined to Delaware and three or four adjoining counties, where long leases and trifling provisions of forfeiture had exasperated tenants into acts of violence. Like the Native Americans, these Anti-Renters avoided state and national nominations, and traded their votes to secure the election of legislative nominees.

But the organisation which threatened calamity was the abolition or liberty party. It had nominated James G. Birney of Michigan for President and Alvan Stewart for governor, and, though no one expected the election of either, the organisation was not unlikely to hold the balance of power in the State. Stewart was a born Abolitionist and a lawyer of decided ability. In the section of the State bounded by Oneida and Otsego counties, where he shone conspicuously as a leader for a quarter of a century, his forensic achievements are still remembered. Stanton says he had no superior in central New York. "His quaint humour was equal to his profound learning. He was skilled in a peculiar and indescribable kind of argumentation, wit, and sarcasm, that made him remarkably successful out of court as well as in court. Before anti-slavery conventions in several States he argued grave and intricate constitutional questions with consummate ability."[\[54\]](#)

It was evident that the Anti-Renters and Native Americans would draw, perhaps, equally from Whigs and Democrats; but the ranks of Abolitionists could be recruited only from the anti-slavery Whigs. Behind Stewart stood Gerrit Smith, William Jay, Beriah Green, and other zealous, able, benevolent, pure-minded men—some of them wealthy. Their shibboleth was hostility to a slave-holder, or one who would vote for a slave-holder. This barred Henry Clay and his electors.

At the outset the Whigs plainly had the advantage. Spring elections had resulted auspiciously, and the popularity of Clay seemed unfailing. He had avowed opposition to the annexation of Texas, and, although his letter was not based upon hostility to slavery and the slave trade, it was positive, highly patriotic, and in a measure satisfactory to the anti-slavery Whigs. "We are at the flood," Seward wrote Weed; "our opponents at the ebb."[\[55\]](#) The nomination of Wright had greatly strengthened the Democratic ticket,

but the nomination of Polk, backed by the Texas resolution, weighted the party as with a ball and chain. Edwin Croswell had characterised Van Buren's letter to Hammit as "a statesmanlike production," declaring that "every American reader, not entirely under the dominion of prejudice, will admit the force of his conclusions."[\[56\]](#) This was the view generally held by the party throughout the State; yet, within a month, every American reader who wished to remain loyal to the Democratic party was compelled to change his mind. In making this change, the "slippery-elm editor," as Croswell came to be known because of the nearness of his office to the old elm tree corner in Albany, led the way and the party followed. It was a rough road for many who knew they were consigning to one grave all hope of ending the slavery agitation, while they were resurrecting from another, bitter and dangerous controversies that had been laid to rest by the Missouri Compromise. Yet only one poor little protest, and that intended for private circulation, was heard in opposition, the signers, among them William Cullen Bryant, declaring their intention to vote for Polk, but to repudiate any candidate for Congress who agreed with Polk. Bryant's purpose was palpable and undoubted; but it soon afterward became part of his courage not to muffle plain truth from any spurious notions of party loyalty, and part of his glory not to fail to tell what people could not fail to see.

As the campaign advanced, the Whig side of it resembled the contest of 1840. The log cabin did not reappear, and the drum and cannon were less noisy, but ash poles, cut from huge trees and spliced one to another, carried high the banner of the statesman from Ashland. Campaign songs, with choruses for "Harry of the West," emulated those of "Old Tip," and parades by day and torch-light processions by night, increased the enthusiasm. The Whigs, deeply and personally attached to Henry Clay, made mass-meetings as common and nearly as large as those held four years before. Seward speaks of fifteen thousand men gathered at midday in Utica to hear Erastus Root, and of a thousand unable to enter the hall at night while he addressed a thousand more within. Fillmore expressed the fear that Whigs would mistake these great meetings for the election, and omit the necessary arrangements to get the vote out. "I am tired of mass-meetings," wrote Seward. "But they will go on."[\[57\]](#)

Seward and Weed were not happy during this campaign. The friends of Clay, incensed at his defeat in 1840, had pronounced them the chief

conspirators. Murmurs had been muffled until after Tyler's betrayal of the party and Seward's retirement, but when these sources of possible favours ran dry, the voice of noisy detraction reached Albany and Auburn. It was not an ordinary scold, confined to a few conservatives; but the censure of strong language, filled with vindictiveness, charged Weed with revolutionary theories, tending to unsettle the rights of property, and Seward with abolition notions and a desire to win the Irish Catholic vote for selfish purposes. In February, 1844, it was not very politely hinted to Seward that he go abroad during the campaign; and by June, Weed talked despondingly, proposing to leave the *Journal*. Seward had the spirit of the Greeks. "If you resign," he said, "there will be no hope left for ten thousand men who hold on because of their confidence in you and me."^[58] In another month Weed had become the proprietor as well as the editor of the *Evening Journal*.

As the campaign grew older, however, Clay's friends gladly availed themselves of Seward's influence with anti-slavery Whigs and naturalised citizens. "It is wonderful what an impulse the nomination of Polk has given to the abolition sentiment," wrote Seward. "It has already expelled other issues from the public mind. Our Whig central committee, who, a year ago, voted me out of the party for being an Abolitionist, has made abolition the war-cry in their call for a mass-meeting."^[59] Even the sleuth-hounds of No-popery were glad to invite Seward to address the naturalised voters, whose hostility to the Whigs, in 1844, resembled their dislike of the Federalists in 1800. "It is a sorry consolation for this ominous aspect of things," he wrote Weed, "that you and I are personally exempt from the hostility of this class toward our political associates."^[60]

Yet no man toiled more sedulously in this campaign than Seward. "Harrison had his admirers, Clay his lovers," is the old way of putting it. To elect him, Whigs were ready to make any sacrifice, to endure any hardship, and to yield every prejudice. Fillmore was ubiquitous, delivering tariff and anti-Texas speeches that filled all mouths with praise and all hearts with principle, as Seward expressed it. An evident desire existed on the part of many in both parties, to avoid a discussion of the annexation of Texas, and its consequent extension of slavery, lest too much or too little be said; but leaders like Seward and Fillmore were too wise to believe that they could fool the people by concealing the real issue. "Texas and slavery are at war

with the interests, the principles, the sympathies of all," boldly declared the unmuzzled Auburn statesman. "The integrity of the Union depends on the result. To increase the slave-holding power is to subvert the Constitution; to give a fearful preponderance which may, and probably will, be speedily followed by demands to which the Democratic free-labour States cannot yield, and the denial of which will be made the ground of secession, nullification and disunion."^[61] This was another of Seward's famous prophecies. At the time it seemed extravagant, even to the strongest anti-slavery Whigs, but the future verified it.

The Whigs, however, did not, as in 1840, have a monopoly of the enthusiasm. The public only half apprehended, or refused to apprehend at all, the danger in the Texas scheme; and, after the first chill of their immersion, the Democrats rallied with confidence to the support of their ticket. Abundant evidence of their strength had manifested itself at each state election since 1841, and, although no trailing cloud of glory now testified to a thrifty and skilful management, as in 1836, the two factions, in spite of recent efforts to baffle and defeat each other, pulled themselves together with amazing quickness. Indeed, if we may rely upon Whig letters of the time, the Democrats exhibited the more zeal and spirit throughout the campaign. They had their banners, their songs, and their processions. In place of ash, they raised hickory poles, and instead of defending Polk, they attacked Clay. Other candidates attracted little attention. Clay was the commanding, central figure, and over him the battle raged. There were two reasons for this. One was the fear of a silent free-soil vote, which the Bryant circular had alarmed in his favour. The other was a desire to strengthen the liberty party, and to weaken the Whigs by holding up Clay as a slave-holder. The corner-stone of that party was hostility to the slave-holder; and if a candidate, however much he opposed slavery, owned a single slave, it excluded him from its suffrage. This was the weak point in Clay's armour, and the one of most peril to the Whigs. To meet it, the latter argued, with some show of success, that the conflict is not with one slave-holder, or with many, but with slavery; and since the admission of Texas meant the extension of that institution, a vote for Clay, who once advocated emancipation in Kentucky and is now strongly opposed to Texas, is a vote in behalf of freedom.

In September, Whig enthusiasm underwent a marked decline. Clay's July letter to his Alabama correspondent, as historic now as it was superfluous and provoking then, had been published, in which he expressed a wish to see Texas added to the Union "upon just and fair terms," and hazarded the opinion that "the subject of slavery ought not to affect the question one way or the other."^[62] This letter was the prototype of the famous alliteration, "Rum, Romanism, and Rebellion," in the Blaine campaign of 1884. Immediately Clay's most active anti-slavery supporters were in revolt. "We had the Abolitionists in a good way," wrote Washington Hunt from Lockport; "but Mr. Clay seems determined that they shall not be allowed to vote for him. I believe his letter will lose us more than two hundred votes in this county."^[63] The effects of the dreadful blow are as briefly summed up by Seward: "I met *that letter* at Geneva, and thence here, and now everybody droops, despairs. It jeopardises, perhaps loses, the State."^[64] A few weeks later, in company with several friends, Seward, as was his custom, made an estimate of majorities, going over the work several times and taking accurate account of the drift of public sentiment. An addition of the columns showed the Democrats several thousands ahead. Singularly enough, Fillmore, whose accustomed despondency exhibited itself even in 1840, now became confident of success. This can be accounted for, perhaps, on the theory that to a candidate the eve of an election is "dim with the self-deceiving twilight of sophistry." He believed in his own safety even if Clay failed. Although the deep, burning issue of slavery had not yet roused popular forces into dangerous excitement, Fillmore had followed the lead of Giddings and Hale, sympathising deeply with the restless flame that eventually guided the policy of the North with such admirable effect. On the other hand, Wright approved his party's doctrine of non-interference with slavery. He had uniformly voted to table petitions for the abolition of slavery in the District of Columbia, declaring that any interference with the system, in that district, or in the territories, endangered the rights of their citizens, and would be a violation of faith toward those who had settled and held slaves there. He voted for the admission of Arkansas and Florida as slave States; and his opposition to Texas was based wholly upon reasons other than the extension of slavery. The Abolitionists understood this, and Fillmore confidently relied upon their aid, although they might vote for Birney instead of Clay.

That Seward rightly divined public sentiment was shown by the result. Polk carried the State by a plurality of little more than five thousand, and Wright by ten thousand, while Stewart polled over fifteen thousand votes.^[65] These last figures told the story. Four years before, Birney had received less than seven thousand votes in the whole country; now, in New York, the Abolitionists, exceeding their own anticipations, held the balance of power.^[66] Had their votes been cast for Clay and Fillmore both would have carried New York, and Clay would have become the Chief Executive. "Until Mr. Clay wrote his letter to Alabama," said Thurlow Weed, dispassionately, two years afterward, "his election as President was certain."^[67]

Clay's defeat was received by his devoted followers as the knell of their hopes. For years they had been engaged labourously in rolling uphill the stone of Sisyphus, making active friendships and seeking a fair trial. That opportunity had come at last. It had been an affair of life or death; the contest was protracted, intense, dramatic; the issue for a time had hung in poignant doubt; but the dismal result let the stone roll down again to the bottom of the hill. No wonder stout men cried, and that thousands declared the loss of all further interest in politics. To add to their despair and resentment, the party of Birney and Stewart exulted over its victory not less than the party of Polk and Silas Wright.

CHAPTER VIII

THE RISE OF JOHN YOUNG

1845-1846

ALTHOUGH the Democrats were again successful in electing a governor and President, their victory had not healed the disastrous schism that divided the party. The rank and file throughout the State had not yet recognised the division into Radicals and Conservatives; but the members of the new Legislature foresaw, in the rivalries of leaders, the approach of a marked crisis, the outcome of which they awaited with an overshadowing sense of fear.

The strife of programmes began in the selection of a speaker. Horatio Seymour was the logical candidate. Of the Democratic members of the last Assembly, he was the only one returned. He had earned the preferment by able service, and a disposition obtained generally among members to give him the right of way; but the state officials had not forgotten and could not forget that Seymour, whose supple and trenchant blade had opened a way through the ranks of the Radicals for the passage of the last canal appropriation, had further sinned by marshalling Governor Bouck's forces at the Syracuse convention on September 4, 1844; and to teach him discretion and less independence, they promptly warned him of their opposition by supporting William C. Crain of Herkimer, a fierce Radical of the Hoffman school and a man of some ability. Though the ultimate decision favoured Seymour, Azariah C. Flagg, the state comptroller, resolutely exhausted every device of strategy and tactics to avert it. He summoned the canal board, who, in turn, summoned to Albany their up-state employees, mindful of the latter's influence with the unsophisticated legislators already haunted by the fear of party disruption. To limit the issue, Governor Wright was quoted as favourable to Crain, and, although it

subsequently became known that he had expressed no opinion save one of entire indifference, this added to the zeal of the up-state Radicals, who now showed compliance with every hint of their masters.

In the midst of all Horatio Seymour remained undaunted. No one had better poise, or firmer patience, or possessed more adroit methods. The personal attractions of the man, his dignity of manner, his finished culture, and his ability to speak often in debate with acceptance, had before attracted men to him; now he was to reveal the new and greater power of leadership. Seymour's real strength as a factor in state affairs seems to date from this contest. It is doubtful if he would have undertaken it had he suspected the fierceness of the opposition. He was not ambitious to be speaker. So far as it affected him personally, he had every motive to induce him to remain on the floor, where his eloquence and debating power had won him such a place. But, once having announced his candidacy he pushed on with energy, sometimes masking his movements, sometimes mining and countermining; yet always conscious of the closeness of the race and of the necessity of keeping his activity well spiced with good nature. Back of him stood Edwin Croswell. The astute editor of the *Argus* recognised in Horatio Seymour, so brilliant in battle, so strong in council, the future hope of the Democratic party. It is likely, too, that Croswell already foresaw that Van Buren's opposition to the annexation of Texas, and the growing Free-soil sentiment, must inevitably occasion new party alignments; and the veteran journalist, who had now been a party leader for nearly a quarter of a century, understood the necessity of having available and successful men ready for emergencies. Under his management, therefore, and to offset the influence of the canal board's employees, Conservative postmasters and Conservative sheriffs came to Albany, challenging their Radical canal opponents to a measurement of strength. When, finally, the caucus acted, the result showed how closely divided were the factions. Of seventy Democrats in the Assembly, sixty-five were present, and of these thirty-five voted for Seymour.

The irritation and excitement of this contest were in a measure allayed by an agreement to renominate Azariah C. Flagg for comptroller of state. His ability and his service warranted it. He had performed the multiplying duties of the office with fidelity; and, although chief of the active Radicals, the recollection of his stalwart aid in the great financial panic of 1837, and

in the preparation and advocacy of the act of 1842, gave him a support that no other candidate could command. It was also in the minds of two or three members holding the balance of power between the factions, to add to the harmony by securing an even division of the other four state offices. In carrying out their project, however, the gifted Croswell took good care that Samuel Young, whose zeal and ability especially endeared him to the Radicals, should be beaten for secretary of state by one vote, and that Thomas Farrington, another favourite Radical, should fail of re-election as treasurer of state. Since Young and Farrington were the only state officers, besides Flagg, seeking re-election, it looked as if their part in the speakership struggle had marked them for defeat, a suspicion strengthened by the fact that two Radicals, who took no part in that contest, were elected attorney-general and surveyor-general.

Reproachful ironies and bitter animosity, boding ill for future harmony, now followed the factions into a furious and protracted caucus for the selection of United States senators in place of Silas Wright and Nathaniel P. Tallmadge, the latter having resigned to accept the governorship of Wisconsin.^[68] The Conservatives supported Daniel S. Dickinson and Henry A. Foster; the Radicals John A. Dix and Michael Hoffman. There was more, however, at stake than the selection of two senators; for the President would probably choose a member of his Cabinet from the stronger faction; and to have time to recruit their strength, the programme of the Radicals included an adjournment of the caucus after nominating candidates for the unexpired terms of Wright and Tallmadge. This would possibly give them control of the full six years' term to begin on the 4th of the following March. A majority of the caucus, however, now completely under the influence of Edwin Croswell and Horatio Seymour, concluded to do one thing at a time, and on the first ballot Dix was nominated for Wright's place, giving him a term of four years. The second ballot named Dickinson for the remaining month of Tallmadge's term. Then came the climax—the motion to adjourn. Instantly the air was thick with suggestions. Coaxing and bullying held the boards. All sorts of proposals came and vanished with the breath that floated them; and, though the hour approached midnight, a Conservative majority insisted upon finishing the business. The election of Dix for a term of four years, they said, had given the Radicals fair representation. Still, the latter clamoured for an adjournment. But the Conservatives, inexorable,

demanding a third ballot, and it gave Dickinson fifty-four out of ninety-three members present. When the usual motion to make the nomination unanimous was bitterly opposed, Horatio Seymour took the floor, and with the moving charm and power of his voice, with temper unbroken, he made a fervid appeal for harmony. But bitterness ruled the midnight hour; unanimity still lacked thirty-nine votes. As the Radicals passed out into the frosty air, breaking the stillness with their expletives, the voice of the tempter suggested a union with the Whigs for the election of Samuel Young. There was abundant precedent to support the plan. Bailey had bolted Woodworth's nomination; German had defeated Thompson; and, in 1820, Rufus King had triumphed over Samuel Young. But these were the tactics of DeWitt Clinton. In 1845, the men who aspired to office, the men with a past and the men who looked for a future, had no words of approval for such methods; and before the Whigs heard of the scheme, Samuel Young had stamped it to death.

To add to the chagrin of the Radicals, President Polk now invited William L. Marcy, a Conservative of great prestige, to become secretary of war. The Radicals did not know, and perhaps could not know the exact condition of things at the national capital; certainly they did not know how many elements of that condition told against them. President Polk, apparently with a desire of treating his New York friends fairly, asked Van Buren to recommend a New Yorker for his Cabinet; and, with the approval of Silas Wright, the former President urged Benjamin F. Butler for secretary of state, or Azariah C. Flagg for secretary of the treasury. Either of these men would have filled the place designated with great ability. Polk was largely indebted to Van Buren and his friends; Butler had given him the vote of New York, and Wright, by consenting to stand for governor at the urgent solicitation of Van Buren, had carried the State and thus made Democratic success possible. But Polk, more interested in future success than in the payment of past indebtedness, had an eye out for 1848. He wanted a man devoted solely to his interests and to the annexation of Texas; and, although Butler was a personal friend and an ornament to the American bar, he hesitated, despite the insistence of Van Buren and Wright, to make a secretary of state out of the most devoted of Van Buren's adherents, who, like the sage of Lindenwald himself, bitterly opposed annexation.

In this emergency, the tactics of Edwin Croswell came to Polk's relief. The former knew that Silas Wright could not, if he would, accept a place in the Cabinet, since he had repeatedly declared during the campaign that, if elected, he would not abandon the governorship to enter the Cabinet, as Van Buren did in 1829. Croswell knew, also, that Butler, having left the Cabinet of two Presidents to re-enter his profession, would not give it up for a secondary place among Polk's advisers. At the editor's suggestion, therefore, the President tendered Silas Wright the head of the treasury, and, upon his declination, an offer of the secretaryship of war came to Butler. The latter said he would have taken, although with reluctance, either the state or treasury department; but the war portfolio carried him too far from the line of his profession. Thus the veteran editor's scheme, having worked itself out as anticipated, left the President at liberty, without further consultation with Van Buren, to give William L. Marcy^[69] what Butler had refused. To the Radicals the result was as startling as it was unwelcome. It left the Conservatives in authority. Through Marcy they would command the federal patronage, and through their majority in the Legislature they could block the wheels of their opponents. It was at this time that the Conservatives, "hankering," it was said, after the offices to be given by an Administration committed to the annexation of Texas, were first called "Hunkers."

John Young, a Whig member of the Assembly, no sooner scented the increasingly bitter feeling between Hunker and Radical than he prepared to take advantage of it. Young was a great surprise to the older leaders. He had accomplished nothing in the past to entitle him to distinction. In youth he accompanied his father, a Vermont innkeeper, to Livingston County, where he received a common school education and studied law, being admitted to the bar in 1829, at the age of twenty-seven. Two years later he served a single term in the Assembly, and for ten years thereafter he had confined his attention almost exclusively to his profession, becoming a strong jury lawyer. In the meantime, he changed his politics from a firm supporter of Andrew Jackson to a local anti-masonic leader, and finally to a follower of Henry Clay. Then the Whigs sent him to Congress, and, in the fall of 1843, elected him to the celebrated Assembly through which Horatio Seymour forced the canal appropriation. But John Young seems to have made little more of a reputation in this historic struggle than he did as a colleague of

Millard Fillmore in the Congress that passed the tariff act of 1842. He did not remain silent, but neither his words nor his acts conveyed any idea of the gifts which he was destined to disclose in the various movements of a drama that was now, day by day, through much confusion and bewilderment, approaching a climax. From a politician of local reputation, he leaped to the distinction of a state leader. If unnoticed before, he was now the observed of all observers. This transition, which came almost in a day, surprised the Democrats no less than it excited the Whigs; for Young lifted a minority into a majority, and from a hopeless defeat was destined to lead his party to glorious victory. "With talents of a high order," says Hammond, "with industry, with patient perseverance, and with a profound knowledge of men, he was one of the ablest party leaders and most skilful managers in a popular body that ever entered the Assembly chamber."[\[70\]](#) Hammond, writing while Young was governor, did not express the view of Thurlow Weed, who was unwilling to accept tact and cunning for great intellectual power. But there is no doubt that Young suddenly showed uncommon parliamentary ability, not only as a debater, owing to his good voice and earnest, persuasive manner, but as a skilful strategist, who strengthened coolness, courtesy, and caution with a readiness to take advantage of the supreme moment to carry things his way. Within a month, he became an acknowledged master of parliamentary law, easily bringing order out of confusion by a few simple, clear, compact sentences. If his learning did not rank him among the Swards and the Seymours, he had no occasion to fear an antagonist in the field on which he was now to win his leadership.

The subject under consideration was the calling of a constitutional convention. The preceding Legislature, hoping to avoid a convention, had proposed several amendments which the people approved in the election of 1844; but the failure of the present Legislature to ratify them by a two-thirds majority, made a convention inevitable, and the question now turned upon the manner of its calling and the approval of its work. The Hunkers, with the support of the Governor, desired first to submit the matter to the people; and, if carried by a majority vote, taking as a test the number of votes polled at the last election, the amendments were to be acted upon separately. This was the plan of Governor Clinton in 1821. On the other hand, the Whigs, the Anti-Renters, and the Native Americans insisted that

the Legislature call a convention, and that its work be submitted, as a whole, to the people, as in 1821. This the Hunkers resisted to the bitter end. An obstacle suddenly appeared, also, in the conduct of William C. Crain, who thought an early and unlimited convention necessary. Michael Hoffman held the same view, believing it the only method of getting the act of 1842 incorporated into the organic law of the State. Upon the latter's advice, therefore, Crain introduced a bill in the Assembly similar to the convention act of 1821. It was charged, at the time, that Crain's action was due to resentment because of his defeat for speaker, and that the Governor, in filling the vacancy occasioned by the transfer of Samuel Nelson to the Supreme Court of the United States, had added to his indignation by overlooking the claims of Michael Hoffman. It is not improbable that Crain, irritated by his defeat, did resent the action of the Governor, although it was well known that Hoffman had not sought a place on the Supreme bench. But, in preferring an unlimited constitutional convention, Crain and Hoffman expressed the belief of the most eminent lawyers of the Commonwealth, that the time had come for radical changes in the Constitution, and that these could not be obtained unless the work of a convention was submitted in its entirety to the people and approved by a majority vote.

Crain's bill was quickly pigeon-holed by the select committee to which it was referred, and John Young's work began when he determined to have it reported. There had been little difficulty in marshalling a third of the Assembly to defeat the constitutional amendments proposed by the preceding Legislature, since Whigs, Anti-Renters, and Native Americans numbered fifty-four of the one hundred and twenty-eight members; but, to overcome a majority of seventeen, required Young's patient attendance, day after day, watchful for an opportunity to make a motion whenever the Hunkers, ignorant of his design, were reduced by temporary absences to an equality with the minority. Finally, the sought-for moment came, and, with Crain's help, Young carried a motion instructing the committee to report the Crain bill without amendment, and making it the special order for each day until disposed of. It was a staggering blow. The air was thick with suggestions, contrivances, expedients, and embryonic proposals. The Governor, finding Crain inexorable, sent for Michael Hoffman; but the ablest Radical in the State refused to intervene, knowing that if the

programme proposed by Wright was sustained, the Whigs would withdraw their support and leave the Hunkers in control.

When the debate opened, interest centred in the course taken by the Radicals, who accepted the principle of the bill, but who demurred upon details and dreaded to divide their party. To this controlling group, therefore, were arguments addressed and appeals made. Hammond pronounced it "one of the best, if not the best, specimens of parliamentary discussion ever exhibited in the capital of the State."^[71] Other writers have recorded similar opinions. It was certainly a memorable debate, but it was made so by the serious political situation, rather than by the importance of the subject. Horatio Seymour led his party, and, though other Hunkers participated with credit, upon the Speaker fell the brunt of the fight. He dispensed with declamation, he avoided bitter words, he refused to crack the party whip; but with a deep, onflowing volume of argument and exhortation, his animated expressions, modulated and well balanced, stirred the emotions and commanded the closest attention. Seymour had an instinct "for the hinge or turning point of a debate." He had, also, a never failing sense of the propriety, dignity, and moderation with which subjects should be handled, or "the great endearment of prudent and temperate speech" as Jeremy Taylor calls it; and, although he could face the fiercest opposition with the keenest blade, his utterances rarely left a sting or subjected him to criticism. This gift was one secret of his great popularity, and daily rumours, predicted harmony before a vote could be reached. As the stormy scenes which marked the progress of the bill continued, however, the less gifted Hunkers did not hesitate to declare the party dissolved unless the erring Radicals fell into line.

John Young, who knew the giant burden he had taken up, showed himself acute, frank, patient, closely attentive, and possessed of remarkable powers of speech. Every word surprised his followers; every stroke strengthened his position. He did not speak often, but he always answered Seymour, presenting a fine and sustained example of debate, keeping within strict rules of combat, and preserving a rational and argumentative tone, yet emphasising the differences between Hunker and Radical. Young could not be called brilliant, nor did he have the capacity or finish of Seymour as an orator; but he formed his own opinions, usually with great sagacity, and acted with vigour and skill amid the exasperation produced by the Radical

secession. Seward wrote that "he has much practical good sense, and much caution." This was evidenced by the fact that, although only four Radicals voted to report Crain's bill, others gradually went over, until finally, on its passage, only Hunkers voted in the negative. It was a great triumph for Young. He had beaten a group of clever managers: he had weakened the Democratic party by widening the breach between its factions; and he had turned the bill recommending a convention into a Whig measure.

The bad news discouraged the senators who dreamed of an abiding union between the two factions; and, although one or two Radicals in the upper chamber favoured the submission of the amendments separately to the people, the friends of the measure obtained two majority against all attempts to modify it, and four majority on its passage. The Governor's approval completed Young's triumph. He had not only retained his place as an able minority leader against the relentless, tireless assaults of a Seymour, a Croswell, and a Wright; but, in the presence of such odds, he had gained the distinction of turning a minority into a reliable majority in both houses, placing him at once upon a higher pedestal than is often reached by men of far greater genius and eloquence.

The determination of the Hunkers to pass a measure appropriating \$197,000 for canal improvement made the situation still more critical. Although the bill devoted the money to completing such unfinished portions of the Genesee Valley and Black River canals as the commissioners approved, it was clearly in violation of the spirit of the act of 1842 upon which Hunker and Radical had agreed to bury their differences, and the latter resented its introduction as an inexcusable affront; but John Young now led his Whig followers to the camp of the Hunkers, and, in a few days, the measure lay upon the Governor's table for his approval or veto.

Thus far, Governor Wright had been a disappointment to his party. Complaints from Radicals were heard before his inauguration. They resented his acceptance of a Hunker's hospitality, asserting that he should have made his home at a public house where Hunker and Radical alike could freely counsel with him; they complained of his resignation as United States senator, insisting that he ought to have held the office until his inauguration as governor and thus prevented Bouck appointing a Hunker as his successor; they denounced his indifference in the speakership contest;

and they murmured at his opposition to a constitutional convention. There was cause for some of these lamentations. It was plain that the Governor was neither a leader nor a conciliator. A little tact would have held the Radicals in line against a constitutional convention and kept inviolate the act of 1842, but he either did not possess or disclaimed the arts and diplomacies of a political manager. He could grapple with principles in the United States Senate and follow them to their logical end, but he could not see into the realities of things as clearly as Seymour, or estimate, with the same accuracy, the relative strength of conflicting tendencies in the political world. Writers of that day express amazement at the course of Silas Wright in vetoing the canal appropriation, some of them regarding him as a sort of political puzzle, others attributing his action to the advice of false friends; but his adherence to principle more easily explains it. Seymour knew that the "up-state" voters, who would probably hold the balance of power in the next election, wanted the canal finished and would resent its defeat. Wright, on the other hand, believed in a suspension of public works until the debt of the State was brought within the safe control of its revenues, and in the things he stood for, he was as unyielding as flint.

When the Legislature adjourned Hunkers and Radicals were too wide apart even to unite in the usual address to constituents; and in the fall campaign of 1845, the party fell back upon the old issues of the year before. To the astonishment of the Hunkers, however, the legislative session opened in January, 1846, with two Radicals to one Conservative. It looked to the uninitiated as if the policy of canal improvement had fallen into disfavour; but Croswell, and other Hunkers in the inner political circle, understood that a change, long foreseen by them, was rapidly approaching. The people of New York felt profound interest in the conflict between slavery and freedom, and the fearless stand of Preston King of St. Lawrence in supporting the Wilmot Proviso, excluding "slavery and involuntary servitude" from the territory obtained from Mexico, had added fuel to the flame. King was a Radical from principle and from prejudice. For four successive years he had been in the Assembly, hostile to canals and opposed to all improvements. In his bitterness he denounced the Whig party as the old Federalist party under another name. He was now, at the age of forty, serving his second term in Congress. But, obstinate and uncompromising as was his Democracy, the aggressive spirit and encroaching designs of

slavery had so deeply disturbed him that he refused to go with his party in its avowed purpose of extending slavery into free or newly acquired territory.

To the Hunkers, this new departure seemed to offer an opportunity of weakening the Radicals by forcing them into opposition to the Polk administration; and a resolution, approving the course of the New York congressmen who had supported the annexation of Texas, appeared in the Senate soon after its organisation. Very naturally, politicians were afraid of it; and the debate, which quickly degenerated into bitter personalities, indicated that the Free-soil sentiment, soon to inspire the new Republican party, had not only taken root among the Radicals, but that rivalries between the two factions rested on differences of principle far deeper than canal improvement. "If you study the papers at all," wrote William H. Seward, "you will see that the Barnburners of this State have carried the war into Africa, and the extraordinary spectacle is exhibited of Democrats making up an issue of slavery at Washington. The consequences of this movement cannot be fully apprehended. It brings on the great question sooner and more directly than we have even hoped. All questions of revenue, currency, and economy sink before it. The hour for the discussion of emancipation is nearer at hand, by many years, than has been supposed."

[72]

CHAPTER IX

THE FOURTH CONSTITUTIONAL CONVENTION

1846

THE constitutional convention, called by the Legislature of 1845, received popular sanction at the fall elections; and, in April, 1846, one hundred and twenty-eight delegates were chosen. The convention assembled on the first day of June, and terminated its labours on the ninth day of October. It was an able body of men. It did not contain, perhaps, so many distinguished citizens as its predecessor in 1821, but, like the convention of a quarter of a century before, it included many men who had acquired reputations for great ability at the bar and in public affairs during the two decades immediately preceding it. Among the more prominent were Michael Hoffman of Herkimer, famous for his influence in the cause of canal economy; James Tallmadge of Dutchess, whose inspiring eloquence had captivated conventions and legislatures for thirty years; William C. Bouck of Schoharie, the unconquered Hunker who had faced defeat as gracefully as he had accepted gubernatorial honours; Samuel Nelson, recently appointed to the United States Supreme Court after an experience of twenty-two years upon the circuit and supreme bench of the State; Charles S. Kirkland and Ezekiel Bacon of Oneida, the powerful leaders of a bar famous in that day for its famous lawyers; Churchill C. Cambreling of New York, a member of Congress for eighteen consecutive years, and, more recently, minister to Russia; George W. Patterson of Livingston, a constant, untiring and enthusiastic Whig champion, twice elected speaker of the Assembly and soon to become lieutenant-governor.

Of the younger delegates, three were just at the threshold of their brilliant and distinguished careers. John K. Porter of Saratoga—then only twenty-seven years old, afterward to become a member of the Court of Appeals and the associate of William M. Evarts as counsel for Henry Ward Beecher in the Tilton suit—discussed the judiciary in speeches singularly adapted to reach the understanding of the delegates; Samuel J. Tilden, who had served respectably but without distinction in the Assembly of 1845 and 1846, evidenced his inflexible courage and high intellectual qualities; and Charles O'Connor, already known to the public, gave signal proof of the prodigious extent of those powers and acquirements which finally entitled him to rank with the greatest lawyers of any nation or any time.

Of the more distinguished members of the convention of 1821, James Tallmadge alone sat in the convention of 1846. Daniel D. Tompkins, Rufus King, William W. Van Ness, Jonas Platt, and Abraham Van Vechten were dead; James Kent, now in his eighty-third year, was delivering law lectures in New York City; Ambrose Spencer, having served as chairman of the Whig national convention at Baltimore, in 1844, had returned, at the age of eighty-one, to the quiet of his agricultural pursuits in the vicinity of Lyons; Martin Van Buren, still rebellious against his party, was watching from his retreat at Lindenwald the strife over the Wilmot Proviso, embodying the opposition to the extension of slavery into new territories; Erastus Root, at the age of seventy-four, was dying in New York City; and Samuel Young, famous by his knightly service in the cause of the Radicals, had just finished in the Assembly, with the acerbity of temper that characterised his greatest oratorical efforts during nearly half a century of public life, an eloquent indictment of the Hunkers, whom he charged with being the friends of monopoly, the advocates of profuse and unnecessary expenditures of the public funds, and the cause of much corrupt legislation.

But of all men in the State the absence of William H. Seward was the most noticeable. For four years, as governor, he had stood for internal improvements, for the reorganisation of the judiciary along lines of progress, for diminishing official patronage, for modifying, and ultimately doing away with, feudal tenures, and for free schools and universal suffrage. His experience and ability would have been most helpful in the formation of the new constitution; but he would not become a delegate except from Auburn, and a majority of the people of his own assembly

district did not want him. "The world are all mad with me here," he wrote Weed, "because I defended Wyatt too faithfully. God help them to a better morality. The prejudices against me grows by reason of the Van Nest murder!"^[73] Political friends offered him a nomination and election from Chautauqua, but he declined, urging as a further reason that the Whigs would be in the minority, and his presence might stimulate fresh discords among them.

Horace Greeley had expected a nomination from Chautauqua. He had relations who promised him support, and with their failure to elect him began that yearning for office which was destined to doom him to many bitter disappointments. Until now, he had kept his desires to himself. He wanted to be postmaster of New York in 1841; and, when Seward failed to anticipate his ambition, he recalled the scriptural injunction, "Ask, and it shall be given you." So, he conferred with Weed about the constitutional convention. Washington County was suggested, then Delaware, and later Albany; but, the nominees having been selected, the project was abandoned, and Horace Greeley waited until the convention of 1867. Weed expressed the belief that if Greeley's wishes had been known two weeks earlier, his ambition might have been gratified, although on only two occasions had non-resident delegates ever been selected.

Popular sovereignty attained its highest phase under the Constitution of 1846; and the convention must always be notable as the great dividing line between a government by the people, and a government delegated by the people to certain officials—executive, legislative, and judicial—who were invested with general and more or less permanent powers. Under the Constitution of 1821, the power of appointment was placed in the governor, the Senate, and the Assembly. State officers were elected by the Legislature, judges nominated by the governor and confirmed by the Senate, district attorneys appointed by county courts, justices of the peace chosen by boards of supervisors, and mayors of cities selected by the common council. Later amendments made justices of the peace and mayors of cities elective; but, with these exceptions, from 1821 to 1846 the Constitution underwent no organic changes. Under the Constitution of 1846, however, all officers became elective; and, to bring them still nearer the people, an elective judiciary was decentralised, terms of senators were reduced from four to two years, and the selection of legislators was confined to single districts. It

was also provided that amendments to the Constitution might be submitted to the people at any time upon the approval of a bare legislative majority. Even the office of governor, which had been jealously reserved to native citizens, was thrown open to all comers, whether born in the United States or elsewhere.

As if to accentuate the great change which public sentiment had undergone in the preceding twenty years these provisions were generally concurred in by large majorities and without political bias. The proposition that a governor need not be either a freeholder or a native citizen was sustained by a vote of sixty-one to forty-nine; the proposal to overcome the governor's veto by a majority instead of a two-thirds vote was carried by sixty-one to thirty-six; the term of senators was reduced from four to two years by a vote of eighty to twenty-three; and their selection confined to single districts by a majority of seventy-nine to thirty-one. An equally large majority favoured the provision that no member of the Legislature should receive from the governor or Legislature any civil appointment within the State, or to the United States Senate. Charles O'Connor antagonised the inhibition of an election to the United States Senate with much learning and eloquence. He thought the power of the State to qualify or restrict the choice of senators was inconsistent with the Federal Constitution; but the great majority of the convention held otherwise. Indeed, so popular did this section become that, in 1874, members of the Legislature were prohibited from taking office under a city government.

The period when property measured a man's capacity and influence also seems to have passed away with the adoption of the Constitution of 1846. For the first time in the State's history, the great landholders lost control, and provisions as to the land law became clear and wholesome. Feudal tenures were abolished, lands declared allodial, fines and quarter sales made void, and leases of agricultural lands for longer than twelve years pronounced illegal. Although vested rights could not be affected, the policy of the new constitutional conditions, aided by the accessibility of better and cheaper lands along lines of improved transportation, compelled landlords in the older parts of the State to seek compromises and to offer greater inducements. The only persons required to own property in order to enjoy suffrage and the right to hold office were negroes, who continued to rest under the ban until the adoption of the fifteenth amendment to the Federal

Constitution. The people of New York felt profound interest in the great conflict between slavery and freedom, but, for more than a quarter of a century after the Wilmot Proviso became the shibboleth of the Barnburners, a majority of voters denied the coloured man equality of suffrage. Among the thirty-two delegates in the convention of 1846 who refused to allow the people to pass upon the question of equality of suffrage, appear the names of Charles O'Connor and Samuel J. Tilden.

The great purpose of the convention was the reform of the laws relating to debt and to the creation of a new judicial establishment. Michael Hoffman headed the committee charged with the solution of financial problems. He saw the importance of devoting the resources of the State to the reduction of its debt. It was important to the character of the people, he thought, that they should be restless and impatient under the obligation of debt; and the strong ground taken by him against an enlargement of the Erie and its lateral canals had resulted in the passage of the famous act of 1842, the substance of which he now desired incorporated into the Constitution. He would neither tolerate compromises with debtors of the State, nor allow its credit to be loaned. He favoured sinking funds, he advocated direct taxation, he insisted upon the strictest observance of appropriation laws, and he opposed the sale of the canals. In his speeches he probably exaggerated the canal debt, just as he minimised the canal income and brushed aside salt and auction duties as of little importance; yet everybody recognised him as the schoolmaster of the convention on financial subjects. His blackboard shone in the sunlight. He was courteous, but without much deference. There was neither yielding nor timidity. If his flint struck a spark by collision with another, it made little difference to him. Yet years afterward, Thurlow Weed, who backed Seward in his appeal for more extensive internal improvements, admitted that to Hoffman's enlightened statesmanship, New York was indebted for the financial article in the Constitution of 1846, which had preserved the public credit and the public faith through every financial crisis.^[74]

Hoffman placed the state debt, with interest which must be paid up to the time of its extinguishment, at thirty-eight million dollars. Out of the canal revenues he wanted \$1,500,000 paid yearly upon the canal debt; \$672,000 set apart for the use of the State; and the balance applied to the improvement of the Erie canal, whenever the surplus amounted to

\$2,500,000. Further to conserve the interests of the Commonwealth, he insisted that its credit should not be loaned; that its borrowed money should not exceed one million dollars, except to repel invasion or suppress insurrection; and that no debt should be created without laying a direct annual tax sufficient to pay principal and interest in eighteen years. The result showed that, in spite of vigorous opposition, he got all he demanded. Some of the amounts were reduced; others slightly diverted; and the remaining surplus of the canal revenues, instead of accumulating until it aggregated \$2,500,000, was applied each year to the enlargement of the Erie canal and the completion of the Genesee Valley and Black River canals; but his plan was practically adopted and time has amply justified the wisdom of his limitations. In concluding his last speech, the distinguished Radical declared "that this legislation would not only preserve the credit of New York by keeping its debts paid, but it would cause every State in the Union, as soon as such States were able to do so, to sponge out its debts by payment and thus remove from representative government the reproaches cast upon us on the other side of the water."[\[75\]](#)

But Hoffman, while exciting the admiration of all men for his persistence, dexterity, and ability, did not lead the most important contest. In 1846, the popular desire for radical changes in the judiciary was not less peremptory than the expression in 1821. Up to this time, the courts of the State, in part, antedated the War of Independence. Now, in place of the ancient appointive system, the people demanded an elective judiciary which should be responsible to them and bring the courts to them. To make these changes, the president of the convention appointed a committee of thirteen, headed by Charles H. Ruggles of Dutchess, which embraced the lawyers of most eminence among the delegates. After the chairman came Charles O'Connor of New York, Charles P. Kirkland of Utica, Ambrose L. Jordan of Columbia, Arphaxed Loomis of Herkimer, Alvah Worden of Saratoga, George W. Patterson of Livingston, and several others of lesser note. At the end of the committee appeared a merchant and a farmer, possibly for the reason that condiments make a dish more savoury. Ruggles was a simple-hearted and wise man. He had been on the Supreme bench for fifteen years, becoming one of the distinguished jurists of the State. In the fierce conflicts between Clintonians and Bucktails he acted with the former, and then, in 1828, followed DeWitt Clinton to the support of Andrew Jackson. But

Ruggles never offended anybody. His wise and moderate counsel had drawn the fire from many a wild and dangerous scheme, but it left no scars. Prudence and modesty had characterised his life, and his selection as chairman of the judiciary committee disarmed envy and jealousy. He was understood to favour an elective judiciary and moderation in all doubtful reforms. Arphaxed Loomis possessed unusual abilities as a public speaker, and, during a brief career in the Assembly, had become known as an advocate of legal reform. He was afterward, in April, 1847, appointed a commissioner on practice and pleadings for the purpose of providing a uniform course of proceedings in all cases; and, to him, perhaps, more than to any one else, is due the credit of establishing one form of action for the protection of private rights and the redress of private wrongs. Worden had been a merchant, who, losing his entire possessions by failure, began the study of law at the age of thirty-four and quickly took a prominent place among the lawyers of the State. Ambrose L. Jordan, although somewhat younger than Benjamin F. Butler, Thomas Oakley, Henry R. Storrs, and other former leaders of the bar, was their successful opponent, and had gained the distinction of winning the first breach of promise suit in which a woman figured as defendant. Patterson had rare and exquisite gifts which made him many friends and kept him for half a century prominent in political affairs. Though of undoubted intellectual power, clear-sighted, and positive, he rarely answered other men's arguments, and never with warmth or heat. But he had, however, read and mastered the law, and his voice was helpful in conferring upon the people a system which broke the yoke of the former colonial subordination.

The majority report of the judiciary committee provided for a new court of last resort, to be called the Court of Appeals, which was to consist of eight members, four of whom were to be elected from the State at large for a term of eight years, and four to be chosen from the justices of the Supreme Court. A new Supreme Court of thirty-two members, having general and original jurisdiction in law and equity, was established in place of the old Supreme Court and Court of Chancery, the State being divided into eight districts, in each of which four judges were to be elected. In addition to these great courts, inferior local tribunals of civil and criminal jurisdiction were provided for cities. The report thus favoured three radical changes. Judges became elective, courts of law and equity were united, and county

courts were abolished. The inclusion of senators in the old Court of Errors—which existed from the foundation of the State—had made the elective system somewhat familiar to the people, to whom it had proved more satisfactory than the method of appointment; but the union of courts of law and equity was an untried experiment in New York. It had the sanction of other States, and, in part, of the judicial system of the United States, where procedure at law and in equity had become assimilated, if not entirely blended, thus abolishing the inconvenience of so many tribunals and affording greater facility for the trial of equity causes involving questions of fact.

But delegates were slow to profit by the experience of other Commonwealths. From the moment the report was submitted attacks upon it became bitter and continuous. Charles O'Connor opposed the elective system, the union of the two courts, and the abolition of the county court. Charles P. Kirkland proposed that only three members of the Court of Appeals be elected, the others to be appointed by the governor, with the consent of the Senate. Alvah Worden wanted two Courts of Appeals, one of law and one of chancery, neither of which should be elective. Simmons desired a different organisation of the Supreme Court, and Bascom objected to the insufficient number of sessions of the court provided for the whole State. Others of the minority submitted reports and opinions, until the subject seemed hopelessly befogged and the work of the majority a failure. O'Connor was especially impatient and restless in his opposition. In skill and ability no one could vie with him in making the old ways seem better. He was now forty-two years old. He had a powerful and vigorous frame, and a powerful and vigorous understanding. It was the wonder of his colleagues how, in addition to the faithful work performed in committee, he could get time for the research that was needed to equip him for the great speeches with which he adorned the debates. He never held office, save, during a portion of President Pierce's administration, that of United States attorney for the southern district of New York; but his rapid, almost instinctive judgment, his tact, his ability to crush sophistries with a single sentence, and his vigorous rhetoric must have greatly distinguished his administration of any office which he might have occupied. Yet the conservatism which finally separated him from the cordial supporters of the government during the Civil War usually kept him in the minority. His spirit was not the spirit

that governed; and, in spite of his brilliant and determined opposition, the convention of 1846 accepted the elective system, approved the union of equity and law courts, prohibited the election of a member of the Legislature to the United States Senate, and submitted to the decision of the people the right of coloured men to equal suffrage. Only in the retention of the county court were O'Connor's views sustained; and this came largely through the influence of Arphaxed Loomis, the material part of whose amendment was ultimately adopted. When, finally, the Constitution in its entirety was submitted to the convention for its approval, O'Connor was one of six to vote against it.

The Constitution of 1846 was the people's Constitution. It reserved to them the right to act more frequently upon a large class of questions, introducing the referendum which characterises popular government, and making it a more perfect expression of the popular will. That the people appreciated the greater power reserved to them was shown on the third of November, by a vote of 221,528 to 92,436. With few modifications, the Constitution of 1846 still remains in force,—ample proof that wisdom, unalloyed with partisan politics or blind conservatism, guided the convention which framed it.

CHAPTER X

DEFEAT AND DEATH OF SILAS WRIGHT

1846-1847

THE Democratic campaign for governor in 1846 opened with extraordinary interest. Before the Legislature adjourned, on May 13, the Hunkers refused to attend a party caucus for the preparation of the usual address. Subsequently, however, they issued one of their own, charging the Radicals with hostility to the Polk administration and with selfishness, born of a desire to control every office within the gift of the canal board. The address did not, in terms, name Silas Wright, but the Governor was not blind to its attacks. "They are not very different from what I expected when I consented to take this office," he wrote a friend in Canton. "I do not yet think it positively certain that we shall lose the convention, but that its action and the election are to produce a perfect separation of a portion of our party from the main body I cannot any longer entertain a single doubt. You must not permit appearances to deceive you. Although I am not denounced here by name with others, the disposition to do that, if policy would permit, is not even disguised, and every man known to be strongly my friend and firmly in my confidence is more bitterly denounced than any other."[\[76\]](#)

It is doubtful if Silas Wright himself fully comprehended the real reason for such bitterness. He was a natural gentleman, kindly and true. He might sometimes err in judgment; but he was essentially a statesman of large and comprehensive vision, incapable of any meanness or conscious wrongdoing. The masses of the party regarded him as the representative of the opportunity which a great State, in a republic, holds out to the children of its humblest and poorest citizens. He was as free from guile as a little child. To him principle and party stood before all other things; and he could not be untrue to one any more than to the other. But the leaders of the Hunker

wing did not take kindly to him. They could not forget that the Radical state officers, with whom he coincided in principle, in conjuring with his name in 1844 had defeated the renomination of Governor Bouck; and, though they might admit that his nomination practically elected Polk, by extracting the party from the mire of Texas annexation, they preferred, deep in their hearts, a Whig governor to his continuance in office, since his influence with the people for high ends was not in accord with their purposes. For more than a decade these men, as Samuel Young charged in his closing speech in the Assembly of that year, had been after the flesh-pots. They favoured the banking monopoly, preferring special charters that could be sold to free franchises under a general law; they influenced the creation of state stocks in which they profited; they owned lands which would appreciate by the construction of canals and railroads. To all these selfish interests, the Governor's restrictive policy was opposed; and while they did not dare denounce him by name, as the Governor suggested in his letter, their tactics increased the hostility that was eventually to destroy him.

It must be confessed, however, that the representation of Hunkers at the Democratic state convention, held at Syracuse on October 1, did not indicate much popular strength. The Radicals outnumbered them two to one. On the first ballot Silas Wright received one hundred and twelve votes out of one hundred and twenty-five, and, upon motion of Horatio Seymour, the nomination became unanimous. For lieutenant-governor, Addison Gardiner was renominated by acclamation. The convention then closed its labours with the adoption of a platform approving the re-enactment of the independent treasury law, the passage of the Walker tariff act, and the work of the constitutional convention, with an expression of hope that the Mexican War, which had commenced on the 12th of the preceding May, might be speedily and honourably terminated. The address concluded with a just eulogy of Silas Wright. At the moment, the contest seemed at an end; but the sequel showed it was only a surface settlement.

If Democrats were involved in a quarrel, the Whigs were scarcely a happy family. It is not easy to pierce the fog which shrouds the division of the party; but it is clear that when Seward became governor and Weed dictator, trouble began in respect to men and to measures. Though less marked, possibly, than the differences between Democratic factions, the discord seemed to increase with the hopelessness of Whig ascendancy. Undoubtedly

it began with Seward's recommendation of separate schools for the children of foreigners, and in his pronounced anti-slavery views; but it had also festered and expanded from disappointments, and from Weed's opposition to Henry Clay in 1836 and 1840. Even Horace Greeley, already consumed with a desire for public preferment, began to chafe under the domineering influence of Weed and the supposed neglect of Seward; while Millard Fillmore, and those acting with him, although retaining personal relations with Weed, were ready to break away at the first opportunity. As the Whigs had been in the minority for several years, the seriousness of these differences did not become public knowledge; but the newspapers divided the party into Radicals and Conservatives, the former being represented by the *Evening Journal* and the *Tribune*, the latter by the *New York Courier and Enquirer* and the *Buffalo Commercial Advertiser*.

This division, naturally, led to some difference of opinion about a candidate for governor; and, when the Whig state convention met at Utica on September 23, an informal ballot developed fifty-five votes for Millard Fillmore, thirty-six for John Young, and twenty-one for Ira Harris, with eight or ten scattering. Fillmore had not sought the nomination. Indeed, there is evidence that he protested against the presentation of his name; but his vote represented the conservative Whigs who did not take kindly either to Young or to Harris. Ira Harris, who was destined to bear a great part in a great history, had just entered his forty-fourth year. He was graduated from Union College with the highest honours, studied law with Ambrose Spencer, and slowly pushed himself into the front rank of practitioners at the Albany bar. In 1844, while absent in the West, the Anti-Renters nominated him, without his knowledge, for the Assembly, and, with the help of the Whigs, elected him. He had in no wise identified himself with active politics or with anti-rent associations; but the people honoured him for his integrity as well as for his fearless support of the principle of individual rights. In the Assembly he demonstrated the wisdom of their choice, evidencing distinguished ability and political tact. In 1845 the same people returned him to the Assembly. Then, in the following year, they sent him to the constitutional convention; and, some months later, to the State Senate. Beneath his plain courtesy was great firmness. He could not be otherwise than the constant friend of everything which made for the emancipation and elevation of the individual. His advocacy of an elective

judiciary, the union of law and equity, and the simplification of pleadings and practice in the courts, showed that there were few stronger or clearer intellects in the constitutional convention. With good reason, therefore, the constituency that sent him there favoured him for governor.

But John Young shone as the popular man of the hour. Young was a middle-of-the-road Whig, whose candidacy grew out of his recent legislative record. He had forced the passage of the bill calling a constitutional convention, and had secured the canal appropriation which the Governor deemed it wise to veto. In the Assembly of 1845 and 1846, he became his party's choice for speaker; and, though not a man of refinement or scholarly attainments, or one, perhaps, whose wisdom and prudence could safely be relied upon under the stress of great responsibilities, he was just then the chief figure of the State and of great influence with the people—especially with the Anti-Renters and their sympathisers, whose strife and turbulence in Columbia and Delaware counties had been summarily suppressed by Governor Wright. The older leaders of his party thought him somewhat of a demagogue; Thurlow Weed left the convention in disgust when he discovered that a pre-arranged transfer of the Harris votes would nominate him. But, with the avowed friendship of Ira Harris, Young was stronger at this time than Weed, and on the third ballot he received seventy-six votes to forty-five for Fillmore. To balance the ticket, Hamilton Fish became the candidate for lieutenant-governor. Fish represented the eastern end of the State, the conservative wing of the party, and New York City, where he was deservedly popular.

There were other parties in the field. The Abolitionists made nominations, and the Native Americans put up Ogden Edwards, a Whig of some prominence, who had served in the Assembly, in the constitutional convention of 1821, and upon the Supreme bench. But it was the action of the Anti-Renters, or national reformers as they were called, that most seriously embarrassed the Whigs and the Democrats. The Anti-Renters could scarcely be called a party, although they had grown into a political organisation which held the balance of power in several counties. Unlike the Abolitionists, however, they wanted immediate results rather than sacrifices for principle, and their support was deemed important if not absolutely conclusive. When the little convention of less than thirty delegates met at Albany in October, therefore, their ears listened for bids.

They sought a pardon for the men convicted in 1845 for murderous outrages perpetrated in Delaware and Schoharie; and, although unsupported by proof, it was afterward charged and never denied, that, either at the time of their convention or subsequently before the election, Ira Harris produced a letter from John Young in which the latter promised executive clemency in the event of his election. However this may be, it is not unlikely that Harris' relations with the Anti-Renters aided materially in securing Young's indorsement, and it is a matter of record that soon after Young's inauguration the murderers were pardoned, the Governor justifying his action upon the ground that their offences were political. The democratic Anti-Renters urged Silas Wright to give some assurances that he, too, would issue a pardon; but the Cato of his party, who never caressed or cajoled his political antagonists, declined to give any intimation upon the subject. Thereupon, as if to emphasise their dislike of Wright, the Anti-Rent delegates indorsed John Young for governor and Addison Gardiner for lieutenant-governor.

In the midst of the campaign William C. Bouck received the federal appointment of sub-treasurer in New York, under the act re-establishing the independent treasury system. This office was one of the most important in the gift of the President, and, because the appointee was the recognised head of the Hunkers, the impression immediately obtained that the government at Washington disapproved the re-election of Silas Wright. It became the sensation of the hour. Many believed the success of the Governor would make him a formidable candidate for President in 1848, and the impropriety of Polk's action occasioned much adverse criticism. The President and several members of his Cabinet privately assured the Governor of their warmest friendship, but, as one member of the radical wing expressed it, "Bouck's appointment became a significant indication of the guillotine prepared for Governor Wright in November."

Other causes than the Democratic feud also contributed to the discomfiture of Silas Wright. John Young had made an admirable record in the Assembly. He had also, at the outbreak of hostilities with Mexico, although formerly opposed to the annexation of Texas, been among the first to approve the war, declaring that "Texas was now bone of our bone, flesh of our flesh, and that since the rights of our citizens had been trampled upon, he would sustain the country, right or wrong."^[77] It soon became evident, too, that the

Anti-Renters were warm and persistent friends. His promise to pardon their leaders received the severe condemnation of the conservative Whig papers; but such censure only added to his vote in Anti-Rent counties. In like manner, Young's support of the canals and Wright's veto of the appropriation, strengthened the one and weakened the other in all the canal counties. Indeed, after the election it was easy to trace all these influences. Oneida, a strong canal county, which had given Wright eight hundred majority in 1844, now gave Young thirteen hundred. Similar results appeared in Lewis, Alleghany, Herkimer, and other canal counties. In Albany, an Anti-Rent county, the Whig majority of twenty-five was increased to twenty-eight hundred, while Delaware, another Anti-Rent stronghold, changed Wright's majority of nine hundred in 1844, to eighteen hundred for Young. On the other hand, in New York City, where the conservative Whig papers had bitterly assailed their candidate, Wright's majority of thirty-three hundred in 1844 was increased to nearly fifty-two hundred. In the State Young's majority over Wright exceeded eleven thousand,^[78] and Gardiner's over Fish was more than thirteen thousand. The Anti-Renters, who had also indorsed one Whig and one Democratic canal commissioner, gave them majorities of seven and thirteen thousand respectively. Of eight senators chosen, the Whigs elected five; and of the one hundred and twenty-eight assemblymen, sixty-eight, the minority being made up of fifty Democrats and ten Anti-Renters. The Whig returns also included twenty-three out of thirty-four congressmen.

It was a sweeping victory—one of the sporadic kind that occur in moments of political unrest when certain classes are in rebellion against some phase of existing conditions. Seward, who happened to be in Albany over Sunday, pictured the situation in one of his racy letters. "To-day," he says, "I have been at St. Peter's and heard one of those excellent discourses of Dr. Potter. There was such a jumble of wrecks of party in the church that I forgot the sermon and fell to moralising on the vanity of political life. You know my seat. Well, half-way down the west aisle sat Silas Wright, wrapped in a coat tightly buttoned to the chin, looking philosophy, which it is hard to affect and harder to attain. On the east side sat Daniel D. Barnard, upon whom 'Anti-Rent' has piled Ossa, while Pelion only has been rolled upon Wright. In the middle of the church was Croswell, who seemed to say to Wright, 'You are welcome to the gallows you erected for me.' On the opposite side

sat John Young, the *saved* among the lost politicians. He seemed complacent and satisfied."[\[79\]](#)

The defeat of Silas Wright caused no real surprise. It seemed to be in the air. Everything was against him save his own personal influence, based upon his sincerity, integrity, and lofty patriotism. Seward had predicted the result at the time of Wright's nomination in 1844, and Wright himself had anticipated it. "I told some friends when I consented to take this office," he wrote John Fine, his Canton friend, in March, 1846, "that it would terminate my public life."[\[80\]](#) But the story of Silas Wright's administration as governor was not all a record of success. He was opposed to a constitutional convention as well as to a canal appropriation, and, by wisely preventing the former, it is likely the latter would not have been forced upon him. Without a convention bill and a canal veto, the party would not have divided seriously, John Young would not have become a popular hero, and the Anti-Renters could not have held the balance of power. To prevent the calling of a constitutional convention, therefore, or at least to have confined it within limits approved by the Hunkers, was the Governor's great opportunity. It would not have been an easy task. William C. Crain had a profound conviction on the subject, and back of him stood Michael Hoffman, the distinguished and unrelenting Radical, determined to put the act of 1842 into the organic law of the State. But there was a time when a master of political diplomacy could have controlled the situation. Even after permitting Crain's defeat for speaker, the appointment of Michael Hoffman to the judgeship vacated by Samuel Nelson's transfer to the federal bench would have placed a powerful lever in the Governor's hand. Hoffman had not sought the office, but the appointment would have softened him into a friend, and with Michael Hoffman as an ally, Crain and his legislative followers could have been controlled.

It is interesting to study the views of Wright's contemporaries as to the causes of his defeat.[\[81\]](#) One thought he should have forced the convention and veto issues in the campaign of 1845, compelling people and press to thresh them out a year in advance of his own candidacy; another believed if he had vetoed the convention bill a canal appropriation would not have passed; a third charged him with trusting too much in old friends who misguided him, and too little in new principles that had sprung up while he was absent in the United States Senate. One writer, apparently the most

careful observer, admitted the influence of Anti-Renters and the unpopularity of the canal veto, but insisted that the real cause of the Governor's defeat was the opposition of the Hunkers, "bound together exclusively by selfish interests and seeking only personal advancement and personal gain."^[82] This writer named Edwin Croswell as the leader whose wide influence rested like mildew upon the work of the campaign, sapping it of enthusiasm, and encouraging Democrats among Anti-Renters and those favourable to canals to put in the knife on election day. Such a policy, of course, it was argued, meant the delivery of Polk from a powerful opponent in 1848, and the uninterrupted leadership of William L. Marcy, who now wielded a patronage, greatly increased by the Mexican War, in the interest of the Hunkers and for the defeat of Silas Wright. If this were not true, continued the writer, William C. Bouck's appointment would have been delayed until after election, and the work of postmasters and other government officials, who usually contributed generously of their time and means in earnest support of their party, would not have been deadened.

There is abundant evidence that Governor Wright held similar views. "I have neither time nor disposition to speak of the causes of our overthrow," he wrote, a few days after his defeat was assured. "The time will come when they must be spoken of, and that plainly, but it will be a painful duty, and one which I do not want to perform. Our principles are as sound as they ever were, and the hearts of the great mass of our party will be found as true to them as ever. Hereafter I think our enemies will be open enemies, and against such the democracy has ever been able, and ever will be able to contend successfully."^[83]

Silas Wright's defeat in no wise pained him personally. Like John Jay he had the habits of seclusion. Manual labour on the farm, his correspondence, and the preparation of an address to be delivered at the State Agricultural Fair in September, occupied his leisure during the spring and summer of 1847.^[84] "If I were to attempt to tell you how happy we make ourselves at our retired home," he wrote Governor Fairfield of Maine, "I fear you would scarcely be able to credit me. I even yet realise, every day and every hour, the relief from public cares, and if any thought about temporal affairs could make me more uneasy than another, it would be the serious one that I was again to take upon myself, in any capacity, that ever pressing load."^[85] This was written on the 16th of August, 1847, and on the morning of the 27th his

useful life came to an end. The day before he had spoken of apoplexy in connection with the death of a friend, as if he, too, had a premonition of this dread disease. When the end came, the sudden rush of blood to the head left no doubt of its presence.

The death of Silas Wright produced a profound sensation. Since the decease of DeWitt Clinton the termination of no public career in the State caused more real sorrow. Until then, the people scarcely realised how much they loved and respected him, and all were quick to admit that the history of the Commonwealth furnished few natures better fitted than his, morally and intellectually, for great public trusts. Perhaps he cannot be called a man of genius; but he was a man of commanding ability, with that absolute probity and good sense which are the safest gifts of a noble character.

On the 12th of the following December, James Kent died in his eighty-fifth year. He had outlived by eighteen years his contemporary, John Jay; by nearly forty-five years his great contemporary, Alexander Hamilton; and by more than thirty years his distinguished predecessor, Chancellor Livingston. He was the last of the heroic figures that made famous the closing quarter of the eighteenth and the opening quarter of the nineteenth centuries. He could sit at the table of Philip Hone, amidst eminent judges, distinguished statesmen, and men whose names were already famous in literature, and talk of the past with personal knowledge from the time the colony graciously welcomed John Murray, Earl of Dunmore, as its governor, or threateningly frowned upon William Howe, viscount and British general, for shutting up its civil courts. When, finally, his body was transferred from the sofa in the library where he had written himself into an immortal fame, to the cemetery on Second Avenue, the obsequies became the funeral not merely of a man but of an age.

CHAPTER XI

THE FREE-SOIL CAMPAIGN

1847-1848

THE fearless stand of Preston King in supporting the Wilmot Proviso^[86] took root among the Radicals, as Seward prophesied, and the exclusion of slavery from territory obtained from Mexico, became the dominant Democratic issue in the State. Because of their approval of this principle the Radicals were called "Barnburners." Originally, these factional differences, as noted elsewhere, grew out of the canal controversy in 1838 and in 1841, the Conservatives wishing to devote the surplus canal revenues to the completion of the canals—the Radicals insisting upon their use to pay the state debt. Under this division, Edwin Croswell, William C. Bouck, Daniel S. Dickinson, Henry A. Foster, and Horatio Seymour led the Conservatives; Michael Hoffman, John A. Dix, and Azariah C. Flagg marshalled the Radicals. When the Conservatives, "hankering" after the offices, accepted unconditionally the annexation of Texas, they were called Hunkers. In like manner, the Radicals who sustained the Wilmot Proviso now became Barnburners, being likened to the farmer who burned his barn to get rid of rats. William L. Marcy, Silas Wright, Benjamin F. Butler, and the Van Burens took no part in the canal controversy; but after Martin Van Buren's defeat in 1844 Marcy became a prominent Hunker and entered Polk's Cabinet, while Wright, Butler, and the Van Burens joined the Barnburners.

Hostilities between the Hunkers and Barnburners, growing out of the slavery question, began at the Democratic state convention, which convened at Syracuse, September 7, 1847.^[87] Preceding this meeting both factions had been active, but the Hunkers, having succeeded in seating a majority of the delegates, promptly voted down a resolution embodying the principle of the Wilmot Proviso. Then the Barnburners seceded. There was

no parleying. The breach opened like a chasm and the secessionists walked out in a body. This action was followed by an address, charging that the anti-slavery resolution had been defeated by a fraudulent organisation, and calling a mass convention for October 26, "to avow their principles and consult as to future action." This meeting became a gathering of Martin Van Buren's friends. It did not nominate a ticket, which would have defeated the purpose of the secession; but, by proclaiming the principles of Free-soil, it struck the keynote of popular sentiment; divided the Democratic party, and let the Whigs into power by thirty thousand majority. It made Millard Fillmore comptroller, Christopher Morgan secretary of state, Alvah Hunt treasurer, Ambrose L. Jordan attorney-general, and Hamilton Fish lieutenant-governor to fill the vacancy occasioned by Addison Gardiner's election to the new Court of Appeals. The president of this seceders' mass-meeting was Churchill C. Cambreling, an old associate of Martin Van Buren, but its leader and inspiration was John Van Buren. He drafted the address to the people, his eloquence made him its chief orator, and his enthusiasm seemed to endow him with ubiquity.

John Van Buren was unlike the ordinary son of a President of the United States. He did not rely upon the influence or the prestige of his father.^[88] He was able to stand alone—a man of remarkable power, who became attorney-general in 1845, and for ten years was a marked figure in political circles, his bland and convulsing wit enlivening every convention and adding interest to every campaign. But his chief interest was in his profession. He was a lawyer of great distinction, the peer and often the opponent of Charles O'Connor and William H. Seward. "He possessed beyond any man I ever knew," said Daniel Lord, "the power of eloquent, illustrative amplification, united with close, flexible logic."^[89]

John Van Buren had, as well, a picturesque side to his life. In college he was expert at billiards, the centre of wit, and the willing target of beauty. Out of college, from the time he danced with the Princess Victoria at a court ball in London at the age of twenty-two, to the end of his interesting and eventful life, he was known as "Prince John." His remarkable gifts opened the door to all that was ultra as well as noble. He led in the ballroom, he presided at dinners, he graced every forum, and he moved in the highest social circles. Men marvelled at his knowledge, at his unfailing equanimity, and at his political strength; but even to those who were spellbound by his eloquence,

or captivated by his adroit, skilful conduct of a lawsuit, he was always "Prince John." There was not a drop of austerity or intolerance or personal hatred in him. The Dutch blood of his father, traced from the Princes of Orange to the days of the New Netherland patroons, kept him within the limits of moderation if not entirely unspotted, and his finished manners attracted the common people as readily as they charmed the more exclusive.

John Van Buren's acceptance of Free-soilism did not emanate from a dislike of slavery; nor did Free-soil principles root themselves deeply in his nature. His father had opposed the admission of Texas, and the son, in resentment of his defeat, hoping to make an anti-slavery party dominant in the State, if not in the nation, proclaimed his opposition to the extension of slavery. But, after the compromise measures of 1850 had temporarily checked the movement, he fell back into the ranks of the Hunkers, aiding President Pierce's election, and sustaining the pro-slavery administration of Buchanan. In after years Van Buren frequently explained his connection with the Free-soil revolt by telling a story of the boy who was vigorously removing an overturned load of hay at the roadside. Noticing his wild and rapid pitching, a passer-by inquired the cause of his haste. The boy, wiping the perspiration from his brow as he pointed to the pile of hay, replied, "Stranger, *dad's under there!*"

But whatever reasons incited John Van Buren to unite with the Free-soilers, so long as he advocated their principles, he was the most brilliant crusader who sought to stay the aggressiveness of slavery. From the moment he withdrew from the Syracuse convention, in the autumn of 1847, until he finally accepted the compromise measures of 1850, he was looked upon as the hope of the Barnburners and the most dangerous foe of the Hunkers. Even Horatio Seymour was afraid of him. He did not advocate abolition; he did not treat slavery in the abstract; he did not transcend the Free-soil doctrine. But he spoke with such power and brilliancy that Henry Wilson, afterward Vice President, declared him "the bright particular star of the revolt."[\[90\]](#) He was not an impassioned orator. He spoke deliberately, and rarely with animation or with gesture; and his voice, high pitched and penetrating, was neither mellow nor melodious. But he was marvellously pleasing. His perennial wit kept his audiences expectant, and his compact, forceful utterances seemed to break the argument of an opponent as a hammer shatters a pane of glass. So great was his popularity at this time,

that his return to the Democratic party became a personal sorrow to every friend of the anti-slavery cause. "Indeed, such was the brilliant record he then made," says Henry Wilson, "that had he remained true to the principles he advocated, he would unquestionably have become one of the foremost men of the Republican party, if not its accepted leader."^[91]

Several historic conventions followed the secession of the Barnburners. Each faction held a state convention to select delegates to the Democratic national convention which met in Baltimore on May 22, 1848, and, on the appointed day, both Hunkers and Barnburners presented full delegations, each claiming admission to the exclusion of the other.^[92] It was an anxious moment for Democracy. New York held the key to the election; without its vote the party could not hope to win; and without harmony success was impossible. To exclude either faction, therefore, was political suicide, and, in the end, the vote was divided equally between them. To the politician, anxious for party success and hungry for office, perhaps no other compromise seemed possible. But the device failed to satisfy either side, and Lewis Cass was nominated for President without the participation of the State that must elect or defeat him.

Returning home, the Barnburners issued an address, written by Samuel J. Tilden, who fearlessly called upon Democrats to act independently. This led to the famous convention held at Utica in June. Samuel Young presided, Churchill C. Cambreling was conspicuous on the stage, David Dudley Field read a letter from Martin Van Buren condemning the platform and the candidate of the Baltimore convention, and Benjamin F. Butler, Preston King, and John Van Buren illuminated the principles of the Free-soil party in speeches that have seldom been surpassed in political conventions. In the end Martin Van Buren was nominated for President.

This assembly, in the ability and character of its members, contained the better portion of the party. Its attitude was strong, defiant, and its only purpose apparently was to create a public sentiment hostile to the extension of slavery. Nevertheless, it was divided into two factions, one actuated more by a desire to avenge the alleged wrongs of Van Buren, than to limit slavery. To this class belonged Churchill C. Cambreling, Samuel J. Tilden, John A. Dix, Sanford E. Church, Dean Richmond, John Cochrane, Benjamin F. Butler, and the Van Burens. On the anti-slavery side, Preston King, David

Dudley Field, James S. Wadsworth, and William Cullen Bryant were conspicuous. Seven years later, these men were quick to aid in the formation of the Republican party; while the former, for the most part, continued with the Democratic party. But, whatever the motives that prompted them, their action strengthened the Buffalo convention^[93] which met on August 9, 1848, giving an impetus to the anti-slavery cause too strong for resentment or revenge to guide it.

There have been many important meetings in the history of American politics, but it may well be doubted if any convention, during the struggle with slavery, ever exalted the hearts of those who took part in it more than did this assembly of fearless representatives of the Free-soil party in Buffalo, the Queen City of the Lakes. The time was ripe for action, and on that day in August, men eminent and to grow eminent, sought the shade of a great tent on the eastern shore of Lake Erie. Among them were Joshua R. Giddings, the well-known Abolitionist; Salmon P. Chase, not yet famous, but soon to become a United States senator with views of slavery in accord with William H. Seward; and Charles Francis Adams who had already associated his name with that of his illustrious father in the growth of anti-slavery opinions in New England. Chase presided over the convention and Adams over the mass-meeting. At the outset, it was boldly asserted that they had assembled "to secure free soil for a free people;" and in closing they thrilled the hearts of all hearers with the memorable declaration that rang throughout the land like a blast from a trumpet, "We inscribe on our banner Free Soil, Free Speech, Free Labour, and Free Men." It was a remarkable convention in that it made no mistakes. Lewis Cass represented the South and its purposes, while Zachary Taylor lived in the South and owned four hundred slaves. Neither of these men could be supported; but, in the end, rather than put a fourth candidate into the field, it was resolved unanimously to indorse Martin Van Buren for President and Charles Francis Adams for Vice President. Daniel Webster ridiculed the idea of "the leader of the *Free-spoil* party becoming the leader of the Free-soil party;" but Charles Sumner, whose heart was in the cause, declared that "it is not for the Van Buren of 1838 that we are to vote, but for the Van Buren of to-day—the veteran statesman, sagacious, determined, experienced, who, at an age when most men are rejoicing to put off their armour, girds himself anew and enters the list as a champion of freedom."^[94] To give further dignity

and importance to the Free-soil movement, the nomination of John P. Hale, made by the Abolitionists in the preceding November, was withdrawn, and John A. Dix, then a Democratic senator, accepted the Barnburners' nomination for governor.^[95]

The Hunkers were aghast. The movement that let the Whigs into power in 1847 had suddenly become a national party, with the most famous and distinguished Democrat at its head, while the old issues of internal improvement, the tariff, and the independent treasury were obscured by the intensity of the people's opposition to the extension of slavery. The Hunkers controlled the party machinery—the Barnburners held the balance of power. To add to the bitterness of the situation, Edwin Croswell, after a quarter of a century of leadership, had retired from editorial and political life, leaving no one who could fill his place. When the Democratic state convention assembled at Syracuse, therefore, it spent itself in rhetorical denunciation of the rebellious faction, and wasted itself in the selection of Reuben H. Walworth for governor and Charles O'Connor for lieutenant-governor. Neither was a popular nomination. Walworth was the last of the chancellors. He came into notice as an ardent Bucktail in the days of DeWitt Clinton, and, upon the retirement of Chancellor Kent in 1828 succeeded to that important and lucrative office. He was a hard worker and an upright judge; but he did not rank as a great jurist. The lawyers thought him slow and crabbed, and his exclusion from the office at the age of fifty-nine, after the adoption of the new Constitution in 1846, was not regretted. But Chancellor Walworth had two traits which made him a marked figure in the Commonwealth—an enthusiasm for his profession that spared no labour and left no record unsearched; and an enthusiastic love for the Church.

Of Charles O'Connor's remarkable abilities, mention occurs elsewhere. His conservatism made him a Democrat of the extreme school. In the Slave Jack case and the Lemmon slave case, very famous in their day, he was counsel for the slave-holders; and at the close of the Civil War he became the attorney for Jefferson Davis when indicted for treason. O'Connor's great power as a speaker added much to the entertainment of the campaign of 1848, but whether he would have beaten his sincere, large-hearted, and affectionate Whig opponent had no third party divided the vote, was a mooted question at the time, and one usually settled in favour of the Chautauquan.

The Whigs had reason to be hopeful. They had elected Young in 1846 by eleven thousand, and, because of the Barnburner secession, had carried the State in 1847 by thirty thousand. Everything indicated that their success in 1848 would be no less sweeping. But they were far from happy. Early in June, 1846, long before the capture of Monterey and the victory of Buena Vista, the Albany *Evening Journal* had suggested that Zachary Taylor was in the minds of many, and in the hearts of more, for President in 1848. Thurlow Weed went further. He sent word to the brilliant officer that he need not reply to the numerous letters from men of all political stripes offering their support, since the presidential question would take care of itself after his triumphant return from Mexico. But, in the spring of 1848, the question became embarrassing. Taylor was a slave-holder. Many northern Whigs were deeply imbued with anti-slavery sentiments, and the action of the Free-soilers was increasing their sensitiveness. "What plagues me most of all," wrote Washington Hunt to Weed, "is to think how I, after all I have said against slavery and its extension, am to look the Wilmot Proviso people in the face and ask them to vote for a Southern slave-holder."[\[96\]](#) Yet Taylor was a conquering hero; and, although little was known of his political sentiments or sympathies, it was generally believed the Democrats would nominate him for President if the Whigs did not.

As the year grew older it became apparent that Henry Clay was the choice of a large portion of the Whigs of the country. Besides, Daniel Webster had reappeared as a candidate; Winfield Scott had the support of his former New York friends; and Horace Greeley, "waging a quixotic war against heroes," as Seward expressed it, was sure of defeating Taylor even if shaken in his confidence of nominating Clay. "I hope you see your way through this difficulty," Hunt again wrote Weed. "You are like a deacon I know. His wife said it always came natural to him to see into the doctrine of election."[\[97\]](#) Weed believed that Zachary Taylor, if not nominated by the Whigs, would be taken up by the Democrats, and he favoured the Southerner because the election of Jackson and Harrison convinced him that winning battles opened a sure way to the White House. But Thurlow Weed was not a stranger to Taylor's sympathies. He had satisfied himself that the bluff old warrior, though a native of Virginia and a Louisiana slave-holder, favoured domestic manufactures, opposed the admission of Texas, and had been a lifelong admirer of Henry Clay; and, with this information, he went to

work, cautiously as was his custom, but with none the less energy and persistence. Among other things, he visited Daniel Webster at Marshfield to urge him to accept the nomination for Vice President. The great statesman recalled Weed's similar errand in 1839, and the memory of Harrison's sudden death now softened him into a receptive mood; but the inopportune coming of Fletcher Webster, who reported that his father's cause was making tremendous progress, changed consent into disapproval, and for the second time in ten years Webster lost the opportunity of becoming President.

When the Whig national convention met in Philadelphia on June 8, Thurlow Weed did not doubt the ability of Taylor's friends to nominate him; but, in that event, several prominent delegates threatened to bolt. It was an anxious moment. The success of the Whig party and the ascendancy of Weed's leadership in New York were at stake. It was urged by the anti-slavery men with great vehemence that Taylor was a "no-party man," and that as a born Southerner and large slave-holder he could not be trusted on the slavery question. But when the five candidates were finally placed in nomination, and a single ballot taken, it was found, as Weed had predicted, that the hero of Buena Vista was the one upon whom the Whigs could best unite. With few exceptions, the friends of Clay, Webster, Scott, and John M. Clayton could go to Taylor better than to another, and on the fourth ballot, amidst anger and disappointment, the latter was nominated by sixty majority.

For the moment, the office of Vice President seemed to go a-begging, as it did in the convention of 1839 after the defeat of Henry Clay. Early in the year Seward's friends urged his candidacy; but he gave it no encouragement, preferring to continue the practice of his profession, which was now large and lucrative. John Young, who thought he would like the place, sent a secret agent to Mexico with letters to Taylor. Young's record as governor, however, did not commend him for other honours, and the scheme was soon abandoned. As the summer advanced Abbott Lawrence of Massachusetts became the favourite; and for a time it seemed as if his nomination would be made by acclamation; but, after Taylor's nomination and Clay's defeat, many delegates promptly declared they would not have "cotton at both ends of the ticket"—referring to Taylor as a grower and Lawrence as a manufacturer of cotton. In this crisis, and after a stormy recess, John A. Collier, a leading lawyer of Binghamton, who had served in

the Twenty-second Congress and one year as state comptroller, suddenly took the platform. In a stirring speech, in which he eloquently pictured the sorrow and bitterness of Clay's friends, he hopefully announced that he had a peace-offering to present, which, if accepted, would, in a measure, reconcile the supporters of all the defeated candidates and prevent a fatal breach in the party. Then, to the astonishment of the convention, he named Millard Fillmore for Vice President, and asked a unanimous response to his nomination. This speech, though not pitched in a very exalted key, was so subtle and telling, that it threw the convention into applause. Collier recalled Fillmore's fidelity to his party; his satisfactory record in Congress, especially during the passage of the tariff act of 1842; his splendid, if unsuccessful canvass, as a candidate for governor in 1844, and his recent majority of thirty-eight thousand for comptroller, the largest ever given any candidate in the State. At the time, it looked as if a unanimous response might be made; but the friends of Lawrence rallied, and at the close of the ballot Fillmore had won by only six votes. For Collier, however, it was a great triumph, giving him a reputation as a speaker that later efforts did not sustain.

To anti-slavery delegates, the Philadelphia convention was a disappointment. It seemed to lack courage and to be without convictions or principles. Like its predecessor in 1839 it adopted no resolutions and issued no address. The candidates became its platform. In voting down a resolution in favour of the Wilmot Proviso, many delegates believed the party would prove faithless on the great issue; and fifteen of them, led by Henry Wilson of Massachusetts, proposed a national convention of all persons opposed to the extension of slavery, to be held at Buffalo early in August. "It is fortunate for us," wrote Seward, "that the Democratic party is divided."[\[98\]](#) But the New Yorkers, some of whom found encouragement in the nomination of Fillmore, who had thus far been inflexible upon the slavery question, patiently waited for the result of the Whig state convention, which met at Utica on the 14th of September. By this time, as Seward and Weed predicted, Taylor's nomination had grown popular. Greeley, soon to be a candidate for Congress, advised the *Tribune's* readers to vote the Whig ticket, while the action of the Buffalo convention, though it united the anti-slavery vote, assured a division of the Democratic party more than sufficient to compensate for any Whig losses. Under these circumstances,

the Utica convention assembled with reasonable hopes of success. It lacked the spirit of the band of resolute Free-soilers, who met in the same place on the same day and nominated John A. Dix for governor and Seth M. Gates of Wyoming for lieutenant-governor; but it gave no evidence of the despair that had settled upon the convention of the Hunkers in the preceding week.

One feature of the Whig state convention is worthy of notice. The great influence of the Anti-Renters who held the balance of power in the convention of 1846 had disappeared. The Governor's anti-rent friends urged his renomination with the earnest voice of a brave people; but John Young was destined to be the comet of a season only. His course in respect to appointments and to the Mexican War had alienated Thurlow Weed, and his pardon of the anti-rent rioters estranged the conservative Whigs. Although a shrewd politician, with frank and affable manners, as an administrative officer he lacked the tact displayed so abundantly as a legislator; and its absence seriously handicapped him. Twenty delegates measured his strength in a convention that took forty-nine votes to nominate. Under the Taylor administration, Young received an appointment as assistant treasurer in New York City—the office given to William C. Bouck in 1846—but his career may be said to have closed the moment he promised to pardon a lot of murderous rioters to secure an election as governor. With that, he passed out of the real world of state-craft into the class of politicians whose ambition and infirmities have destroyed their usefulness. He died in April, 1852, at the age of fifty.

Hamilton Fish was the favourite candidate for governor in the Utica convention. His sympathies leaned toward the conservatives of his party; but the moderation of his speech and his conciliatory manners secured the good wishes of both factions, and he received seventy-six votes on the first ballot. Fish was admittedly one of the most popular young men in New York City. He had never sought or desired office. In 1842, the friends of reform sent him to Congress from a strong Democratic district, and in 1846, after repeatedly and peremptorily declining, the Whig convention, to save the party from disruption, compelled him to take the nomination for lieutenant-governor on the ticket with John Young. In 1847, after Addison Gardiner, by his appointment to the Court of Appeals, had vacated the lieutenant-governorship, the convention, in resentment of Fish's defeat by the Anti-Renters, again forced his nomination for the same office, and his

election followed by thirty thousand majority. Fish was now thirty-nine years old, with more than two-score and five years to live. He was to become a United States senator, and to serve, for eight years, with distinguished ability, as secretary of state in the Cabinet of President Grant; yet, in all that period, he never departed from the simple, sincere life that he was living in September, 1848. Writing of him in the *Tribune*, on the day after his nomination for governor, Horace Greeley voiced the sentiment of men irrespective of party. "Wealthy without pride, generous without ostentation, simple in manners, blameless in life, and accepting office with no other aspiration than that of making power subserve the common good of his fellow citizens, Hamilton Fish justly and eminently enjoys the confidence and esteem of all who know him."[\[99\]](#)

On the first ballot, George W. Patterson of Chautauqua received eighty-four out of ninety-six votes for lieutenant-governor. In his gentle manners, simple generosity, and moderation of speech, Patterson was not unlike Hamilton Fish. He was a loyal friend of Seward, a constant correspondent of Weed, and a member of the inner circle of governing Whigs; he had been prominent as an Anti-Mason, satisfactory as a legislator, and impartial as a speaker of the Assembly; he was now recognised as a far-sighted, wise, and cautious politician. In guiding the convention to the selection of Hamilton Fish and George W. Patterson, it was admitted that Thurlow Weed's leadership vindicated his sagacity.

The political contest in New York, unlike that in the South and in some Western States, presented the novel feature of three powerful parties in battle array. The Free-soil faction was a strange mixture. Besides Barnburners, there were Conscience Whigs, Proviso Democrats, Land Reformers, Workingmen, and Abolitionists—a formidable combination of able and influential men who wielded the power of absolute disinterestedness, and who kept step with John Van Buren's trenchant and eloquent speeches which resounded through the State. Van Buren was the accepted leader, and in this campaign he reached the height of his reputation. His features were not striking, but in person he was tall, symmetrical, and graceful; and no one in the State could hold an audience with such delightful oratory and lofty eloquence.

The ablest Whig to oppose him was William H. Seward, who frequently followed him in localities where Whigs were likely to act with the Free-soil party. On the slavery question, Seward held views identical with those expressed by Van Buren; but he insisted that every Whig vote cast for the third party was only a negative protest against the slavery party. Real friends of emancipation must not be content with protests. They must act wisely and efficiently. "For myself," he declared, "I shall cast my suffrage for General Taylor and Millard Fillmore, freely and conscientiously, on precisely the same grounds on which I have hitherto voted."[\[100\]](#)

As in former presidential years, each party had its flags and banners, its drums and cannon, its bewildering variety of inscriptions and mottoes, and its multitude of speakers charging and countercharging inconsistencies and maladministration. The Whigs accused Cass with having printed two biographies, one for the South, in which he appeared as a slavery extensionist, and one for the North, in which he figured as a Wilmot Provisoist. To this accusation, Democrats retorted that the Whigs opposed annexation in the North and favoured it in the South; denounced the war and nominated its leading general; voted down the Wilmot Proviso in June, and upheld it in July.

In New York, New England, and in some parts of the West, the clear, comprehensive, ringing platform of the anti-slavery party had fixed the issue. Audiences became restless if asked to listen to arguments upon other topics. Opposition to slavery was, at last, respectable in politics. For the first time, none of his party deprecated Seward's advanced utterances upon this question, and from August to November he freely voiced his opinions. The series of professional achievements which began with the Freeman case was still in progress; but he laid them aside that he might pass through his own State into New England, and from thence through New Jersey, Delaware, Pennsylvania, into Ohio, where the result, as shown by the October election, was to be very close.

Seward was now in the fulness of his intellectual power. There was nothing sensational, nothing unfit in his speeches. He believed that the conscience of the people was a better guide than individual ambitions, and he inspired them with lofty desires and filled them with sound principles of action. "There are two antagonistic elements of society in America," said he, in his

speech at Cleveland, "freedom and slavery. Freedom is in harmony with our system of government and with the spirit of the age, and is, therefore, passive and quiescent. Slavery is in conflict with that system, with justice, and with humanity, and is, therefore, organised, defensive, active, and perpetually aggressive. Freedom insists on the emancipation and elevation of labour. Slavery demands a soil moistened with tears and blood. These elements divide and classify the American people into two parties. Each of these parties has its court and sceptre. The throne of the one is amid the rocks of the Allegheny Mountains; the throne of the other is reared on the sands of South Carolina. One of these parties, the party of slavery, regards disunion as among the means of defence and not always the last to be employed. The other maintains the Union of the States, one and inseparable, now and forever, as the highest duty of the American people to themselves, to posterity, to mankind. It is written in the Constitution that five slaves shall count equal to three freemen as a basis of representation, and it is written also, in violation of the Divine Law, that we shall surrender the fugitive slave who takes refuge at our fireside from his relentless pursuers. 'What, then,' you say; 'can nothing be done for freedom because the public conscience is inert?' Yes, much can be done—everything can be done. Slavery can be limited to its present bounds; it can be ameliorated; it can and must be abolished, and you and I can and must do it."[\[101\]](#)

This presented an epitome of Seward's views when spoken without restraint. His friends thought them "bold" and his opponents denounced them as "most perverse and dogmatic," but, whether bold or perverse, he devoted the chief part of every speech to them. He was not without humour, man's highest gift, but he had more of humanity; he spoke seriously and solemnly, usually to grave, sober, reflecting men of all professions and parties; and, at the end of two hours, dismissed them as if from an evening church service. At Boston, a Whig member of Congress from Illinois spoke with him, principally upon the maladministration of the Democrats and the inconsistencies of Lewis Cass. After the meeting, while sitting in their hotel, the congressman, with a thoughtful air, said to Seward: "I have been thinking about what you said in your speech to-night. I reckon you are right. We have got to deal with this slavery question, and got to give much more attention to it hereafter than we have been doing."[\[102\]](#) This was Seward's

first meeting with Abraham Lincoln. The former was then forty-seven years old, the latter thirty-nine.

In New York, the campaign could have but one outcome. The Free-soil faction divided the Democratic vote nearly by two, giving Van Buren 120,000, Cass 114,000, and Taylor 218,000. The returns for governor varied but slightly from these figures.^[103] In the country at large Taylor secured one hundred and sixty-three electoral votes and Cass one hundred and twenty-seven. But, a Whig majority of one hundred and four on joint ballot in the Legislature, and the election of thirty-one out of thirty-four congressmen, showed the wreckage of a divided Democracy in New York. The Hunkers elected only six assemblymen; the Free-soilers secured fourteen. The Whigs had one hundred and eight. Returns from all the counties and cities in no wise differed. The Hunkers had been wiped out. If the Free-soilers did not get office, they had demonstrated their strength, and exulted in having routed their adversaries. Although Martin Van Buren was not to leave his retirement at Lindenwald, the brilliant son had avenged his father's wrongs by dashing Lewis Cass rudely and ruthlessly to the ground.

CHAPTER XII

SEWARD SPLITS THE WHIG PARTY

1849-1850

THE Legislature of 1849 became the scene of a contest that ended in a rout. John A. Dix's term as United States senator expired on March 4, and the fight for the succession began the moment the Whig members knew they had a majority.

William H. Seward's old enemies seemed ubiquitous. They had neither forgotten his distribution of patronage, nor forgiven his interest in slaves and immigrants. To make their opposition effective, John A. Collier became a candidate. Collier wanted to be governor in 1838, when Weed threw the nomination to Seward; and, although his election as comptroller in 1841 had restored friendly relations with Weed, he had never forgiven Seward. It added strength to the coalition, moreover, that Fillmore and Collier were now bosom friends. The latter's speech at Philadelphia had made the Buffalonian Vice President, and his following naturally favoured Collier. It was a noisy company, and, for a time, its opposition seemed formidable.

"Fillmore and Collier came down the river in the boat with me," wrote Seward from New York on November 16, 1848. "The versatile people were full of demonstrations of affection to the Vice President, and Mr. Collier divided the honours. The politicians of New York are engaged in plans to take possession of General Taylor before he comes to Washington. Weed is to be supplanted, and that not for his own sake but for mine."^[104] As the days passed intrigue became bolder. Hamilton Fish, Washington Hunt, and other prominent members of the party, were offered the senatorship. "I wish you could see the letters I get," Hunt wrote to Weed. "If I wanted to excite your sympathy they would be sufficient. Some say Seward will be elected.

More say neither Seward nor Collier will be chosen, but a majority are going for a third man by way of compromise, and my consent is invoked to be number three."^[105] Then came the letter, purporting to be written by Seward, declaring that "Collier must be defeated, or our influence with the Administration will be curtailed. You must look to your members, and see the members from Cattaraugus, if possible. I think Patterson will take care of Chautauqua."^[106] Out of this forgery grew an acrimonious manifesto from Collier, who professed to believe that Seward was giving personal attention to the work of making himself senator. In the midst of this violent and bitter canvass, Horace Greeley wrote one of his characteristic editorials. "We care not who may be the nominee," said the *Tribune* of January 24, 1849. "We shall gladly coincide in the fair expression of the will of the majority of the party, but we kindly caution those who disturb and divide us, that their conduct will result only in the merited retribution which an indignant people will visit upon those who prostitute their temporary power to personal pique or selfish purposes."

Seward was continuously in Baltimore and Washington, studying briefs that had accumulated in his long absence during the campaign; but Weed, the faithful friend, like a sentinel on the watch-tower, kept closely in touch with the political situation. "The day before the legislative caucus," wrote an eye-witness, "the Whig members of the Legislature gathered around the editor of the *Evening Journal* for counsel and advice. It resembled a President's levee. He remained standing in the centre of the room, conversing with those about him and shaking hands with new-comers; but there was nothing in his manner to indicate the slightest mystery or excitement so common with politicians."^[107]

The Whig senators met in caucus on January 29, and by a vote of twelve to eleven decided to join the Assembly. Then the fight began. William S. Johnson, a Whig senator from New York City, declared that he would neither vote for Seward in caucus nor support him in the Legislature. "It would be equivalent," he continued, "to throwing a firebrand into the South and aiding in the dissolution of the Whig party and of the Union." Thereupon the eleven withdrew from further participation in the proceedings. When the caucus of the two houses convened, fourteen members declared it inexpedient to support either Seward or Collier; but an informal ballot gave Seward eighty-eight votes and Collier twelve, with

twenty-two scattering. Three days later, on joint ballot, Seward received one hundred and twenty-one out of one hundred and thirty Whig votes. "We were always confident that the caucus could have but one result," said the *Tribune*, "and the lofty anticipations which the prospect of Seward's election has excited will not be disappointed."

Successful as Seward had been in his profession since leaving the office of governor, he was not entirely happy. "I look upon my life, busy as it is, as a waste," he wrote, in 1847. "I live in a world that needs my sympathies, but I have not even time nor opportunity to do good."^[108] His warm and affectionate heart seemed to envy the strife and obloquy that came to champions of freedom; yet his published correspondence nowhere directly indicates a desire to return to public life. "You are not to suppose me solicitous on the subject that drags me so unpleasantly before the public," he wrote Weed on January 26, 1849, three days before the caucus. "I have looked at it in all its relations, and cannot satisfy myself that it would be any better for me to succeed than to be beaten."^[109] This assumed indifference, however, was written with a feeling of absolute confidence that he was to succeed, a confidence that brought with it great content, since the United States Senate offered the "opportunity" for which he sighed in his despondent letter of 1847. On the announcement of his election, conveyed to him by wire at Washington, he betrayed no feeling except one of humility. "I tremble," he wrote his wife, "when I think of the difficulty of realising the expectations which this canvass has awakened in regard to my abilities."^[110] To Weed, he added: "I recall with fresh gratitude your persevering and magnanimous friendship."^[111]

From the outset, difficulties confronted the new senator. The question of limiting slavery excited the whole country, and one holding his views belonged in the centre of the struggle. But strife for office gave him more immediate embarrassment. Apprehensive of party discord, Thurlow Weed, at a dinner given the Vice President and Senator, had arranged for conferences between them upon important appointments within the State; but Seward's first knowledge of the New York custom-house appointments came to him in an executive session for their confirmation. Seward, as Lincoln afterward said, "was a man without gall," and he did not openly resent the infraction of the agreement; but when Weed, upon reaching Washington, discovered that Fillmore had the ear of the simple and

confiding President, he quickly sought the Vice President. Fillmore received him coldly. From that moment began an estrangement between Weed and the Buffalo statesman which was to last until both were grown gray and civil war had obliterated differences of political sentiment. For twenty years, their intimacy had been uninterrupted and constantly strengthening. Even upon the slavery question their views coincided, and, although Fillmore chafed under his growing preference for Seward and the latter's evident intellectual superiority, he had exhibited no impatience toward Weed. But Fillmore was now Vice President, with aspirations for the Presidency, and he saw in Seward a formidable rival who would have the support of Weed whenever the Senator needed it. He rashly made up his mind, therefore, to end their relationship.

With Taylor, Weed was at his ease. The President remembered the editor's letter written in 1846, and what Weed now asked he quickly granted. When Weed complained, therefore, that the Vice President was filling federal offices with his own friends, the President dropped Fillmore and turned to the Senator for suggestions. Seward accepted the burden of looking after patronage. "I detest and loathe this running to the President every day to protest against this man or that,"^[112] he wrote; but the President cheerfully responded to his requests. "If the country is to be benefited by our services," he said to the Secretary of the Treasury, "it seems to me that you and I ought to remember those to whose zeal, activity, and influence we are indebted for our places."^[113]

While Weed employed his time in displacing Hunker office-holders with Whigs, the Democratic party was trying to reunite. It called for a bold hand. John Van Buren, with a courage born of genius, had struck it a terrible blow in the face of tremendous odds, the effect of which was as gratifying to the Barnburners as it was disastrous to the Hunkers. But, in 1849, the party professed to believe that a union of the factions would result in victory, since their aggregate vote in 1848 exceeded the Whig vote by sixteen thousand. It is difficult to realise the arguments which persuaded the Barnburners to rejoin their adversaries whom they had declared, in no measured terms, to be guilty of the basest conduct; but, after infinite labour, Horatio Seymour established constructive harmony and practical co-operation. "We are asked to compromise our principles," said John Van Buren. "The day of compromises is past; but, in regard to candidates for

state offices, we are still a commercial people. We will unite with our late antagonists." [114]

Seymour and Van Buren did not unite easily. From the first they were rivals. As an orator, Seymour was the more persuasive, logical, and candid—Van Buren the more witty, sarcastic, and brilliant. Seymour was conciliatory—Van Buren aggressive. Indeed, they had little in common save their rare mental and social gifts, and that personal magnetism which binds followers with hooks of steel. But they stood now at the head of their respective factions. When Van Buren, therefore, finally consented to join Seymour in a division of the spoils, the two wings of the party quickly coalesced in the fall of 1849 for the election of seven state officers. The Free-soil faction professed to retain its principles; and, by placing several Abolitionists upon the ticket, nine-tenths of that party also joined the combination. But the spirit of the Free-soiler was absent. The man whose genius and whose eloquence had been the most potent factor in discrediting the Hunkers now had no anti-slavery speeches to make and no anti-slavery resolutions to present. John Van Buren's identification with the great movement, which he prophesied would stand so strong and work such wonders, was destined, after he had avenged the insult to his father, to vanish like a breath. Nor did the coalition of Hunkers, Barnburners, and Abolitionists prove so numerous or so solid that it could sweep the State. It did, indeed, carry the Assembly by two majority, and with the help of a portion of the Anti-Renters, who refused to support their own ticket, it elected four minor state officers; but the Whigs held the Senate, and, with majorities ranging from fifteen hundred to five thousand, chose the comptroller, the secretary of state, and the treasurer. Washington Hunt, the popular Whig candidate for comptroller, led the ticket by nearly six thousand, a triumph that was soon to bring him higher honours.

The Whigs, however, were to have their day of trouble. The election of Taylor and Fillmore had fired the Southern heart with zeal to defend slavery. More than eighty members of Congress issued an address, drawn by John C. Calhoun, rebuking the agitation of the slavery question, insisting upon their right to take slaves into the territories, and complaining of the difficulty of recovering fugitives. The Virginia Legislature affirmed that the adoption and attempted enforcement of the Wilmot Proviso would be resisted to the last extremity, and that the abolition of slavery in the District

of Columbia would be a direct attack upon the institution of the Southern States. These resolutions were indorsed by Democratic conventions, approved at public meetings, and amplified by state legislatures. In Missouri, Tennessee, and Kentucky the feeling quickly reached fever heat; in the cotton States sentiment boldly favoured "A Southern Confederacy." Sectional interest melted party lines. "The Southern Whigs want the great question settled in such a manner as shall not humble and exasperate the South," said the New York *Tribune*; "the Southern Democrats want it so settled as to conduce to the extension of the power and influence of slavery."

In the midst of this intense southern feeling Henry Clay, from his place in the United States Senate, introduced the historic resolutions which bear his name, proposing an amicable adjustment of all questions growing out of the subject of slavery. This series of compromises was to admit California, establish territorial governments in the regions acquired from Mexico without provision for or against slavery, pay the debt and fix the western boundary of Texas, declare it inexpedient to abolish slavery in the District of Columbia, deny the right of Congress to obstruct the slave trade between States, and to enact a more stringent fugitive slave law. It was in January, 1850, that Clay opened the memorable debate upon these resolutions, which continued eight months and included Webster's great speech of the 7th of March. When the debate ended in September Zachary Taylor was dead, Millard Fillmore was President, a new Cabinet had been appointed, slavery remained undisturbed in the District of Columbia, Mexico and Utah had become territories open to slave-holders, and a new fugitive slave law bore the approval of the new Chief Executive. During these months the whole country had been absorbed in events at Washington. Private letters, newspapers, public meetings, and state legislatures echoed the speeches of the three distinguished Senators who had long been in the public eye, and who, it was asserted at the time, were closing their life work in saving the Union.

In this discussion, Daniel S. Dickinson favoured compromise; William H. Seward stood firmly for his anti-slavery convictions. The latter spoke on the 11th of March. He opposed the fugitive slave law because "we cannot be true Christians or real freemen if we impose on another a chain that we defy all human power to lay on ourselves;"^[115] he declared for the abolition of

slavery in the District of Columbia, "and if I shall be asked what I did to embellish the capital of my country, I will point to her freemen and say—these are the monuments of my munificence;" he antagonised the right to take slaves into new territories, affirming that the Constitution devoted the domain to union, to justice, and to liberty. "But there is a higher law than the Constitution," he said, "which regulates our authority over the domain, and devotes it to the same noble purposes." In treating of threats of disunion he looked with a prophet's eye fourteen years into the future. That vision revealed border warfare, kindred converted into enemies, onerous taxes, death on the field and in the hospital, and conscription to maintain opposing forces. "It will then appear that the question of dissolving the Union is a complex question; that it embraces the fearful issue whether the Union shall stand and slavery be removed by gradual, voluntary effort, and with compensation, or whether the Union shall be dissolved and civil war ensue, bringing on violent but complete and immediate emancipation. We are now arrived at that stage of our national progress when that crisis can be foreseen—when we must foresee it."[\[116\]](#)

A less fearless and determined nature must have been overwhelmed by the criticism, the censure, and the insulting sneers which this speech provoked. Southern feeling dominated the Senate chamber. Many northern men, sincerely desirous of limiting slavery, preferred giving up the Wilmot Proviso for the sake of peace. Thousands of Whigs regarded dissent from Clay and Webster, their time-honoured leaders, as bold and presumptuous. In reviewing Seward's speech, these people pronounced it pernicious, unpatriotic, and wicked, especially since "the higher law" theory, taken in connection with his criticism of the fugitive slave law, implied that a humane and Christian people could not or would not obey it. But the Auburn statesman resented nothing and retracted nothing. "With the single exception of the argument in poor Freeman's case," he wrote, "it is the only speech I ever made that contains nothing I could afford to strike out or qualify."[\[117\]](#)

But Seward's speech did not influence votes. Clay's compromises passed amidst the wildest outbursts of popular enthusiasm. They appealed to a majority of both the great parties as a final settlement of the slavery question. In New York and other cities throughout the State, flags were hoisted, salutes fired, joy bells rung, illuminations flamed at night, and

speakers at mass-meetings congratulated their fellow citizens upon the wisdom of a President and a Congress that had happily averted the great peril of disunion.

These exhibitions of gratitude were engrossing the attention of the people when the Whig state convention met at Utica on the 26th of September, 1850. Immediately, the approval of Seward's course assumed supreme importance. Unusual excitement had attended the selection of delegates. The new administration became aggressive. No secret was made of its purpose to crush Thurlow Weed; and when the convention assembled, Hugh Maxwell, collector of the port of New York, and John Young, sub-treasurer, were there to control it. A test vote for temporary chairman disclosed sixty-eight Radicals and forty-one Conservatives present, but in the interest of harmony Francis Granger became the permanent president.

Granger was a man of honour and a man of intellect, whose qualities of fairness and fitness for public life have already been described. When he entered Harrison's Cabinet in 1841, as postmaster-general, the South classed him as an Abolitionist; when he left Congress in 1843, in the fulness of his intellectual strength, his home at Canandaigua became the centre of an admiring group of Whigs who preferred the lead of Clay and the conservative policy of Webster. He now appeared as an ally of President Fillmore. It was natural, perhaps, that in appointing a committee on resolutions, Granger should give advantage of numbers to his own faction, but the Radicals were amazed at the questionable action of his committee. It delayed its report upon the pretext of not being ready, and then, late in the evening, in the absence of many delegates, presented what purported to be a unanimous expression, in which Seward was left practically without mention. As the delegates listened in profound silence the majority became painfully aware that something was wanting, and, before action upon it could be taken, they forced an adjournment by a vote of fifty-six to fifty-one.

The next morning the Radicals exhibited a desire for less harmony and more justice. By a vote of seventy-three to forty-six the original resolutions were recommitted to an enlarged committee, and after nominating Washington Hunt for governor and George J. Cornwell for lieutenant-governor, substitute resolutions were adopted by a vote of seventy-four to

forty-two. One difference between the original and the substitute centred in the organisation of new territories. The majority opposed any surrender or waiver of the exclusion of slavery in any act establishing a regular civil organisation; the minority thought that, since it was impossible to secure the Wilmot Proviso, an insistence upon which would prevent any territorial organisation, it would be better to organise them without it, relying upon nature and the known disposition of the inhabitants to follow the lead of California. This difference, however, could probably have been healed had the Radicals not insisted that "the thanks of the Whig party are especially due to William H. Seward for the signal ability and fidelity with which he sustained those beloved principles of public policy so long cherished by the Whigs of the Empire State, expressed in state and county conventions as well as in the votes and instructions of the state legislature." Upon this resolution the Conservatives demanded a roll call, and when its adoption, by the surprising vote of seventy-five to forty, was announced, the minority, amidst the wildest excitement, left the hall in a body, followed by Francis Granger, whose silver gray hair gave a name to the seceders. Their withdrawal was not a surprise. Like the secession of the Barnburners three years before, loud threats preceded action. Indeed, William A. Duer, the Oswego congressman, admitted travelling from Washington to Syracuse with instructions from Fillmore to bolt the approval of Seward. But the secession seemed to disturb only the Silver-Grays themselves, who now drafted an address to the Whigs of the State and called a new convention to assemble at Utica on October 17.

The Democrats in their state convention, which met at Syracuse on September 11, repeated the policy of conciliation so skilfully engineered in 1849 by Horatio Seymour. They received Barnburner delegates, they divided the offices, and they allowed John Van Buren to rule. It mattered not what were the principles of the captivating Prince and his followers so long as they accepted "the recent settlement by Congress of questions which have unhappily divided the people of these States." Thus the Free-soil Barnburners disappeared as a political factor. Some of them continued to avow their anti-slavery principles, but no one had the temerity to mention them in convention. Men deemed it politic and prudent to affect to believe that the slavery question, which had threatened to disturb the national peace, was finally laid at rest. The country so accepted it, trade and

commerce demanded it, and old political leaders conceded it. In this frame of mind, delegates found it easy to nominate Horatio Seymour for governor and Sanford E. Church for lieutenant-governor. The next day the Abolitionists, tired of their union with Hunkers and Barnburners, nominated William L. Chaplin and Joseph Plumb.

The convention of the Silver-Grays, held at Utica in October, did not exalt its members. It was simply a protest. A lion-hearted man had presumed to voice his convictions, and, although the convention favoured exercising a liberal spirit of toleration toward the compromise measures, it refused to exercise such a spirit toward William H. Seward, or to tolerate him at all. It gave the President a flattering indorsement for his approval of the fugitive slave law, it accepted Washington Hunt as its nominee for governor, and it listened to several addresses, among them one from James O. Putnam of Buffalo; but the proceedings lacked the enthusiasm that springs from a clear principle, backed by a strong and resolute band of followers. The speech of Putnam, however, attracted wide attention. Putnam was a young man then, less than thirty-three years old, passionately devoted to Daniel Webster, and a personal friend of Millard Fillmore. As a speaker he was polished, smooth, and refined, and even when impassioned kept his passion well within conventional bounds. On this occasion his mellow and far-reaching voice, keyed to the pitch of sustained rhetoric, dropped his well-balanced and finely moulded sentences into the convention amidst hearty applause. He did not then see with the clearness of Seward's vision. He belonged rather to the more enlightened and intelligent conservatives who had begun to feel the ultimate disaster slavery must bring, and who desired that such disaster should be put off as long as possible; but the day was soon to dawn in which he would become a loyal supporter of the principles that were to be forever settled in the civil strife which Seward so vividly portrayed in the speech that created the Silver-Grays.

The recently adopted compromise did not become an issue in the New York campaign of 1850. If its opponents could not approve, they deemed silence wise. The followers of Fillmore in the up-state counties generally acted with the Seward men in support of Washington Hunt; but a great meeting, held at Castle Garden, near the close of the campaign, partially succeeded in uniting Democrats and Administration Whigs in New York City. A letter was read from Daniel Webster, calling upon all good citizens not to rekindle

the flames of "useless and dangerous controversy;" resolutions favouring a vigorous enforcement of the fugitive slave law were adopted; and a coalition ticket with Seymour at its head was agreed upon. This meeting, called a great popular protest against demagoguery, opened an aggressive canvass to defeat Hunt and destroy the Syracuse indorsement of Seward by raising the cry that Seward Whigs preferred civil war to a peaceable enforcement of the fugitive slave law. Seward took no part in this campaign. After Congress adjourned on the last day of September, he devoted the short time between the sessions to his law business. His friends, however, were active. Weed attacked the Castle Garden meeting with a bitterness and vigour rarely disclosed in the columns of the *Evening Journal*, and Greeley poured one broadside after another into what he regarded as the miserable mismanagement, blundering, and confusion of the Administration.

While waiting the result of the election, people were startled into sadness by the sudden death of Samuel Young at the age of seventy-two. He had retired in usual health, but died during the night. His distinguished career, covering nearly two-score years, was characterised by strong prejudices, violent temper, and implacable resentments, which, kept him behind men of less aptitude for public service; but he was always a central figure in any assemblage favoured with his presence. He had a marvellous force of oratory. His, voice, his gestures, his solemn pauses, followed by lofty and sustained declamation, proved irresistible and sometimes overwhelming in their effect. But it was his misfortune to be an orator with jaundiced vision, who seemed not always to see that principles controlled oftener than rhetoric. Yet, he willingly walked on in his own wild, stormy way, apparently enjoying the excitement with no fear of danger. "In his heart there was no guile," said Horace Greeley; "in his face no dough."

It was several weeks after the election, before it was ascertained whether Seymour or Hunt had been chosen. Both were popular, and of about the same age. Washington Hunt seems to have devoted his life to an earnest endeavour to win everybody's good will. At this time Greeley thought him "capable without pretension," and "animated by an anxious desire to win golden opinions by deserving them." He had been six years in Congress, and, in 1849, ran far ahead of his ticket as comptroller. Horatio Seymour was no less successful in winning approbation. He had become involved in

the canal controversy, but carefully avoided the slavery question. Greeley found it in his heart to speak of him as "an able and agreeable lawyer of good fortune and competent speaking talent, who would make a highly respectable governor." But 1850 was not Seymour's year. His associates upon the ticket were elected by several thousand majority, and day after day his own success seemed probable. The New York City combine gave him a satisfactory majority; in two or three Hudson river counties he made large gains; but the official count gave Hunt two hundred and sixty-two plurality, [118] with a safe Whig majority in the Legislature. The Whigs also elected a majority of the congressmen. "These results," wrote Thurlow Weed, "will encourage the friends of freedom to persevere by all constitutional means and through all rightful channels in their efforts to restrain the extension of slavery, and to wipe out that black spot wherever it can be done without injury to the rights and interests of others." [119]

CHAPTER XIII

THE WHIGS' WATERLOO

1850-1852

THE Assembly of 1851 has a peculiar, almost romantic interest for New Yorkers. A very young man, full of promise and full of performance, the brilliant editor of a later day, the precocious politician of that day, became its speaker. Henry Jarvis Raymond was then in his thirty-first year. New York City had sent him to the Assembly in 1850, and he leaped into prominence the week he took his seat. He was ready in debate, temperate in language, quick in the apprehension of parliamentary rules, and of phenomenal tact. The unexcelled courtesy and grace of manner with which he dropped the measured and beautiful sentences that made him an orator, undoubtedly aided in obtaining the position to which his genius entitled him. But his political instincts, also, were admirable, and his aptness as an unerring counsellor in the conduct of complicated affairs always turned to the advantage of his party. There came a time, after the assassination of President Lincoln, when he made a mistake so grievous that he was never able to regain his former standing; when he was dropped from the list of party leaders; when his cordial affiliation with members of the Republican organisation ceased; when his removal from the chairmanship of the National Committee was ratified by the action of a state convention; but the sagacity with which he now commented upon what he saw and heard made the oldest members of the Assembly lean upon him. And when he came back to the Legislature in January, 1851, they put him in the speaker's chair.

Raymond seems never to have wearied of study, or to have found it difficult easily to acquire knowledge. He could read at three years of age; at five he was a speaker. In his sixteenth year he taught school in Genesee County, where he was born, wrote a Fourth of July ode creditable to one of double

his years, and entered the University of Vermont. As soon as he reached an age to appreciate his tastes and to form a purpose, he began equipping himself for the career of a political journalist. He was not yet twenty-one when he made Whig speeches in the campaign of 1840 and gained employment with Horace Greeley on the *New Yorker* and a little later on the *Tribune*. "I never found another person, barely of age and just from his studies, who evinced so much and so versatile ability in journalism as he did," wrote Greeley. "Ablert and stronger men I may have met; a cleverer, readier, more generally efficient journalist I never saw. He is the only assistant with whom I ever felt required to remonstrate for doing more work than any human brain and frame could be expected long to endure. His services were more valuable in proportion to their cost than those of any one who ever worked on the *Tribune*."^[120] In 1843, when Raymond left the *Tribune*, James Watson Webb, already acquainted with the ripe intelligence and eager genius of the young man of twenty-three, thought him competent to manage the *Courier and Enquirer*, and in his celebrated discussion with Greeley on the subject of socialism he gave that paper something of the glory which twelve years later crowned his labours upon the *New York Times*.

It was inevitable that Raymond should hold office. The readiness with which he formulated answers to arguments in the Polk campaign, his sympathy with the Free-soil movement, the canal policy, and the common school system, produced a marked impression upon the dawning wisdom of his readers. But it was near the end of his connection with the *Courier* before he yielded his own desires to the urgent solicitation of the Whigs of the ninth ward and went to the Assembly. He had not yet quarrelled with James Watson Webb. That came in the spring of 1851 when he refused to use his political influence as speaker against Hamilton Fish for United States senator and in favour of the owner of the *Courier and Enquirer*. His anti-slavery convictions and strong prejudices against the compromise measures of 1850 also rapidly widened the gulf between him and his superior; and when the break finally came he stepped from the speaker's chair into the editorial management of the *New York Times*, his own paper, pure in tone and reasonable in price, which was destined to weaken the *Courier* as a political organ, to rival the *Tribune* as a family and party journal, and to challenge the *Herald* as a collector of news.

The stormy sessions of the Legislature of 1851 needed such a speaker as Raymond. At the outset, the scenes and tactics witnessed at Seward's election to the Senate in 1849 were repeated in the selection of a successor to Daniel S. Dickinson, whose term expired on the 4th of March. Webb's candidacy was prosecuted with characteristic zeal. For a quarter of a century he had been a picturesque, aggressive journalist, with a record adorned with libel suits and duels—the result of pungent paragraphs and bitter personalities—making him an object of terror to the timid and a pistol target for the fearless. On one occasion, through the clemency of Governor Seward, he escaped a two years' term in state's prison for fighting the brilliant "Tom" Marshall of Kentucky, who wounded him in the leg, and it is not impossible that Jonathan Cilley might have wounded him in the other had not the distinguished Maine congressman refused his challenge because he was "not a gentleman." This reply led to the foolish and fatal fray between Cilley and William J. Graves, who took up Webb's quarrel.

Webb was known as the Apollo of the press, his huge form, erect and massive, towering above the heads of other men, while his great physical strength made him noted for feats of endurance and activity. As a young man he held a minor commission in the army, but in 1827, at the age of twenty-five, he resigned to become the editor of the *Courier*, which, in 1829, he combined with the *Enquirer*. For twenty years, under his management, this paper, first as a supporter of Jackson and later as an advocate of Whig policies, ranked among the influential journals of New York. After Raymond withdrew, however, it became the organ of the Silver-Grays, and began to wane, until, in 1860, it lapsed into the *World*.

Webb's chief title to distinction in political life was allegiance to his own principles regardless of the party with which he happened to be affiliated, and his fidelity to men who had shown him kindness. He followed President Jackson until the latter turned against the United States Bank, and he supported the radical Whigs until Clay, in 1849, defeated his confirmation for minister to Austria; but, to the last, he seems to have remained true to Seward, possibly because Seward kept him out of state's prison, although, in the contest for United States senator in 1851, Hamilton Fish was the candidate of the Seward Whigs. Fish had grown rapidly as governor. People formerly recognised him as an accomplished gentleman, modest in manners and moderate in speech, but his conduct and messages as an executive

revealed those higher qualities of statesmanship that ranked him among the wisest public men of the State. Thurlow Weed had accepted rather than selected him for governor in 1848. "I came here without claims upon your kindness," Fish wrote on December 31, 1850, the last day of his term. "I shall leave here full of the most grateful recollections of your favours and good will."^[121] This admission was sufficient to dishonour him with the Fillmore Whigs, and, although he became the caucus nominee for senator on the 30th of January, his opponents, marshalled by Fillmore office-holders in support of James Watson Webb, succeeded in deadlocking his election for nearly two months.^[122]

In the meantime, other serious troubles confronted the young speaker. The Assembly, pursuant to the recommendation of Governor Hunt, passed an act authorising a loan of nine million dollars for the immediate enlargement of the Erie canal. Its constitutionality, seriously doubted, was approved by Daniel Webster and Rufus Choate, and the Whigs, needing an issue for the campaign, forced the bill ahead until eleven Democratic senators broke a quorum by resigning their seats. The Whigs were scarcely less excited than the Democrats. Such a secession had never occurred before. Former legislators held the opinion that they were elected to represent and maintain the interests of their constituents—not to withdraw for the sake of indulging some petulant or romantic impulse because they could not have their own way. Two opposition senators had the good sense to take this view and remain at their post. Governor Hunt immediately called an extra session, and, in the campaign to fill the vacancies, six of the eleven seceders were beaten. Thus reinforced in the Senate, the Whig policy became the law; and, although, the Court of Appeals, in the following May, held the act unconstitutional, both parties got the benefit of the issue in the campaign of 1851.

In this contest the Whigs followed the lead of the Democrats in avoiding the slavery question. The fugitive slave law was absorbing public attention. The "Jerry rescue" had not occurred in Syracuse; nor had the killing of a slaveholder in a negro uprising on the border of an adjoining State advertised the danger of enforcing the law; yet the Act had not worked as smoothly as Fillmore's friends wished. It took ten days of litigation at a cost of more than the fugitive's value to reclaim a slave in New York City. Trustworthy estimates fixed the number of runaways in the free States at fifteen

thousand, and a southern United States senator bitterly complained that only four or five had been recaptured since the law's enactment. Enough had been done, however, to inflame the people into a passion. Ralph Waldo Emerson declared the Act "a law which every one of you will break on the earliest occasion—a law which no man can obey, or abet the obeying, without loss of self-respect and forfeiture of the name of gentleman."^[123] Seward did not hesitate to publish similar sentiments. "Christendom," he wrote, "might be searched in vain for a parallel to the provisions which make escape from bondage a crime, and which, under vigorous penalties, compel freemen to aid in the capture of slaves."^[124] The Albany *Evening Journal* declared that "the execution of the fugitive slave law violently convulses the foundations of society. Fugitives who have lived among us for many years cannot be seized and driven off as if they belonged to the brute creation. The attempt to recover such fugitives will prove abortive."^[125]

It is impossible to read these expressions without believing that they were written under the inspiration of genuine emotion, and that so long as such conditions continued men of sentiment could think of little else. Danger to the Union, at least assumed danger, could not in any way soften their hearts or change their purposes. Yet the state conventions which met in Syracuse on September 10 and 11, 1851, talked of other things. The Democrats nominated a ticket divided between Hunkers and Barnburners; and, after condemning the Whig management of the canals as lavish, reckless, and corrupt, readopted the slavery resolutions of the previous year. The Whigs likewise performed their duty by making up a ticket of Fillmore and inoffensive Seward men, pledging the party to the enlargement of the Erie canal. Thus it was publicly announced that slavery should be eliminated from the thought and action of parties.

This policy of silence put the Whigs under painful restraint. The rescue of a fugitive at Syracuse by a band of resolute men, led by Gerrit Smith and Samuel J. May, and the killing of a slave-owner at Christiana, Pennsylvania, while attempting to reclaim his property, seriously disturbed the consciences of men who thought as did Emerson and Seward; but not a word appeared in Whig papers about the great underlying question which persistently forced itself on men's thoughts. Greeley wrote of the tariff and the iron trade; Seward spent the summer in Detroit on professional

engagements; and Weed, whose great skill had aided in successfully guiding the canal loan through a legislative secession, continued to urge that policy as the key to the campaign as well as to New York's commerce. But after the votes were counted the Whigs discovered that they had played a losing game. Two minor state officers out of eight, with a tie in the Senate and two majority in the Assembly, summed up their possessions. The defeat of George W. Patterson for comptroller greatly distressed his friends, and the loss of the canal board, with all its officers, plunged the whole Whig party into grief. Several reasons for this unexpected result found advocates in the press. There were evidences of infidelity in some of the up-state counties, especially in the Auburn district, where Samuel Blatchford's law partnership with Seward had defeated him for justice of the Supreme Court; but the wholesale proscription in New York City by Administration or "Cotton Whigs," as they were called, fully accounted for the overthrow. It was taken as a declaration of war against Sewardism. "The majorities against Patterson and his defeated associates," said the *Tribune*, in its issue of November 20, "imply that no man who is recognised as a friend of Governor Seward and a condemner of the fugitive slave law must be run on our state ticket hereafter, or he will be beaten by the Cotton influence in this city." Hamilton Fish took a similar view. "A noble, glorious party has been defeated—destroyed—by its own leaders," he wrote Weed. "Webster has succeeded better under Fillmore than he did under Tyler in breaking up the Whig organisation and forming a third party. I pity Fillmore. Timid, vacillating, credulous, unjustly suspicious when approached by his prejudices, he has allowed the sacrifice of that confiding party which has had no honours too high to confer upon him. It cannot be long before he will realise the tremendous mistake he has made."^[126]

What Hamilton Fish said the great majority of New York Whigs thought, and in this frame of mind they entered the presidential campaign of 1852. Fillmore, Scott, and Webster were the candidates. Fillmore had not spared the use of patronage to further his ambition. It mattered not that the postmaster at Albany was the personal friend of Thurlow Weed, or that the men appointed upon the recommendation of Seward were the choice of a majority of their party, the proscription extended to all who disapproved the Silver-Grays' bolt of 1850, or refused to recognise their subsequent convention at Utica. Under these circumstances thirst for revenge as well as

a desire to nominate a winning candidate controlled the selection of presidential delegates; and in the round-up seven favoured Fillmore, two preferred Webster, while twenty-four supported Scott. Naturally the result was a great shock to Fillmore. The Silver-Grays had been growing heartily sick of their secession, and if they needed further evidence of its rashness the weakness of their leader in his home State furnished it.

Fillmore's strength proved to be chiefly in the South. His vigorous execution of the fugitive slave law had been more potent than his unsparing use of patronage; and when the Whig convention assembled at Baltimore on June 16 the question whether that law should be declared a finality became of supreme importance. Fillmore could not stand on an anti-slavery platform, and a majority of the New Yorkers refused their consent to any sacrifice of principle. But, in spite of their protest, the influence of a solid southern delegation, backed by the marvellous eloquence of Rufus Choate, forced the passage of a resolution declaring that "the compromise acts, the act known as the fugitive slave law included, are received and acquiesced in by the Whig party of the United States as a settlement in principle and substance of the dangerous and exciting questions which they embrace. We insist upon their strict enforcement; and we deprecate all further agitation of the question thus settled, as dangerous to our peace, and will discountenance all efforts to continue or renew such agitation whenever, wherever, or however the attempt may be made." A roll call developed sixty-six votes in the negative, all from the North, and one-third of them from New York.

This was a Fillmore-Webster platform, and the first ballot gave them a majority of the votes cast, Fillmore having 133, Webster 29, Scott 131. The number necessary to a choice was 147. The activity of the Fillmore delegates, therefore, centred in an effort to concentrate the votes of the President and his secretary of state. Both were in Washington, their relations were cordial, and an adjournment of the convention over Sunday gave abundant opportunity to negotiate. When it became manifest that Webster's friends would not go to Fillmore, an extraordinary effort was made to bring the President's votes to Webster. This was agreeable to Fillmore, who placed a letter of withdrawal in the hands of a Buffalo delegate to be used whenever he deemed it proper. But twenty-two Southern men declined to be transferred, while the most piteous appeals to the Scott men of New York

met with cold refusals. They professed any amount of duty to their party, but as regards the Fillmore combine they were implacable. They would listen to no terms of compromise while their great enemy remained in the field. Meantime, the Scott managers had not been asleep. In the contest over the platform, certain Southern delegates had agreed to vote for Scott whenever Fillmore reached his finish, provided Scott's friends supported the fugitive slave plank; and these delegates, amidst the wildest excitement, now began changing their votes to the hero of Lundy's Lane. On the fifty-third ballot, the soldier had twenty-six majority, the vote standing: Scott, 159; Fillmore, 112; Webster, 21.

The prophecy of Hamilton Fish was fulfilled. Fillmore now realised, if never before, "the tremendous mistakes he had made." Upon his election as Vice President, and especially after dreams of the White House began to dazzle him, he seemed to sacrifice old friends and cherished principles without a scruple. Until then, the Buffalo statesman had been as pronounced upon the slavery question as Seward; and after he became President, with the tremendous influence of Daniel Webster driving him on, it was not believed that he would violate the principles of a lifetime by approving a fugitive slave law, revolting to the rapidly growing sentiment of justice and humanity toward the slave. But, unlike Webster, the President manifested no feeling of chagrin or disappointment over the result at Baltimore. Throughout the campaign and during the balance of his term of office he bore himself with courage and with dignity. Indeed, his equanimity seemed almost like the fortitude of fatalism. No doubt, he was sustained by the conviction that the compromise measures had avoided civil war, and by the feeling that if he had erred, Clay and Webster had likewise erred; but he could have had no presentiment of the depth of the retirement to which he was destined. He was to reappear, in 1856, as a presidential candidate of the Americans; and, after civil war had rent the country in twain, his sympathy for the Union was to reveal itself early and with ardour. But the fugitive slave law, which, next to treason itself, had become the most offensive act during the ante-war crisis, filled the minds of men with a growing dislike of the one whose pen gave it life, and, in spite of his high character, his long public career, and his eminence as a citizen, he was associated with Pierce and Buchanan, who, as Northern men, were believed to have surrendered to Southern dictation.[\[127\]](#)

In the national convention at Baltimore, which met June 1, 1852, the New York Democrats were likewise destined to suffer by their divisions. Lewis Cass, James Buchanan, and Stephen A. Douglas were the leading candidates; though William L. Marcy and Daniel S. Dickinson also had presidential ambitions. Marcy was a man of different mould from Dickinson.^[128] With great mental resources, rare administrative ability, consummate capacity in undermining enemies, and an intuitive sagacity in the selection of friends, Marcy was an opponent to be dreaded. After the experiences of 1847 and 1848, he had bitterly denounced the Barnburners, refusing even to join Seymour in 1849 in his heroic efforts to reunite the party; but when the Barnburners, influenced by the Utica statesman, began talking of him for President in 1852 he quickly put himself in accord with that wing of his party. Instantly, this became a call to battle. The Hunkers, provoked at his apostacy and encouraged by the continued distrust of many Barnburners, made a desperate effort, under the leadership of Dickinson, to secure a majority of the delegates for Cass. The plastic hand of Horatio Seymour, however, quickly kneaded the doubting Barnburners into Marcy advocates; and when the contest ended the New York delegation stood twenty-three for Marcy and thirteen for Cass.

Dickinson, who had been a steadfast friend of the South, relied with confidence upon Virginia and other Southern States whenever success with Cass seemed impossible. On the other hand, Marcy expected a transfer of support from Buchanan and Douglas if the break came. On the first ballot Cass had 116, Buchanan 93, Douglas 20, and Marcy 27; necessary to a choice, 188. As chairman of the New York delegation, Horatio Seymour held Marcy's vote practically intact through thirty-three ballots; but, on the thirty-fourth, he dropped to 23, and Virginia cast its fifteen votes for Dickinson, who, up to that time, had been honoured only with the vote of a solitary delegate. In the midst of some applause, the New Yorker, who was himself a delegate, thanked his Virginia friends for the compliment, but declared that his adherence to Cass could not be shaken.^[129] Dickinson had carefully arranged for this vote. The day before, in the presence of the Virginia delegation, he had asked Henry B. Stanton's opinion of his ability to carry New York. "You or Marcy or any man nominated can carry New York," was the laconic reply. Dickinson followed Stanton out of the room to thank him for his courtesy, but regretted he did not confine his answer to

him alone. After Virginia's vote Dickinson again sought Stanton's opinion as to its adherence. "It is simply a compliment," was the reply, "and will leave you on the next ballot," which it did, going to Franklin Pierce. "Dickinson's friends used to assert," continued Stanton, "that he threw away the Presidency on this occasion. I happened to know better. He never stood for a moment where he could control the Virginia vote—the hinge whereon all was to turn."[\[130\]](#)

In the meantime Marcy moved up to 44. It had been evident for two days that the favourite candidates could not win, and for the next thirteen ballots, amidst the greatest noise and confusion, the convention sought to discover the wisest course to pursue. Seymour endeavoured to side-track the "dark horse" movement by turning the tide to Marcy, whose vote kept steadily rising. When, on the forty-fifth ballot, he reached 97, the New York delegation retired for consultation. Seymour at once moved that the State vote solidly for Marcy; but protests fell so thick, exploding like bombshells, that he soon withdrew the motion. This ended Marcy's chances.[\[131\]](#) On the forty-ninth ballot, North Carolina started the stampede to Pierce, who received 282 votes to 6 for all others. Later in the day, the convention nominated William R. King of Alabama for Vice President, and adopted a platform, declaring that "the Democratic party of the Union will abide by, and adhere to, a faithful execution of the acts known as the compromise measures settled by the last Congress—the act for reclaiming fugitive slaves from service of labour included; which act, being designed to carry out an express provision of the Constitution, cannot with fidelity thereto be repealed, nor so changed as to destroy or impair its efficiency."

Some time before the convention it was suggested, with Marcy's approval, that the New York delegation should vote as a unit for Dickinson if he proved the stronger candidate outside the State, and, upon the same condition, a solid delegation should vote for Marcy. This proposition did not reach Dickinson until his leading friends had committed themselves by a second choice; but, in speaking of the matter to Thurlow Weed ten years afterward, Dickinson said that had it come in time he would cheerfully have accepted it, adding that whatever may have been his opinion in 1852, he now knew it would have resulted in Marcy's nomination.

The disturbance among the New York delegates at Baltimore had its influence at Syracuse when the Democratic state convention assembled on September 1. Seymour was the leading candidate for governor, and Dickinson opposed him with a bitterness born of a desire for revenge. The night before the convention Seymour's chances were pronounced desperate. Whatever disappointments had come at Baltimore were laid at his door. Seymour made Cass' defeat possible; Seymour refused to help Buchanan; Seymour was responsible for a dark horse; Seymour filled Marcy's friends with hopes of ultimate victory, only to heighten their disappointment in the end. All these allegations were merely founded upon his steadfastness to Marcy, and he might have answered that everything had been done with the approval of a majority of the New York delegation. But Dickinson was no match for the Utica statesman. Seymour's whole life had been a training for such a contest. As Roscoe Conkling said of him many years later, he had sat at the feet of Edwin Croswell and measured swords with Thurlow Weed. He was one of the men who do not lose the character of good fighters because they are excellent negotiators. Even the cool-headed and astute John Van Buren, who joined Dickinson in his support of John P. Beekman of New York City for governor, found that Seymour could cut deeply when he chose to wield a blade.^[132] Seymour, moreover, gave his friends great satisfaction by the energy with which he entered the gubernatorial contest. When the first ballot was announced he had 59 votes to Beekman's 7, with only 64 necessary to a choice. On the second ballot, the Utican had 78 and Beekman 3. This concluded the convention's contest. Sanford E. Church was then renominated for lieutenant-governor, and the Baltimore platform approved.

The Whig state convention met at Syracuse on September 22 and promptly renominated Washington Hunt for governor by acclamation. Raymond wanted it, and Greeley, in a letter to Weed, admitted an ambition, while a strong sentiment existed for George W. Patterson. Hunt had veered toward Fillmore's way of thinking. "The closing paragraphs of his message are a beggarly petition to the South," wrote George Dawson, the quaint, forceful associate of Weed upon the *Evening Journal*.^[133] But Hunt's administration had been quiet and satisfactory, and there was little disposition to drop him. He did not have the patience of Hamilton Fish, but he resembled him in moderation of speech.

William Kent, a son of the Chancellor, received the nomination for lieutenant-governor. Kent was a scholarly, able lawyer. He had served five years upon the circuit bench by appointment of Governor Seward. He co-operated with Benjamin F. Butler in the organisation of the law school of the New York University, becoming one of its original lecturers, and was subsequently called to Harvard as a professor of law. Like his distinguished father he was a man of pure character, and of singular simplicity and gentleness.

The adoption of a platform gave the Whig delegates more trouble than the nomination of candidates. A large majority opposed the slavery plank of the Baltimore platform. But the Seward Whigs, having little faith in the ultimate result, accepted a general declaration that "an honest acquiescence in the action of the late national convention upon all subjects legitimately before it is the duty of every Whig." Horace Greeley suggested that "those who please can construe this concession into an approval."

In opening the canvass of 1852, the Whigs attempted to repeat the campaign of 1840. Scott's record in the War of 1812 was not less brilliant than Harrison's, and if his Mexican battles were not fought against the overwhelming odds that Taylor met at Buena Vista, he was none the less entitled to the distinction of a conqueror. It was thought proper, therefore, to start his political campaign where his military career began, and, as the anniversary of Lundy's Lane occurred in July, extensive preparations were made for celebrating the day at Niagara Falls, the nearest American point to the scene of his desperate courage. The great meeting, made up of large delegations from nearly every Northern State, rivalled in numbers and in enthusiasm the memorable meetings of the Harrison campaign. To add to the interest, two hundred and twenty officers and soldiers of the War of 1812, some of whom had taken part in the battle, participated in the festivities. Speakers declared that it inaugurated a new career of triumph, which might be likened to the onslaught of Lundy's Lane, the conflict of Chippewa, the siege of Vera Cruz, and the storm of Cerro Gordo; and which, they prophesied, would end in triumphant possession, not now of the Halls of the Montezumas, but of the White House of American Presidents. The meeting lasted two days. Thomas Ewing, of Ohio, acted as president, and among the speakers was Henry Winter Davis.

But this was the only demonstration that recalled the Harrison campaign. The drum and cannon did conspicuous work, flags floated, and speakers found ready and patriotic listeners, but the hearts of many people were not enlisted in the discussion of tariffs and public improvements. They were thinking of the fugitive slave law and its enforcement, and some believed that while speakers and editors were charging Pierce with cowardice on the field of Churubusco they did not themselves have the courage to voice their honest convictions on the slavery question. As election drew near signs of victory disappeared. Conservative Whigs did not like the candidate and anti-slavery Whigs objected to the platform. "This wretched platform," Seward declared, "was contrived to defeat Scott in the nomination, or to sink him in the canvass."^[134] Horace Greeley's spirited protest against the fugitive slave plank gave rise to the phrase, "We accept the candidate, but spit upon the platform." Among the business men of New York City an impression obtained that if Scott became President, Seward would control him; and their purpose to crush the soldier seemed to centre not so much in hostility to Scott as in their desire to destroy Seward. Greeley speaks of this "extraordinary feature" of the campaign. "Seward has been the burden of our adversaries' song from the outset," he writes; "and mercantile Whigs by thousands have ever been ready not merely to defeat but to annihilate the Whig party if they might thereby demolish Seward."^[135] In answer to the charge of influencing Scott's administration, the Senator promptly declared that he would neither ask nor accept "any public station or preferment whatever at the hands of the President."^[136] But this in nowise silenced their batteries. To the end of the canvass Scott continued to be advertised as the "Seward candidate."

After the September elections, it became manifest that something must be done to strengthen Whig sentiment, and Scott made a trip through the doubtful States of Ohio and New York. Although Harrison had made several speeches in 1840, there was no precedent for a presidential stumping tour; and, to veil the purpose of the journey, recourse was had to a statute authorising the general of the army to visit Kentucky with the object of locating an asylum for sick and disabled soldiers at Blue Lick Springs. He went from Washington by way of Pittsburg and returned through New York, stopping at Buffalo, Niagara Falls, Lockport, Rochester, Auburn, Syracuse, Rome, Utica, and Albany. Everywhere great crowds met him, but cheers for

the hero mingled with cheers for a Democratic victory in Pennsylvania, Ohio, and Indiana, indicating the certain election of Pierce in November. At Auburn, Seward referred to him as "the greatest of American heroes since the Revolutionary age." At Albany, John C. Spencer's presence recalled the distinguished services of Governor Tompkins and Chief Justice Ambrose Spencer in the War of 1812. "It was these men," said Scott, "who were aware of the position on the frontier, that urged me on to achieve something that would add to the future honour of our country." New York City received him with one of the largest ovations ever witnessed up to that time. He avoided politics in his speeches, insisting that he did not come to solicit votes. But he did not thereby help his cause or escape ridicule. Indeed, the ill-advised things said and done, created the impression that obtained thirty-two years later after the tour of James G. Blaine.

Though the Democrats at first accepted Franklin Pierce as they had received James K. Polk, coldness and distrust gradually disappeared. At Tammany's Fourth of July celebration, the presence of the prominent leaders who bolted in 1848 gave evidence of the party's reunion. The chief speaker was John Van Buren. Upon the platform sat John A. Dix, Preston King, and Churchill C. Cambreling. Of the letters read, one came from Martin Van Buren, who expressed pleasure that "the disturbing subject of slavery has, by the action of both the great parties of the country, been withdrawn from the canvass." Among the editors who contributed most powerfully to the Free-soil movement, William Cullen Bryant now supported Pierce on the theory that he and the platform were the more favourable to freedom.^[137] John Van Buren's spacious mind and his genius for giving fascination to whatever he said convulsed his audience with wit and thrilled it with forceful statements. The country, he declared, was tired of the agitation of slavery, which had ceased to be a political question. It only remained to enforce in good faith the great compromise. He asserted that trade was good and the country prosperous, and that the Democratic party had gained the confidence of the people because it was a party of pacification, opposed to the agitation of slavery, insistent upon sacredly observing the compromises of the Constitution, and certain to bring settled political conditions.

Prince John proved himself equal to the occasion. If no longer the great apostle of the Free-soilers he was now the accepted champion of the Democracy. He had said what everybody believed who voted for Pierce and

what many people thought who voted for Scott. There is no doubt his speech created an immense sensation. Greeley ridiculed it, Weed belittled it, and the Free-soilers denounced it, but it became the keynote of the campaign, and the Prince, with his rich, brilliant copiousness that was never redundant, became the picturesque and popular speaker of every platform. There were other Democratic orators.[138] Charles O'Connor's speeches were masterpieces of declamation, and James T. Brady, then thirty-seven years old, but already famous as one of the foremost criminal lawyers of the time, discovered the same magnetic eloquence that made him almost irresistible before a jury. His sentences, rounded and polished, rolled from his mouth in perfect balance. Van Buren was kaleidoscopic, becoming by turn humorous, sarcastic, gravely logical, and famously witty; Brady and O'Connor inclined to severity, easily dropping into vituperation, and at times exhibiting bitterness. Van Buren's hardest hits came in the form of sarcasm. It mattered not who heard him, all went away good-natured and satisfied with the entertainment. There were moments when laughter drowned his loudest utterances, when silence made his whispers audible, and when an eloquent epigram moistened the eye.

The election proved a Waterloo to the Whigs. Twenty-seven States gave majorities for Pierce, only four were for Scott. Seymour ran 22,000 votes ahead of Hunt.[139] In the Assembly the Democrats numbered eighty-five, the Whigs forty-three. Of the thirty-three congressmen, the Democrats elected twenty-one, the Whigs ten, the Free-soilers and Land Reformers one each. It was wittily said that the Whig party "died of an attempt to swallow the fugitive slave law." The election of Pierce and Seymour surprised none of the Whig leaders. Thurlow Weed, convinced of the hopelessness of Whig success, went off to Europe for six months preceding the campaign. The *Tribune* talked of victory, but in his private correspondence Greeley declared that "we shall lose the Legislature and probably everything at home."

Winfield Scott seems to have been the only man really surprised. "He looked forward buoyantly to an easy and triumphant victory," says Weed, who dined with him on a Sunday in October.[140] But, though Pierce's election produced no surprise, his majority of 212 electoral votes astounded everybody. It eclipsed the result of the romantic campaign of 1840, and seemed to verify the assertions of John Van Buren, in his Fourth of July

speech at Tammany Hall. The people were not only tired of slavery agitation, but trade was good, the country prosperous, and a reunited Democracy, by unreservedly indorsing the compromise measures of 1850, promised settled conditions.

It is not without historical interest to notice that Gerrit Smith, one of the most uncompromising opponents of slavery in any country, received an election to Congress in a district that gave Pierce and Seymour upward of one thousand majority. It showed that the smouldering fire, which had suddenly blazed out in the Free-soil campaign of 1848, was not extinguished by the coalition of Barnburners and Hunkers, and the acceptance of the great compromise by the two Baltimore conventions. Gerrit Smith was a noble example of the champions of freedom. He had not the passion of Garrison, or the genius of Henry Ward Beecher; but his deep voice of marvellous richness, the grace and dignity of his person, and the calm, gentle, dispassionate tone in which he declared his principles without fear, was to command the earnest and respectful attention of the national House of Representatives.

CHAPTER XIV

THE HARDS AND THE SOFTS

1853

IN NEW YORK a Democratic victory had come to mean a succession of Democratic defeats. It was so after the victory of 1844; and it was destined to be so after the victory of 1852. But defeat occurred differently this time. In 1847 the Barnburners had seceded from the Hunkers; in 1853 the Hunkers seceded from the Barnburners. For six years the Barnburners had played bold politics. After defeating the Democratic ticket in 1847 and the state and national tickets in 1848, they returned to the party practically upon their own terms. Instead of asking admittance they walked in without knocking. They did not even apologise for their Free-soil principles. These they left behind because they had put them off; but the sorrow that follows repentance was absent. In the convention of 1849, John Van Buren was received like a prodigal son and his followers invited to an equal division of the spoils. Had the Hunkers declared they didn't know them as Democrats in their unrepentant attitude, the Barnburner host must have melted like frost work; but, in their desire to return to power, the Hunkers asked no questions and fixed no conditions. In the process of this reunion Horatio Seymour, the cleverest of the Hunkers, coalesced with the shrewdest of the Barnburners, who set about to capture William L. Marcy. Seymour knew of Marcy's ambition to become a candidate for the Presidency and of the rivalry of Cass and Dickinson; and so when he agreed to make him the Barnburners' candidate, Marcy covenanted to defeat Cass at Baltimore and Dickinson in New York. Though the Barnburners failed to make Marcy a nominee for President, he did not fail to defeat Cass and slaughter Dickinson.^[141]

To add to the Hunkers' humiliation, President Pierce now sided with the Barnburners. He invited John A. Dix to visit him at Concord, and in the most cordial manner offered him the position of secretary of state.^[142] This was too much for the pro-slavery Hunkers, for Dix had been a Free-soil candidate for governor in 1848; and the notes of defiance compelled the Concord statesman to send for Dix again, who graciously relieved him of his embarrassment.^[143] Then the President turned to William L. Marcy, whose return from Florida was coincident with the intrigue against Dix. The former secretary of war had not mustered with the Free-soilers, but his attitude at Baltimore made him *persona non grata* to Dickinson. This kept Pierce in trouble. He wanted a New Yorker, but he wanted peace, and so he delayed action until the day after his inauguration.^[144] When it proved to be Marcy, with Dix promised the mission to France,^[145] and Dickinson offered nothing better than the collectorship of the port of New York, the Hunkers waited for an opportunity to make their resentment felt.

This was the situation when the Democratic state convention met at Syracuse on September 13, 1853, with thirty-six contested seats. The faction that won these would legally control the convention. When the doors opened, therefore, an eager crowd, amidst the wildest confusion and uproar, took possession of the hall, and, with mingled cheers and hisses, two chairmen were quickly nominated, declared elected, and forced upon the platform. Each chairman presided. Two conventions occupied one room; and that one faction might have peaceable possession it tried to put the other out. Finally, when out of breath and out of patience, both factions agreed to submit the contest for seats to a vote of the convention; and while the roll was being prepared the riotous proceedings were adjourned until four o'clock. But the Hunkers had seen and heard enough. It was evident the Barnburners proposed organising the convention after the tactics of the Hunkers in 1847; and, instead of returning to the hall, the Hunkers went elsewhere, organising a convention with eighty-one delegates, including the contestants. Here everything was done in order and with dispatch. Committees on permanent officers, resolutions, and nominations made unanimous reports to a unanimous convention, speeches were vociferously applauded, and the conduct of the Barnburners fiercely condemned. Governor Willard of Indiana, who happened to be present, declared, in a thrilling speech, that a "bully" stood ready to shoot down the Hunker

chairman as he tried to call the convention to order. One of the delegates said he thought his life was in danger as he saw a man with an axe under his arm. But in their hall of refuge no one appeared to molest them; and by six o'clock the convention had completed its work and adjourned. Among those nominated for office appeared the names of George W. Clinton of Buffalo, the distinguished son of DeWitt Clinton, for secretary of state, and James T. Brady, the brilliant lawyer of New York City, for attorney-general. The resolutions indorsed the Baltimore platform, approved the President's inaugural on slavery, commended the amendment to the Constitution appropriating ten and a half million dollars for the enlargement and completion of the canals, and complimented Daniel S. Dickinson.

Meanwhile the Barnburners, having reassembled at four o'clock with eighty-seven delegates, sent word to the Hunkers that the convention was in session and prepared to organise. To this the chairman replied: "We do not consider ourselves in safety in an assemblage controlled and overawed by bullies, imported for that purpose." The Barnburners laughed, but in order to give the Hunkers time to sleep over it John Van Buren opposed further proceedings until the next day. In the evening, Horatio Seymour, now the Governor, met the convention leaders and with them laid out the morrow's work.

When Seymour began co-operating with the Barnburners, ambition prompted him to modify his original canal views so far as to oppose the Whig law authorising a loan of nine million dollars to enlarge the Erie canal. But after his election as governor, he recognised that no party could successfully appeal to the people in November, 1853, weighted with such a policy; and with courage and genius for diplomatic negotiations, he faced the prejudices which had characterised the Barnburners during their entire history by favouring a constitutional amendment appropriating ten and a half millions for the enlargement of the Erie and the completion of the lateral canals. He had displayed a bold hand. The help of the Barnburners was needed to carry the amendment; and when the regular session expired without the accomplishment of his purpose Seymour quickly called an extra session. Even this dragged into the summer. Finally, in June, to the amazement of the people, the amendment passed and was approved. It was this work, which had so brilliantly inaugurated his administration, that Seymour desired indorsed, and, although it was morning, and not very early

morning, before the labour of the night ended, it was agreed to adopt a canal resolution similar to that of the Hunkers and to indorse the Governor's administration, a compliment which the Hunkers carefully avoided.

After the settlement of the canal question, the work of the convention was practically done. A majority of the candidates were taken from the supporters of Cass in 1848, and included Charles H. Ruggles of Poughkeepsie, and Hiram Denio of Utica, whom the Hunkers had nominated for judges of the Court of Appeals. Ruggles was the wise chairman of the judiciary committee in the constitutional convention of 1846, and had been a member of the Court of Appeals since 1851. Denio was destined to become one of the eminent judges of the State. He was not always kind in his methods. Indeed, it may be said that he was one of those upright judges who contrived to make neither honour nor rectitude seem lovable qualities; yet his abilities finally earned him an enviable reputation as a justice of New York's court of last resort.

The factions differed little in men or in principle, and not at all upon the question of slavery. Two conventions were, therefore, absolutely unnecessary except upon the theory that the Hunkers, having little to gain and nothing to lose, desired to embarrass the administrations of Governor Seymour and President Pierce. Their secession was certainly not prompted by fear of bullies. Neither faction was a stranger to blows. If fear possessed the Hunkers, it grew out of distrust of their supporters and of their numerical strength; and, rather than be beaten, they preferred to follow the example of the Barnburners in 1847, and of the Silver-Grays in 1850, two precedents that destroyed party loyalty to gratify the spirit of revenge.

It was at this time that the Hunkers were first called Hardshells or "Hards," and the Barnburners Softshells or "Softs." These designations meant that Dickinson and his followers never changed their principles, and that the Marcy-Seymour coalition trimmed its sails to catch the favouring breeze.

The action of the Hards in September, 1853, left the prestige of regularity with the Softs. The latter also had the patronage of the state and national administrations, the possession of Tammany, and the support of a large majority of the newspapers. But the Hards still treated the Softs as the real secessionists. "We have gotten rid of the mischievous traitors," said Daniel

S. Dickinson, in his Buffalo speech of September 23, "and let us keep clear of them. It is true they say we are all on one platform, but when did we get there? No longer ago than last winter, when such resolutions as the platform now embodies were introduced into the Assembly, a cholera patient could not have scattered these very men more effectually."^[146] Dickinson was not blessed with John Van Buren's humour. A flash of wit rarely enlivened his speeches, yet he delighted in attacking an adversary even if compelled to do it with gloomy, dogged rhetoric. Of all the Softs, however, Horatio Seymour was the one whom Dickinson hated. "It was the first time a governor was ever found in their convention," continued the Binghamton statesman, "and I know it will be the last time *that* Governor will be guilty of such an impropriety. He tempted them on with spoils in front, while the short boys of New York pricked them up with bowie knives in the rear."^[147]

Seymour appears to have taken Dickinson's animosity, as he took most things, with composure. Nevertheless, if he looked for harmony on election day, the letters of Charles O'Connor and Greene C. Bronson, declining an invitation to ratify the Softs' ticket at a meeting in Tammany Hall, must have extinguished the hope. O'Connor was United States attorney and Bronson collector of the port of New York; but these two office-holders under Pierce used no varnish in their correspondence with the Pierce-Seymour faction. "As a lover of honesty in politics and of good order in society," wrote Bronson, "I cannot approve of nominations brought about by fraud and violence. Those who introduce convicts and bullies into our conventions for the purpose of controlling events must not expect their proceedings will be sanctioned by me." Then he betrayed the old conservative's deep dislike of the Radicals' canal policy, the memory of which still rankled. "If all the nominees were otherwise unexceptionable," he continued, "they come before the public under the leadership of men who have been striving to defeat the early completion of the public works, and after the shameless breach of past pledges in relation to the canals, there can be no reasonable ground for hope that new promises will be performed."^[148]

Charles O'Connor, with the envenomed skill of a practised prosecutor coupled with a champion's coolness, aimed a heavier blow at the offending Softs. "Judging the tickets by the names of the leading members of the two conventions no reasonable doubt can be entertained which of them is most

devoted to preserving union and harmony between the States of this confederacy. One of the conventions was uncontaminated by the presence of a single member ever known as an agitator of principles or practices tending in any degree to disturb that union and harmony; the leaders of the other were but recently engaged in a course of political action directly tending to discord between the States. It has, indeed, presented a platform of principles unqualifiedly denouncing that political organisation as dangerous to the permanency of the Union and inadmissible among Democrats; but when it is considered that the leaders, with one unimpressive exception, formerly withheld assent to that platform, or repudiated it, the resolution adopting it is not, in my opinion, entitled to any confidence whatever. I adopt that ticket which was made by a convention whose platform was adopted with sincerity and corresponds with the political life and actions of its framers."[\[149\]](#)

Bronson's letter was dated September 22, 1853; and in less than a month he was removed from his post as collector. In resentment, several county conventions immediately announced him as their candidate for governor in 1854. O'Connor continued in office a little longer, but eventually he resigned. "This proscriptive policy for opinion's sake will greatly accelerate and aggravate the decomposition of the Democratic party in this State," said the *Tribune*. "That process was begun long since, but certain soft-headed quacks had thought it possible, by some hocus pocus, to restore the old unity and health."[\[150\]](#)

The Whigs delayed their state convention until the 5th of October. Washington Hunt, its chairman, made a strong plea for harmony, and in the presence of almost certain victory, occasioned by a divided Democracy, the delegates turned their attention to the work of making nominations. It took three ballots to select a candidate for attorney-general. Among the aspirants were Ogden Hoffman of New York and Roscoe Conkling of Utica, then a young man of twenty-five, who bore a name that was already familiar from an honourable parentage. The people of Oneida had elected him district attorney as soon as he gained his majority, and, in the intervening years, the successful lawyer had rapidly proved himself a successful orator and politician who would have to be reckoned with.[\[151\]](#)

But Conkling did not get the coveted attorney-generalship. The great reputation of Ogden Hoffman, who has been styled "the Erskine of the American bar," and who then stood in isolated splendour among the orators of his party, gave him the right of way. Hoffman had served in Congress during Van Buren's administration and as United States attorney under Harrison and Tyler. He was now sixty years of age, a fit opponent to the brilliant Brady, twenty-two years his junior. "But for indolence," said Horace Greeley, "Hoffman might have been governor or cabinet minister ere this. Everybody likes him and he always runs ahead of his ticket."^[152] There was also an earnest effort to secure a place upon the ticket for Elbridge G. Spaulding of Buffalo. He had been district attorney, city clerk, alderman, and mayor of his city. In 1848 he went to the Assembly and in 1849 to Congress. He had already disclosed the marked ability for finance that subsequently characterised his public and business career, giving him the distinguishing title of "father of the greenback." His friends now wanted to make him comptroller, but when this place went to James M. Cook of Saratoga, a thrifty banker and manufacturer, who had been state treasurer, Spaulding accepted the latter office. In its platform, the convention hailed with satisfaction the prospect of a speedy completion of the canals under Whig management, and boasted that the Democrats had at last been forced to accept the Whig policy, "so necessary to the greatness and prosperity of the State."

The success of the Whigs was inevitable. The secession of the Hards could not operate otherwise than in a division of the Democratic vote; but no one dreamed it would split the party in the middle. The Hards had fought against the prestige of party regularity, the power of patronage, the influence of Tammany, and the majority of the press, while the removal of Bronson served notice upon office-holders that those who favoured the Hards voluntarily mounted a guillotine. "Heads of this class," said Greeley, "rolled as recklessly as pumpkins from a harvest wagon."^[153] Yet the Softs led the Hards by an average majority of only 312. It was a tremendous surprise at Washington. A cartoon represented Pierce and Marcy as Louis XVI and his minister, on the memorable 10th of August. "Why, this is revolt!" said the amazed King. "No, sire," responded the minister, "it is Revolution."

The Whigs polled 162,000 votes, electing their state officers by an average plurality of 66,000 and carrying the Legislature by a majority of forty-eight on joint ballot. Yet Ruggles and Denio, whose names appeared upon the ticket of each Democratic faction, were elected to the Court of Appeals by 13,000 majority, showing that a united Democratic party would have swept the State as it did in 1852.

The Whigs accepted their success as Sheridan said the English received the peace of Amiens—as "one of which everybody was glad and nobody was proud." Of the 240,000 Whigs who voted in 1852, less than 170,000 supported the ticket in 1853. Some of this shrinkage was doubtless due to the natural falling off in an "off year" and to an unusually stormy election day; but there were evidences of open revolt and studied apathy which emphasised the want of harmony and the necessity for fixed principles.

CHAPTER XV

A BREAKING-UP OF PARTY TIES

1854

WHILE the Hards and Softs quarrelled, and the Whigs showed weakness because of a want of harmony and the lack of principles, a great contest was being waged at Washington. In December, 1853, Stephen A. Douglas, from his place in the United States Senate, introduced the famous Nebraska bill affirming that the Clay compromise of 1850 had repealed the Missouri compromise of 1820. This sounded the trumpet of battle. The struggle of slavery and freedom was now to be fought to a finish. The discussion in Congress began in January, 1854, and ended on May 30. When it commenced the slavery question seemed settled; when it closed the country was in a ferment. Anti-slavery Whigs found companionship with Free-soil Democrats; the titles of "Nebraska" and "Anti-Nebraska" distinguished men's politics; conventions of Democrats, Whigs, and Free-soilers met to resist "the iniquity;" and on July 6 the Republican party, under whose banner the great fight was to be finished, found a birthplace at Jackson, Michigan.

Rufus King's part in the historic struggle of the Missouri Compromise was played by William H. Seward in the great contest over its repeal. He was the leader of the anti-slavery Whigs of the country, just as his distinguished predecessor had been the leader of the anti-slavery forces in 1820. He marshalled the opposition, and, when he finally took the floor on the 17th of February, he made a legal argument as close, logical, and carefully considered as if addressed to the Supreme Court of the United States. He developed the history of slavery and its successive compromises; he answered every argument in favour of the bill; he appealed to its supporters to admit that they never dreamed of its abrogating the compromise of 1820;

he ridiculed the idea that it was in the interest of peace; and he again referred to the "higher law" that had characterised his speech in 1850. "The slavery agitation you deprecate so much," he said in concluding, "is an eternal struggle between conservatism and progress; between truth and error; between right and wrong. You may sooner, by act of Congress, compel the sea to suppress its upheavings, and the round earth to extinguish its internal fires. You may legislate, and abrogate, and abnegate, as you will, but there is a Superior Power that overrules all; that overrules not only all your actions and all your refusals to act, but all human events, to the distant but inevitable result of the equal and universal liberty of all men." [154]

Seward was not an orator. He could hardly be called an effective speaker. He was neither impassioned nor always impressive; but when he spoke he seemed to strike a blow that had in it the whole vigour and strength of the public sentiment which he represented. So far as one can judge from contemporary accounts he never spoke better than on this occasion; or when it was more evident that he spoke with all the sincere emotion of one whose mind and heart alike were filled with the cause for which he pleaded. "Some happy spell," he wrote his wife, "seemed to have come over me and to have enabled me to speak with more freedom and ease than on any former occasion here." [155] Rhodes suggests that Seward "could not conceal his exultation that the Democrats had forsaken their high vantage ground and played into the hands of their opponents." [156] He became almost dramatic when he threw down his gauntlet at the feet of every member of the Senate in 1850 and challenged him to say that he knew, or thought, or dreamed, that by enacting the compromise of 1850 he was directly or indirectly abrogating, or in any degree impairing the Missouri Compromise. "If it were not irreverent," he continued, "I would dare call up the author of both the compromises in question, from his honoured, though yet scarcely grass-covered grave, and challenge any advocate of this measure to confront that imperious shade, and say that, in making the compromise of 1850, Henry Clay intended or dreamed that he was subverting or preparing the way for a subversion of his greater work of 1820. Sir, if that spirit is yet lingering here over the scene of its mortal labours, it is now moved with more than human indignation against those who are perverting its last great public act." [157]

Seward's speech created a profound impression throughout New York and the North. "It probably affected the minds of more men," says Rhodes, "than any speech delivered on that side of this question in Congress."^[158] Senator Houston had it translated into German and extensively circulated among the Germans of western Texas. Even Edwin Croswell congratulated him upon its excellence. It again directed the attention of the country to his becoming a presidential candidate, about which newspapers and politicians had already spoken. Montgomery Blair's letter of May 17, 1873, to Gideon Welles, charges Seward with boasting that he had "put Senator Dixon up to moving the repeal of the Missouri Compromise as an amendment to Douglas' first Kansas bill, and had himself forced the repeal by that movement, and had thus brought life to the Republican party."^[159] Undoubtedly Seward read the signs of the times, and saw clearly and quickly that repeal would probably result in a political revolution, bringing into life an anti-slavery party that would sweep the country. But the charge that he claimed to have suggested the repeal, smells too strongly of Welles' dislike of Seward, and needs other evidence than Blair's telltale letter to support it. It is on a par with Senator Atchinson's assertion, made under the influence of wine, that he forced Douglas to bring in the Nebraska bill—a statement that the Illinois Senator promptly stamped as false.

The temper of the people of the State began to change very soon after the introduction of Douglas' proposal. Remonstrances, letters, and resolutions poured in from Albany, Syracuse, Rochester, Buffalo, and other cities. Senator Fish presented a petition headed by the Bishop of the Episcopal Church and signed by a majority of the clergymen of New York City. Merchants, lawyers, and business men generally, who had actively favoured the compromise of 1850, now spoke in earnest protest against the repeal of the compromise of 1820. From the first, the Germans opposed it. Of their newspapers only eight out of eighty-eight were favourable. Public meetings, full of enthusiasm and noble sentiment, resembled religious gatherings enlisted in a holy war against a great social evil. The first assembled in New York City as early as January 30, six days after the repeal was agreed upon. Another larger meeting occurred on the 18th of February. It was here that Henry Ward Beecher's great genius asserted the fulness of its intellectual power. He had been in Brooklyn five years. The series of forensic achievements which began at the Kossuth banquet in 1851 had already

made him the favourite speaker of the city, but, on the 18th of February, he became the idol of the anti-slavery host. Wit, wisdom, patriotism, and pathos, mingled with the loftiest strains of eloquence, compelled the attention and the admiration of every listener. When he concluded the whole assembly rose to do him honour; tears rolled down the cheeks of men and women. Everything was forgotten, save the great preacher and the cause for which he stood. "The storm that is rising," wrote Seward, "is such an one as this country has never yet seen. The struggle will go on, but it will be a struggle for the whole American people."^[160] In the *Tribune* of May 17, Greeley said that Pierce and Douglas had made more Abolitionists in three months than Garrison and Phillips could have made in half a century.

The agitation resulted in an anti-Nebraska state convention, held at Saratoga on the 16th of August. It was important in the men who composed it. John A. King called it to order; Horace Greeley reported the resolutions; Henry J. Raymond represented the district that had twice sent him to the Assembly; and Moses H. Grinnell became chairman of its executive committee. In the political struggles of two decades most of its delegates had filled prominent and influential positions. These men were now brought together by an absorbing sense of duty and a common impulse of resistance to the encroachments of slavery. People supposed a new party would be formed and a ticket nominated as in Michigan; but after an animated and at times stormy discussion, the delegates concluded that in principle too little difference existed to warrant the present disturbance of existing organisations. So, after declaring sentiments which were to become stronger than party ties or party discipline, it agreed to reassemble at Auburn on September 26.^[161]

The Nebraska Act also became a new source of division to Democrats. Marcy's opposition, based upon apprehensions of its disastrous effect in New York, was so pronounced that he contemplated resigning as secretary of state—a step that his friends persuaded him to abandon. John Van Buren was equally agitated. "Could anything but a desire to buy the South at the presidential shambles dictate such an outrage?"^[162] he asked Senator Clemens of Alabama. But nothing could stop the progress of the Illinois statesman; and, while the Whigs of New York ably and uniformly opposed repeal, Democrats broke along the lines dividing the Hards and the Softs. Of twenty-one Democratic congressmen, nine favoured and twelve opposed

it. Among the former was William M. Tweed, the unsavoury boss of later years; among the latter, Reuben E. Fenton, Rufus W. Peckham, and Russell Sage. The Democratic press separated along similar lines. Thirty-seven Hards supported the measure; thirty-eight Softs opposed it.

The Hards held their state convention on the 12th of July. Their late trial of strength with the Softs had resulted in a drawn battle, and it was now their purpose to force the Pierce-Seymour Softs out of the party. The proceedings began with a challenge. Lyman Tremaine spoke of the convention as one in which the President had no minions; Samuel Beardsley, the chairman, after charging Pierce with talking one way and acting another, declared that the next Chief Executive would both talk and act like a national Democrat. Further, to emphasise its independence and dislike of the President, the convention nominated Greene C. Bronson for governor as the representative of Pierce's proscriptive policy for opinion's sake. But there was no disposition to criticise Pierce's pro-slavery policy. It favoured the repeal of the Missouri Compromise, proclaiming the doctrine of non-intervention by Congress and the right of the territories to make their own local laws, including regulations relating to domestic servitude. It also approved the recently ratified canal amendment and strongly favoured the prohibitive liquor law vetoed by Governor Seymour.

Greene C. Bronson's career had been distinguished. He had served as assemblyman, as attorney-general for seven years, as chief justice of the Supreme Court, and as an original member of the Court of Appeals. Although now well advanced in years, age had not cowed his spirit or lessened the purity of a character which shone in the gentleness of amiable manners; but his pro-slavery platform hit his consistency a hard blow. In 1819, as secretary of a mass-meeting called to oppose the Missouri Compromise, he had declared that Congress possessed the clear and indisputable power to prohibit the admission of slavery in any State or territory thereafter to be formed. If this was good law in 1819 it was good law in 1854, and the acceptance of a contrary theory put him at a serious disadvantage. His attitude on the liquor question also proved a handicap. He showed that the position of judge in interpreting the law was a very different thing from that of making the law by steering a party into power in a crucial campaign.

The convention of the Softs followed on September 6. Two preliminary caucuses indicated a strong anti-Nebraska sentiment. But a bold and resolute opposition, led by federal officials and John Cochrane, the Barnburners' platform-maker, portended trouble. There was no disagreement on state issues. The approval of Seymour's administration settled the policy of canal improvement and anti-prohibition, but the delegates balked on the cunningly worded resolution declaring the repeal of the Missouri Compromise inexpedient and unnecessary, yet rejoicing that it would benefit the territories and forbidding any attempt to undo it. It put the stamp of Nebraska upon the proceedings, and the deathlike stillness which greeted its reading shook the nerves of the superstitious as an unfavourable omen. Immediately, a short substitute was offered, unqualifiedly disapproving the repeal as a violation of legislative good faith and of the spirit of Christian civilisation; and when Preston King took the floor in its favour the deafening applause disclosed the fact that the anti-Nebraskans had the enthusiasm if not the numbers. As the champion of the Wilmot Proviso concluded, the assembly resembled the Buffalo convention of 1848 at the moment of its declaration for free soil, free speech, free labour, and free men. But the roll call changed the scene. Of the 394 delegates, 245 voted to lay the substitute on the table.

This result was a profound surprise. The public expected different action and the preliminary caucuses showed an anti-Nebraska majority; but the Custom-House had done its work well. The promise of a nomination for lieutenant-governor had changed the mind of William H. Ludlow, chairman of the convention, who packed the committee on resolutions. Similar methods won fifty other delegates. But despite the shock, Preston King did not hesitate. He might be broken, but he could not be bent. Rising with dignity he withdrew from the convention, followed by a hundred others who ceased to act further with it. Subsequent proceedings reflected the gloom of a body out of which the spirit had departed. Delegates kept dropping out until only one hundred and ninety-nine remained to cheer the nomination of Horatio Seymour. On a roll call for lieutenant-governor, Philip Dorsheimer declared it a disgrace to have his name called in a convention that had adopted such a platform.

The Whig convention followed on September 20. A divided Democracy again made candidates confident, and eight or ten names were presented for

governor. Horace Greeley thought it time his turn should come. He had been pronounced in his advocacy of the Maine liquor law and active in his hostility to the Nebraska Act. As these were to be the issues of the campaign, he applied with confidence to Weed for help. The Albany editor frankly admitted that his friends had lost control of the convention, and that Myron H. Clark would probably get the nomination. Then Greeley asked to be made lieutenant-governor. Weed reminded him of the outcry in the Whig national convention of 1848 against having "cotton at both ends of the ticket." "I suppose you mean," replied Greeley, laughing, "that it won't do to have prohibition at both ends of our state ticket."^[163] But, though he laughed, the editor of the *Tribune* went away nettled and humiliated. In the contest, which became exciting, Greeley's friends urged his selection for governor without formally presenting his name to the convention; but on the third ballot Clark received the nomination, obtaining 82 out of the 132 votes cast.

Myron H. Clark, now in his forty-ninth year, belonged to the class of men generally known as fanatics. He was a plain man of humble pretensions and slender attainments. He was originally a cabinet-maker and afterward a merchant. Then he became a reformer. He sympathised with the Native Americans; he approved Seward's views upon slavery; and he interested himself in the workingmen. But his hobby was temperance. Its advocates made his home in Canandaigua their headquarters, and during the temperance revival which swept over the State in the early fifties, he aided in directing the movement. This experience opened his way, in 1851, to the State Senate. Here he displayed some of the legislative gifts that distinguished John Young. He had patience and persistence; he could talk easily and well; and, underneath his enthusiasm, lingered the shrewdness of a skilled diplomat. When, at last, the Maine liquor bill, which he had introduced and engineered, passed the Legislature, his name was a household word throughout the State. Seymour's veto of the measure strengthened Clark. People realised that a governor no less than a legislature was needed to make laws, and, with the spirit of reformers, the delegates demanded his nomination. To Weed it seemed hazardous; but a majority of the convention, believing that Clark's public career had been sagacious and upright, refused to take another.

Clark's nomination made the selection of a candidate for lieutenant-governor more difficult. The prohibitionists were satisfied; Greeley was not. In their anxiety, the delegates canvassed several names without result. Finally, with great suddenness and amidst much enthusiasm, Henry J. Raymond was nominated. This deeply wounded Greeley. "He had cheerfully withdrawn his own name," wrote Weed, "but he could not submit patiently to the nomination of his personal, professional, and political rival."^[164] Greeley believed it was not the convention, but Weed himself, who brought it about. On the contrary, Weed declared that he had no thought of Raymond in that connection until his name was suggested by others. Nevertheless, the *Tribune's* editor held to his own opinion. "No other name could have been put upon the ticket so bitterly humbling to me,"^[165] he afterward wrote Seward. To Greeley, Raymond was "The little Villain of the *Times*;" to Raymond, Greeley was "The big Villain of the *Tribune*."^[166] In any aspect, Raymond was an unfortunate nomination for Weed, since it began the quarrel that culminated in the defeat of Seward at Chicago in 1860.

Early in the campaign, Greeley favoured dropping the name of Whig and organising an anti-Nebraska or Republican party, with a ticket of Whigs and Democrats, as had been done in some of the Western States. But Seward and Weed, with a majority of the Whig leaders, thought that while fusion might be advisable wherever the party was essentially weak, as in Ohio and Indiana, it was wiser, in States like New York and Massachusetts where Whigs were in power, to retain the party name and organisation.^[167] In so deciding, however, they agreed with Greeley that the platform should be thoroughly anti-Nebraska, and they gave it a touch that kindled the old fire in the hearts of the anti-slavery veterans. It condemned the repeal of the Missouri Compromise, approved the course of the New York senators and representatives who resisted it, declared that it discharged the party from further obligation to support any compromise with slavery, and denounced "popular sovereignty" as a false and deceptive cry, "too flimsy to mislead any but those anxious to be deluded and eager to be led astray." This declaration of principles was summarised as "Justice, Temperance, and Freedom." One delegate, amidst great applause, said he felt glorified that the party was disenthralled and redeemed. Roscoe Conkling, a vice president, spoke of the convention as belonging to "the Republican party."

Greeley declared the platform "as noble as any friend of freedom could have expected." Other state organisations also approved it. The anti-Nebraska convention, upon reassembling in Auburn on September 26, adopted the Whig ticket. The state temperance convention indorsed the nomination of Clark and Raymond, and the Free Democrats accepted Clark. This practically made a fusion ticket.

Early in October the Native Americans went into council. This organisation, which had elected a mayor of New York in 1844, suddenly revived in 1854; and, in spite of its intolerant and prescriptive spirit, the movement spread rapidly. Mystery surrounded its methods. It held meetings in unknown places; its influence could not be measured; and its members professed to know nothing. Thus it became known as the "Know-Nothing" party. Members recognised each other by the casual inquiry, "Have you seen Sam?" and when one of the old parties collapsed at a local election the reply came, "We have seen Sam." Its secrecy fascinated young men, and its dominant principle, "America for Americans," stirred them into unusual activity. The skilful use of patriotic phrases also had its influence. The "Star Spangled Banner" was its emblem, Washington its patron saint, and his thrilling command, "Put none but Americans on guard to-night," its favourite password. Henry Wilson of Massachusetts joined it as an instrument for destroying the old parties, which he regarded an obstacle to freedom; but Seward thought this was doing evil that good might come. Everything is un-American, he argued, which makes a distinction between the native-born American and the one who renounces his allegiance to a foreign land and swears fealty to the country that adopts him. "Why," he asked, "should I exclude the foreigner to-day? He is only what every American citizen or his ancestor was at some time or other."^[168]

The voting strength of this party in New York was estimated at 65,000, divided between Hards, Softs, and Whigs, with one-fifth each, and the Silver-Grays with two-fifths. On the question of putting up a state ticket, its council divided. The Silver-Grays, it was said, favoured candidates in order to defeat Clark; while the Whigs and Softs preferred making no nominations. In the end, Daniel Ullman, a reputable New York lawyer of mediocre ability, received the nomination for governor. The great overmastering passion of Ullman was a desire for office. For many years he had been a persistent and unsuccessful knocker at the door of city, county

and state Whig conventions, and when the Know-Nothings appeared he turned to them to back his ambition. Possibly they knew that his parents were foreign-born, but the mystery surrounding his own birthplace became a comical feature of the canvass. It was claimed, upon what seemed proper evidence at the time, that Ullman was born in India and had not become a naturalised citizen of the United States. This made him ineligible as the candidate of his party, and disqualified him from serving as governor if elected.

The campaign opened with two clearly defined issues—limitation of the liquor traffic and condemnation of the Nebraska Act. Clark stood for both, Ullman stood for neither; Bronson and Seymour opposed prohibition and approved the Nebraska Act. Greeley declared that the two Democratic candidates differed only "as to whether the contempt universally felt for President Pierce should be openly expressed, or more decorously cherished in silence." As the canvass advanced, the real contest became prohibition, with Bronson and Seymour apparently running a race for the liquor vote, while Ullman was silently securing the votes of men who thought the proscription of foreign-born citizens more important than either freedom or temperance. To the most adroit political prognosticators the situation was confused. Greeley estimated Clark's strength at 200,000, and that of the next highest, either Seymour or Bronson, at 150,000; but so little was known of the Know-Nothings that he omitted Ullman from the calculation. Another prophet fixed Ullman's strength at 65,000. The surprise was great, therefore, when the returns disclosed a Know-Nothing vote of 122,000, with Clark and Seymour running close to 156,000 each, and Bronson with less than 35,000. The people did not seem to have been thinking about Bronson at all. Seymour's veto commended the Governor to the larger cities, and it swept him on like a whirlwind. New York gave him 26,000. His election was conceded by the Whigs and claimed by the Democrats; but, after several weeks of anxious waiting, the official count made Clark the governor by a plurality of 309.^[169] Including defective votes plainly intended for Seymour, Clark's plurality was only 153. Raymond ran 600 ahead of Clark, but his plurality over Ludlow was 20,000, since the latter's vote was 20,000 less than Seymour's. These twenty thousand preferred to vote for Elijah Ford of Buffalo, who ran for lieutenant-governor on the ticket with Bronson, possibly because of Ludlow's alleged perfidy at the

Syracuse convention. Of the congressmen elected, twenty-five were Whigs, three Softs, two Anti-Nebraskans, and three Know-Nothings; in the Assembly there were eighty-one Whigs, twenty-six Softs, and seventeen Hards.

The result of the election could scarcely be called a Whig victory; but it was a popular rebuke to the Nebraska bill. Clark's majority, slender as it finally appeared by the official count, was due to the Whigs occupying common ground with Free-soilers who discarded party attachments in behalf of their cherished convictions. The Silver-Grays found a home with the Hards and the Know-Nothings, and many Democrats, unwilling to go to the Whigs, voted for Ullman.

It was the breaking-up of old parties. The great political crisis which had been threatening the country for many years was about to burst, and, like the first big raindrops that precede a downpour, the changes in 1854 announced its presence. It had been so long in coming that John W. Taylor of Saratoga, the champion opponent of the Missouri Compromise, was dying when Horace Greeley, at the anti-Nebraska convention held in Taylor's home in August, 1854, was writing into the platform of the new Republican party the principles that Taylor tried to write into the old Republican party in 1820. "Whoever reads Taylor's speeches in that troubled period," says Stanton, "will find them as sound in doctrine, as strong in argument, as splendid in diction, as any of the utterances of the following forty-five years, when the thirteenth amendment closed the controversy for all time."[\[170\]](#)

CHAPTER XVI

THE FORMATION OF THE REPUBLICAN PARTY

1854-5

THE winter of 1855 became a turning-point in the career of William H. Seward. The voice of the anti-slavery Whigs proclaimed him the only man fitted by position, ability, and character to succeed himself in the United States Senate. To them he possessed all the necessary qualities for leadership. In his hands they believed the banner of opposition to the extension of slavery would be kept at the front and every other cause subordinated to it. This feeling was generously shared by the press of New York. "The repeal of the Missouri Compromise," said Henry J. Raymond in the *Times*, "has developed a popular sentiment in the North which will probably elect Governor Seward to the Presidency in 1856 by the largest vote from the free States ever cast for any candidate."[\[171\]](#) Even the Democratic *Evening Post* admitted that "Seward is in the ascendancy in this State."[\[172\]](#)

The Legislature was overwhelmingly Whig. Nearly three-fourths of the Assembly and two-thirds of the Senate had been elected as Whigs. Although Seward did not make a speech or appear publicly in the campaign of 1854, he had been active in seeing that members were chosen who would vote for him. But, notwithstanding the Whigs controlled the Legislature, many of them belonged to the Know-Nothings, whose noisy opposition soon filled the air with rumours of their intention to defeat Seward. The secrecy that veiled the doings of the order now concealed the strength of their numbers; but, as Seward's course had been sufficient to array its entire membership against him, there was little doubt of the attitude of all its

representatives. Though he had not violently denounced them as Douglas did at Philadelphia, men of otherwise liberal opinions were angry because he seemed deliberately to support views opposed to their most cherished principles. His recommendation, while governor, to divide the public money with Catholic schools was recalled with bitter comment. The more recent efforts of Bishop Hughes, an ardent friend of the Senator, to exclude the Bible from the public schools, added to the feeling; while the coming of a papal nuncio to adjust a controversy in regard to church property between a bishop and a Catholic congregation in Buffalo which had the law of the State on its side, greatly increased the bitterness. Thus the old controversy was torn open, hostility increasing so rapidly that Thurlow Weed declared "there is very much peril about the senator question."

The plan of the Know-Nothings was to prevent an election in the Senate and then block a joint session of the two houses. This scheme had succeeded in defeating Ambrose Spencer in 1825 and Nathaniel P. Tallmadge in 1845, and there was no apparent reason why similar methods might not be invoked in 1855, unless the manifest inability of Seward's adversaries to unite upon some one opponent gave his supporters the upper hand. Millard Fillmore, Ira Harris, and Washington Hunt had their friends; but an anti-slavery Know-Nothing could not support Fillmore or Hunt, and a Silver-Gray Whig did not take kindly to Harris. This was the corner-stone of Greeley's confidence. Besides, the more bitter the criticism of Seward's record, the more inclined were certain senators of the Democratic party, who did not sympathise with the Know-Nothing aversion to foreigners, to support the Auburn statesman.^[173] There was no hope for Seymour, or Dix, or Preston King, and some of their friends in the Senate who admired the anti-slavery views of Seward could stop the play of the Know-Nothings.

Thus the contest grew fiercer. It was the chief topic in Albany. All debate ended in its discussion. When, at last, DeWitt C. Littlejohn, vacating the speaker's chair, took the floor for the distinguished New Yorker, the excitement reached its climax. The speaker's bold and fearless defence met a storm of personal denunciation that broke from the ranks of the Know-Nothings; but his speech minimised their opposition and inspired Seward's forces to work out a magnificent victory. "Our friends are in good spirits and reasonably confident," wrote Seward. "Our adversaries are not confident, and are out of temper."^[174] Finally, on February 1, the caucus

met. Five Whig senators and twenty assemblymen, representing the bulk of the opposition, were absent; but of the eighty present, seventy-four voted for Seward. This stifled the hope of the Silver-Gray Know-Nothings. Indeed, several of Seward's opponents now fell into line, giving him eighteen out of thirty-one votes in the Senate and sixty-nine out of one hundred and twenty-six in the Assembly. The five dissenting Whig senators voted for Fillmore, Ullman, Ogden Hoffman, Preston King, and George R. Babcock of Buffalo. Of the nineteen opposing Whig votes in the Assembly, Washington Hunt received nine and Fillmore four. When the two houses compared the vote in joint session, Henry J. Raymond, the lieutenant-governor, announced with evident emotion to a sympathetic audience which densely packed the Assembly chamber, that "William H. Seward was duly elected as a senator of the United States for six years from the fourth of March, 1855."

Seward did not visit Albany or Auburn during the contest. A patent suit kept him busy in New York City until the middle of January, after which he returned to his place in the Senate. He professed to "have the least possible anxiety about it," writing Weed early in December that "I would not have you suffer one moment's pain on the ground that I am not likely to be content and satisfied with whatever may happen;"^[175] yet a letter written five months afterward, on his fifty-fifth birthday, gives a glimpse of what defeat would have meant to him. "How happy I am," he says, "that age and competence bring no serious and permanent disappointment to sour and disgust me with country or mankind."^[176] To Weed he shows a heart laden with gratitude. "I snatch a minute," he writes, "to express not so much my deep and deepened gratitude to you, as my amazement at the magnitude and complexity of the dangers through which you have conducted our shattered bark, and the sagacity and skill with which you have saved us from so imminent a wreck."^[177] But Seward was not more amazed at the dangers he had escaped than at the great number of congratulations now pouring in from opponents. "Was ever anything more curious," he writes his wife, "than the fact that this result is scarcely more satisfactory to my truest friends, than, as it seems, to so many lifelong opponents? We have nothing but salutations and congratulations here. How strange the mutations of politics."^[178]

After Seward's re-election the Kansas troubles began attracting attention. Governor Reeder fixed March 30, 1855, for the election of a territorial legislature, and just before it occurred five thousand Missourians, "with guns upon their shoulders, revolvers stuffing their belts, bowie-knives protruding from their boot-tops, and generous rations of whiskey in their wagons,"^[179] marched into the territory to superintend the voting. This army intimidated such of the election judges as were not already pro-slavery men; and of six thousand votes, three-fourths of them were cast by the Missourians in the interest of slavery. The Northern press recorded the fraud. If further evidence were needed, Governor Reeder's speech, published in the *New York Times* of May 1, in which he declared that the fierce violence and wild outrages reported by the newspapers were in no wise exaggerated, set all controversy at rest. Instantly the North was in a ferment. The predominant sentiment demanded that Kansas should be free, and the excitement aroused by the repeal of the Missouri Compromise was quickly rekindled when the South approved the murderous methods intended to make it a slave State. A journal published in the pro-slavery interest threatened "to lynch and hang, tar and feather, and drown every white-livered Abolitionist who dares to pollute our soil," and secret societies, organised for the purpose of keeping out Northern immigrants, resolved "that we recognise the institution of slavery as already existing in this territory, and advise slave-holders to introduce their property as early as possible."

As the year went on matters got worse. The territorial legislature, elected by admitted and wholesale fraud, unseated all free-state members whose election was contested, and proceeded to pass laws upholding and fortifying slavery. It declared it a felony, punishable by two years' imprisonment, to write or maintain that persons have not the right to hold slaves in the territory; it disqualified all anti-slavery men from sitting as jurors; it made one's presence in the territory sufficient qualification to vote; and it punished with death any one who assisted in the escape of fugitive slaves. When Reeder vetoed these acts the Legislature passed them over his head and demanded the Governor's removal. To add to the popular feeling, already deeply inflamed, President Pierce met this demand with affirmative action.

In the midst of this political excitement, the Hards met in convention at Syracuse on August 23, 1855. That party had been sorely punished in the preceding election; but it had in no way changed its attitude toward opponents. It refused to invite the Softs to participate; it denounced the national administration, and it condemned the Know-Nothings. Daniel E. Sickles, then thirty-four years old, who was destined to play a conspicuous part when the country was in difficulty and the Government in danger, sought to broaden and liberalise its work; but the convention sullenly outvoted him. It approved the Nebraska Act, refused to listen to appeals in behalf of freedom in Kansas, and rebuked all efforts to restore the Missouri Compromise. Only upon the liquor question did it modify its former declarations. The Hards had started off in 1854 in favour of prohibition. But during the campaign, Bronson changed his position, or, as Greeley put it, "he first inclined to water, then to rum and water, and finally he came out all rum." To keep in accord with their leader's latest change, the delegates now declared the prohibitory law unconstitutional and demanded its repeal. This law, passed on April 9, 1855, and entitled "An Act for the prevention of intemperance, pauperism, and crime," permitted the sale of liquors for mechanical, chemical, and medicinal uses; but prohibited the traffic for other purposes. Its regulations, providing for search, prosecutions, and the destruction of forfeited liquors, were the very strongest, and its enforcement gave rise to much litigation. Among other things it denied trial by jury. In May, 1856, the Court of Appeals declared it unconstitutional. But while it lasted it gave the politicians much concern. The Democrats disapproved and other parties avoided it.

On August 29, the Softs met in convention. The Barnburners, who had vainly extended the olive branch to the Hards, now faced an array of anti-slavery delegates that would not condone the Kansas outrages. They would disapprove prohibition, commend Marcy's admirable foreign policy, and praise the President's management of the exchequer; but they would not countenance border ruffianism, encourage slavery propagandists in Kansas, or submit to the extension of slavery in the free territories. It was a stormy convention. For three days the contest raged; but when final action was taken, although the platform did not in terms censure Pierce's administration, it condemned the Kansas outrages which the President had approved by the removal of Governor Reeder, and disapproved the

extension of slavery into free territories. Among the candidates nominated were Samuel J. Tilden for attorney-general, and Samuel L. Selden of Rochester for judge of the Court of Appeals. Selden, who had been a district judge since 1847, was also nominated by the Hards.

The Kansas disclosures had the effect of drawing into closer communion the various shades of anti-slavery opinion in New York. Early in the summer, the question was earnestly considered of enlisting all men opposed to the aggressions of slavery under the banner of the Republican party, a political organisation formed, as has been stated, at Jackson, Michigan, on July 6, 1854. Horace Greeley had suggested the name "Republican" as an unobjectionable one for the new party; and, within a week after its adoption at Jackson, it became the name of the Free-soilers who marshalled in Wisconsin, Ohio, Illinois, Vermont, and Massachusetts. The anti-Nebraska convention of New York, which reassembled in Auburn on the 27th of September, 1854, also adopted the name, calling its executive committee "the Republican state committee." It was not a new name in the Empire State. Voters in middle life had all been Republicans in their early years; and long after the formation of the National Republicans in 1828, and of the Whig party in 1834, the designation had been used with approval by the Regency. In 1846, Silas Wright spoke of belonging to "the Republican party;" and, in 1848, Horace Greeley suggested "Taylor Republicans" as a substitute for Whigs. But for twenty years the name had practically fallen into disuse, and old questions associated with it had died out of popular memory.

After full conferences between the Whig and Republican state committees, calls were issued for two state conventions to meet at Syracuse on September 26. This meant an opportunity for the formal union of all anti-slavery voters. Of the two hundred and fifty-six delegates allotted to the Republican convention, over two hundred assembled, with Reuben E. Fenton as their presiding officer. Fenton, then thirty-six years old, was serving his first term in Congress. He was a man of marked intellectual vigour, unquestioned courage, and quiet courtesy, whose ability to control men was to give him, within a few years, something of the influence possessed by Thurlow Weed as a managing politician, with this difference, perhaps, that Fenton trusted more to the prevalence of ideas for which he stood. He kept step with progress. His reason for being a Barnburner, unlike

that of John A. Dix,^[180] grew out of an intense hatred of slavery, and after the historic break in 1847, he never again, with full-heartedness, co-operated with the Democratic party. Fenton studied law, and, for a time, practised at the bar, but if the dream and highest ambition of his youth were success in the profession, his natural love for trade and politics quickly gained the ascendant. It is doubtful if he would have become a leading lawyer even in his own vicinage, for he showed little real capacity for public speaking. Indeed, he was rather a dull talker. The *Globe*, during his ten years in Congress, rarely reveals him as doing more than making or briefly sustaining a motion, and, although these frequently occurred at the most exciting moments of partisan discussion, showing that he was carefully watching, if not fearlessly directing affairs, it is evident that for the hard blows in debate he relied as much as Weed did upon the readiness of other speakers.

The Whigs, who had represented only a meagre minority of the voters of the State since the Know-Nothing defection, now responded to the call with a full quota of delegates, and elected John A. King president. King was nearly double the age of Fenton. He had been a lieutenant of cavalry in the War of 1812 and an opponent of DeWitt Clinton in the early twenties. The two men presented a broad contrast, yet King represented the traditions of the past along the same lines that Fenton represented the hopes of the future. One looked his full age, the other appeared younger than he was, but both were serious. Whatever their aspirations, they existed without rivalry or ill-feeling, the desire for the success of their principles alone animating leaders and followers.

Each convention organised separately, and, after adopting platforms and dividing their tickets equally between men of Whig and Democratic antecedents, conference committees of sixteen were appointed, which reported that the two bodies should appoint committees of sixteen on resolutions and of thirty-two on nominations. These committees having quickly agreed to what had already been done, the Whigs marched in a body to the hall of the Republican convention, the delegates rising and greeting them with cheers and shouts of welcome as they took the seats reserved for them in the centre of the room.

The occasion was one of profound rejoicing. The great coalition which was to stand so strong and to work such wonders during the next half-century doubtless had a period of feebleness in the first months of its existence; but never in its history has it had stronger or more influential men in its ranks, or abler and more determined leaders to direct its course. Horace Greeley reported its platform, demanding that Congress expressly prohibit slavery in the territories, and condemning the doctrines and methods of the Know-Nothings; John A. King, Edwin D. Morgan, and Reuben E. Fenton, destined to lead it to victory as its candidate for governor, sat upon the stage; Henry J. Raymond occupied a delegate's seat; and, back of the scenes, stood the great manager, Thurlow Weed, who had conferred with the Free-soil leaders, and anticipated and arranged every detail. Present in spirit, though absent in body, was William H. Seward, who, within a few weeks, put himself squarely at the head of the new organisation in a speech that was read by more than half a million voters.

After the enthusiasm had subsided the two chairmen, John A. King and Reuben E. Fenton, standing side by side, called the joint convention to order. This was the signal for more cheering. One delegate declared that not being quite sure which convention he ought to attend, he had applied to Seward, who wrote him it didn't make any difference. "You will go in by two doors, but you will all come out through one." Then everything went by acclamation. Speaker Littlejohn of the Assembly moved that the two conventions ratify the platforms passed by each convention; Elbridge G. Spaulding moved that the presidents of the two conventions appoint a state central committee; and John A. King moved that the names of the candidates, at the head of whom was Preston King for secretary of state, be given to the people of the State as the "Republican Ticket." Only when an effort was made to procure the indorsement of liquor prohibition did the convention show its teeth. The invitation, it was argued, included all men who were disposed to unite in resisting the aggressions and the diffusion of slavery, and a majority, by a ringing vote, declared it bad faith to insist upon a matter for which the convention was not called and upon which it was not unanimous.

The Know-Nothing state convention met at Auburn on September 26. It was no longer a secret society. The terrors surrounding its mysterious machinery had vanished with the exposure of its secrets and the exploiting

of its methods. It was now holding open political conventions and adopting political platforms under the title of the American party; and, as in other political organisations, the slavery question provoked hot controversies and led to serious breaks in its ranks. At its national council, held at Philadelphia in the preceding June, the New York delegation, controlled by the Silver-Gray faction which forced Daniel Ullman's nomination for governor in 1854, had joined the Southern delegates in carrying a pro-slavery resolution abandoning further efforts to restore the Missouri Compromise. In this action the anti-slavery members of other Northern States, led with great ability and courage by Henry Wilson of Massachusetts, refused to acquiesce, preferring to abandon the Order rather than sacrifice their principles. The contest in New York was renewed at the state council, held at Binghamton on August 28; and, after a bitter session, a majority resolved that slavery should derive no extension from the repeal of the Missouri Compromise. The convention at Auburn now took similar ground. It was not a great victory for the anti-slavery wing of the party; but it disproved the assurances of their delegates that the Americans of New York would uphold the pro-slavery action at Philadelphia, while the fervent heat of the conflict melted the zeal of thousands of anti-Nebraska Know-Nothings, who soon found their way into the Republican party.

But the main body of the Americans, crushed as were its hopes of national unity, was still powerful. It put a ticket into the field, headed by Joel T. Headley for secretary of state, and greatly strengthened by George F. Comstock of Syracuse for judge of the Court of Appeals. Headley was a popular and prolific writer. He had been educated for the ministry at Union College and Auburn Theological Seminary, but his pen paid better than the pulpit, and he soon settled down into a writer of melodramatic biography, of which *Napoleon and His Marshals* attained, perhaps, the greatest popularity. Possibly little interest now clings to his books, which ordinarily rest on the high shelf with Abbott's *History of Napoleon*; but, in their day, it was far pleasanter to read the entertaining and dramatic pages of Headley, with their impassioned, stirring pictures of war and heroism, than the tame, tedious biographies that then filled the libraries. Headley's *History of the War of 1812* immediately preceded his entrance to the Assembly in 1854, where his cleverness attracted the attention of his party and led to his selection for secretary of state. George F. Comstock, now in his forty-first

year, had already won an enviable reputation at the Onondaga bar. Like Headley he was a graduate of Union College. In 1847, Governor Young had appointed him the first reporter for the Court of Appeals, and five years later President Fillmore made him solicitor of the Treasury Department. He belonged to the Hards, but he sympathised with the tenets of the young American party.

There were other parties in the field. The Free Democracy met in convention on August 7, and the Liberty party, assembling at Utica on September 12, nominated Frederick Douglass of Monroe, then a young coloured man of thirty-eight, for secretary of state, and Lewis Tappan of New York for comptroller. Douglass' life had been full of romance. Neither his white father nor coloured mother appears to have had any idea of the prodigy they brought into the world; but it is certain his Maryland master discovered in the little slave boy the great talents that a hard life in Baltimore could not suppress. Douglass secretly began teaching himself to read and write before he was ten years of age, and three years after his escape from slavery at the age of twenty-one, he completely captured an audience at an anti-slavery convention in Nantucket by his brilliant speaking. This gave him employment as an agent of the Massachusetts Anti-Slavery Society, and four years later brought him crowded audiences, in England, Scotland, and Ireland.

Frederick Douglass was a favourite everywhere. He had wit and humour, and spoke with the refinement of a cultivated scholar. He did not become a narrow and monotonous agitator. The variety of his intellectual sympathies, controlled by the constancy of a high moral impulse, wholly exempted him from the rashness of a conceited zealot; and, though often brilliant and at times rhetorical, his style was quiet and persuasive, reaching the reason as easily as the emotions. Coming as he did, out of slavery, at a time when the anti-slavery sentiment was beginning to be aggressive and popular in New England and other free States, Douglass seemed to be the Moses of his race as much as Booker T. Washington in these later years. Englishmen raised one hundred and fifty pounds and bought his freedom in 1846. The next year, as a Garrisonian disunionist, he began the publication of a weekly journal in Rochester; but he soon renounced disunionism, maintaining that slavery was illegal and unconstitutional. In the year the Liberty party

nominated him for secretary of state, his publishers sold eighteen thousand copies of his autobiography, entitled *My Bondage and My Freedom*.

Before the campaign was far advanced it became evident that the Republican party was not drawing all the anti-slavery elements to which it was thought to be entitled; and, on the 12th of October, Seward made a speech in Albany, answering the question, "Shall we form a new party?" The hall was little more than two-thirds filled, and an absence of joyous enthusiasm characterised the meeting. Earnest men sat with serious faces, thinking of party ties severed and the work of a lifetime apparently snuffed out, with deep forebodings for the future of the new organisation. This was a time to appeal to reason—not to the emotions, and Seward met it squarely with a storehouse of arguments. He sketched the history of slavery's growth as a political power; he explained that slave-holders were a privileged class, getting the better of the North in appropriations and by the tariff. "Protection is denied to your wool," he said, "while it is freely given to their sugar." Then he pointed out how slavery had grasped the territories as each one presented itself for admission into the Union—Kentucky, Tennessee, Mississippi, and Alabama, almost at the very outset of the national career; then Florida, when acquired from Spain; then as much of the Louisiana Purchase as possible; then Texas and the territory acquired from Mexico—all the while deluding the North with the specious pretence that each successive seizure of free soil was a "compromise" and a final settlement of the slavery question. This opened the way to the matter in hand—how to meet slavery's aggressiveness. "Shall we take the American party?" he asked. "It stifles its voice, and suppresses your own free speech, lest it may be overheard beyond the Potomac. In the slave-holding States it justifies all wrongs committed against you. Shall we unite ourselves to the Democratic party? If so, to which faction? The Hards who are so stern in defending the aggressions, and in rebuking the Administration through whose agency they are committed? or the Softs who protest against the aggressions, while they sustain and invigorate the Administration? What is it but the same party which has led in the commission of all those aggressions, and claims exclusively the political benefits? Shall we report ourselves to the Whig party? Where is it? It was a strong and vigorous party, honourable for energy, noble achievement, and still more noble enterprises. It was moved by panics and fears to emulate the Democratic party in its practised

subserviency; and it yielded in spite of your remonstrances, and of mine, and now there is neither Whig party nor Whig south of the Potomac. Let, then, the Whig party pass. It committed a grievous fault, and grievously hath it answered it. Let it march off the field, therefore, with all the honours.... The Republican organisation has laid a new, sound, and liberal platform. Its principles are equal and exact justice; its speech open, decided, and frank. Its banner is untorn in former battles, and unsullied by past errors. That is the party for us."[\[181\]](#)

When the meeting ended the people went out satisfied. The smallness of the audience had been forgotten in the clear, homely arguments, and in the glow kindled in every heart; nor did they know that the speech spoken in their hearing would be read and pondered by half a million voters within a month. Richard H. Dana pronounced it "the keynote of the new party."[\[182\]](#) But though sown in fruitful soil, insufficient time was to elapse before election for such arguments to root and blossom; and when the votes were counted in November, the Know-Nothings had polled 146,001, the Republicans 135,962, the Softs 90,518, and the Hards 58,394. Samuel L. Selden, the candidate of the Hards and Softs for judge of the Court of Appeals, had 149,702. George F. Comstock was also declared elected, having received 141,094, or nearly 5000 less than Headley for secretary of state. In the Assembly the Republicans numbered 44, the Know-Nothings 39, and the Hards and Softs 45.

"The events of the election," wrote Seward, "show that the Silver-Grays have been successful in a new and attractive form, so as to divide a majority of the people in the cities and towns from the great question of the day. That is all. The rural districts still remain substantially sound. A year is necessary to let the cheat wear off."[\[183\]](#) To a friend who was greatly alarmed at the success of the Know-Nothings, he wrote: "There is just so much gas in any ascending balloon. Before the balloon is down, the gas must escape. But the balloon is always sure not only to come down, but to come down *very quick*. The heart of the country is fixed on higher and nobler things. Do not distrust it."[\[184\]](#)

After the election, some people held the opinion that the prospect of a united anti-slavery party was not so favourable as it had been at the close of 1854; and men were inclined then, as some historians are now, to criticise

Seward for not forcing the formation of the Republican party in New York in 1854 and putting himself at its head by making speeches in New England and the West as well as in New York. "Had Seward sunk the politician in the statesman," says Rhodes; "had he vigorously asserted that every cause must be subordinate to Union under the banner of opposition to the extension of slavery—the close of the year would have seen a triumphant Republican party in every Northern State but California, and Seward its acknowledged leader. It was the tide in Seward's affairs, but he did not take it at the flood."^[185]

Looking back into the fifties from the viewpoint of the present, this suggestion of the distinguished historian seems plausible. Undoubtedly Thurlow Weed's judgment controlled in 1854, and back of it was thirty years of successful leadership, based upon the sagacity of a statesman as well as the skill of a clever politician. It was inevitable that Weed should be a Republican. He had opposed slavery before he was of age. The annexation of Texas met his strenuous resistance, the Wilmot Proviso had his active approval, and he assailed the fugitive slave law and the Nebraska Act with unsparing bitterness. With a singleness of purpose, not excelled by Seward or Sumner, his heart quickly responded to every movement which should limit, and, if possible, abolish slavery; but, in his wisdom, with Know-Nothings recruiting members from the anti-slavery ranks, and the Whig party confident of success because of a divided Democracy, he did not see his way safely to organise the Republican party in New York in 1854. It is possible his desire to re-elect Seward to the United States Senate may have increased his caution. Seward's re-election was just then a very important factor in the successful coalition of the anti-slavery elements of the Empire State. Besides, Weed knew very well that defeat would put the work of coalition into unfriendly hands, and it might be disastrous if a hostile majority were allowed to deal with it according to their own designs and their own class interests. Nevertheless, his delay in organising and Seward's failure to lead the new party in 1854, left an indelible impression to their injury in the West, if not in New York and New England, "for unto whomsoever much is given, of him shall much be required; and to whom men have committed much, of him they will ask the more."

CHAPTER XVII

THE FIRST REPUBLICAN GOVERNOR

1856

KANSAS troubles did not subside after the election. The Pierce administration found itself harassed by the most formidable opposition it had yet encountered. Reeder was out of the way for the moment; but the Northern settlers, by planning a flank movement which included the organisation of a state government and an appeal to Congress for admission to the Union, proved themselves an enemy much more pertinacious and ingenious than the removed Governor. To aid them in their endeavour, friends sent a supply of Sharpe's rifles, marked "books." Accordingly, on the 9th of October, 1855, delegates were elected to a convention which met at Topeka on the 23d of the same month and framed a Constitution prohibiting slavery and providing for its submission to the people.

This practically established a second government. Governor Shannon, the successor of Reeder, recognised the action of the fraudulently chosen territorial Legislature, while the free-state settlers, with headquarters at Lawrence, repudiated its laws and resisted their enforcement. Things could not long remain in this unhappy condition, and when, at last, a free-state man was killed it amounted to a declaration of hostilities. Immediately, the people of Lawrence threw up earthworks; the Governor called out the militia; and the Missourians again crossed the border. By the 1st of December a couple of regiments were encamped in the vicinity of Lawrence, behind whose fortifications calmly rested six hundred men, half of them armed with Sharpe's rifles. A howitzer added to their confidence. Finally, the border ruffians, who had heard of the breech-loading rifles and learned of the character of the men behind them, after dallying for several weeks, recrossed the river and permitted the settlers to ratify the new

Constitution. In January, 1856, a governor and legislature were chosen, and, in February, the Legislature, meeting at Topeka, memorialised Congress, asking that Kansas be admitted into the Union. Thereupon, Senator Douglas reported a bill providing that whenever the people of Kansas numbered 93,420 inhabitants they might organise a State. Instantly, Senator Seward offered a substitute, providing for its immediate admission with the Topeka Constitution.

The events leading up to this parliamentary situation had been noisy and murderous, rekindling a spirit of indignation in the South as well as in the North, which brought out fiery appeals from the press. The Georgia Legislature proposed to appropriate sixty thousand dollars to aid emigration to Kansas. A chivalrous colonel of Alabama who issued an appeal for three hundred men willing to fight for the cause of the South, began his march from Montgomery with two hundred, having first received a blessing from a Methodist minister and a Bible from a divine of the Baptist church. One young lady of South Carolina set the example of selling her jewelry to equip men with rifles. The same spirit manifested itself in the North. Public meetings encouraged armed emigration. "The duty of the people of the free States," said the *Tribune*, "is to send more true men, more Sharpe's rifles, and more howitzers to Kansas."^[186] William Cullen Bryant wrote his brother that "by the 1st of May there will be several thousand more free-state settlers in Kansas. Of course they will go well armed."^[187] Henry Ward Beecher, happening to be present at a meeting in which an orthodox deacon who had enlisted seventy-nine emigrants asked for more rifles, declared that a Sharpe's rifle was a greater moral agency than the Bible, and that if half the guns needed were pledged on the spot Plymouth Church would furnish the rest.^[188] Thus, the equipment of Northern emigrants to Kansas became known as "Beecher's Bibles."^[189] Henry J. Raymond said that "the question of slavery domination must be fought out on the plains of Kansas."^[190] To add to Northern bitterness, President Pierce, in a special message to the United State Senate, condemned the emigrant aid societies, threatening to call out the army, and approving the acts of the pro-slavery Legislature.

In the midst of this excitement, Senator Douglas began the debate on his Kansas bill which was destined to become more historic than the outrages of the border ruffians themselves. Douglas upheld the acts of the territorial

Legislature as the work of law and order, denouncing the Northern emigrants as daring and defiant revolutionists, and charging that "the whole responsibility for all the disturbance rested upon the Massachusetts Emigrant Aid Company and its affiliated societies."^[191] Horace Greeley admitted the force and power of Douglas' argument, and Harriet Beecher Stowe, the gifted author of *Uncle Tom's Cabin*, was so profoundly impressed with the matchless orator that she thought it "a merciful providence that with all his alertness and adroitness, all his quick-sighted keenness, Douglas is not witty—that might have made him too irresistible a demagogue for the liberties of our laughter-loving people, to whose weakness he is altogether too well adapted now."^[192] The friends of a free Kansas appreciated the superiority in debate of the Illinois statesman, whose arguments now called out half a dozen replies from as many Republican senators. It afforded a fine opportunity to define and shape the principles of the new party, and each senator attracted wide attention. But the speech of Seward, who took the floor on the 9th of April in favour of the immediate admission of Kansas as a State, seems to have impressed the country as far the ablest. He sketched the history of the Kansas territory; reviewed the sacrifices of its people; analysed and refuted each argument in support of the President's policy; and defended the settlers in maintaining their struggle for freedom. "Greeley expressed the opinion of the country and the judgment of the historian," says Rhodes, "when he wrote to his journal that Seward's speech was 'the great argument' and stood 'unsurpassed in its political philosophy.'"^[193] The *Times* pronounced it "the ablest of all his speeches."^[194] On the day of its publication the *Weekly Tribune* sent out 162,000 copies. Seward wrote Weed that "the demand for it exceeds what I have ever known. I am giving copies away by the thousand for distribution in Pennsylvania, Ohio, and other States."^[195]

A month later, on the 19th and 20th of May, came the speech of Charles Sumner, entitled "The Crime Against Kansas." Whittier called it "a grand and terrible philippic." Sumner had read it to Senator and Mrs. Seward, who advised the omission of certain personal allusions to Senator Butler;^[196] but he delivered it as he wrote it, and two days later the country was startled by Preston S. Brooks' assault. The North received this outrage with horror as the work of the slave power. In public meetings, the people condemned it as a violation of the freedom of speech and a blow at the personal safety of

public men having the courage to express their convictions. "The blows that fell on the head of the Senator from Massachusetts," said Seward, "have done more for the cause of human freedom in Kansas and in the territories of the United States than all the eloquence which has resounded in these halls since the days of Rufus King and John Quincy Adams."^[197] The events surrounding the assault—Brooks' resignation, his unanimous re-election, his challenge to Burlingame, and his refusal to fight in Canada—all tended to intensify Northern feeling. Close upon the heels of this excitement came news from Kansas of the burning of Lawrence, the destruction of Osawatimie, the sacking of free-state printing offices, and the murder of Northern immigrants. To complete the list of crimes against free speech and freedom, the commander of a force of United States troops dispersed the Topeka Legislature at the point of the bayonet.

This was the condition of affairs when the two great political parties of the country assembled in national convention in June, 1856, to select candidates for President and Vice President. At their state convention, in January, to select delegates-at-large to Cincinnati, the Softs had put themselves squarely in accord with the pro-slavery wing of their party. They commended the administration of Pierce, approved the Nebraska Act, and denounced as "treasonable" the Kansas policy of the Republican party. This was a wide departure from their position of August, 1855, which had practically reaffirmed the principles of the Wilmot Proviso; but the trend of public events compelled them either to renounce all anti-slavery leanings or abandon their party. Their surrender, however, did not turn their reception at Cincinnati into the welcome of prodigals. The committee on credentials kept them waiting at the door for two days, and when they were finally admitted they were compelled to enter on an equality with the Hards. Horatio Seymour pleaded for representation in proportion to the votes cast, which would have given the Softs three-fifths of the delegation, but the convention thought them entitled to no advantages because of their "abolition principles," and even refused a request for additional seats from which their colleagues might witness the proceedings. To complete their humiliation the convention required them formally to deny the right of Congress or of the people of a territory to prohibit slavery in any territory of the United States. It was a bitter dose. The Democracy of the Empire State had been accustomed to control conventions—not to serve them. For twenty

years they had come with candidates for the Presidency, and if none of their statesmen had been nominated since 1836 they were recognised as resolute men, bold in diplomacy, ready for any emergency, and as formidable to their enemies as they were dear to their friends. For nearly three decades a New Yorker had been in the Cabinet of every administration. But the glory of former days had now departed. For twelve years the party had been divided and weakened, until, at last, it had neither presidential candidate to offer nor cabinet position to expect.

The leading candidates at Cincinnati were Franklin Pierce, Stephen A. Douglas, and James Buchanan. Northern delegates had been inclined to support Pierce or Douglas; but since the assault upon Sumner and the destruction of Lawrence, the conciliation of the North by the nomination of a candidate who had not participated in the events of the past three years seemed the wisest and safest policy. Buchanan had been minister to England since the birth of the Pierce administration; and the fact that he hailed from Pennsylvania, a very important State in the election, strengthened his availability. The Softs recognised the wisdom of this philosophy, but, under the leadership of Marcy, who had given them the federal patronage for three years, they voted for the President, with the hope that his supporters might ultimately unite with those of Douglas. The Hards, on the contrary, supported Buchanan. They had little use for Pierce, who had persecuted them.

On the first ballot Buchanan had 135 votes, Pierce 122, Douglas 33, and Cass 5, with 197 necessary to a choice. This made Buchanan's success probable if his forces stood firm; and as other ballots brought him additional votes at the expense of Pierce, his nomination seemed certain. The Softs, however, continued with Pierce until his withdrawal on the fourteenth ballot; then, putting aside an opportunity to support the winning candidate, they turned to Douglas. But to their great surprise, Douglas withdrew at the end of the next ballot, leaving the field to Buchanan. This placed the Softs, who now joined the Hards because there was no longer any way of keeping apart, in an awkward position. Seymour, however, gracefully accepted the situation, declaring that, although the Softs came into the convention under many disadvantages, they desired to do all in their power to harmonise the vote of the convention and to promote the discontinuance of factional differences in the great State of New York.

Greene C. Bronson, who smiled derisively as he heard this deathbed repentance, did not know how soon Horatio Seymour was destined again to command the party.

The Republican national convention convened at Philadelphia on the 17th of June. Recent events had encouraged Republicans with the hope of ultimate victory. Nathaniel P. Banks' election as speaker of the national House of Representatives on the one hundred and thirty-seventh ballot, after a fierce contest of two months, was a great triumph; interest in the Pittsburg convention on the 22d of February had surpassed expectations; and the troubles of "bleeding Kansas," which seemed to culminate in the assault upon Sumner and the destruction of Lawrence, had kept the free States in a condition of profound excitement. Such brutal outrages, it was thought, would certainly discredit any party that approved the policy leading to them. Sustained by this hope the convention, in its platform, arraigned the Administration for the conduct of affairs; demanded the immediate admission of Kansas into the Union under the Topeka Constitution; and resolved, amidst the greatest enthusiasm, that "it is both the right and duty of Congress to prohibit in the territories those twin relics of barbarism, polygamy and slavery."

The selection of a presidential candidate gave the delegates more trouble. They wanted an available man who could carry Pennsylvania; and between the supporters of John C. Fremont and the forces of John McLean, for twenty-six years a member of the United States Supreme Court, the canvass became earnest and exciting. Finally, on an informal ballot, Fremont secured 359 of the 555 votes in the convention. William L. Dayton of New Jersey was then nominated for Vice President over Abraham Lincoln, who received 110 votes.

William H. Seward was the logical candidate for President. He represented Republican principles and aims more fully than any man in the country, but Thurlow Weed, looking into the future through the eyes of a practical politician, disbelieved in Republican success. He argued that, although Republicans were sure of 114 electoral votes, it was essential to carry Pennsylvania to secure the additional 35, and that Pennsylvania could not be carried. This belief was strengthened after the nomination of Buchanan, who pledged himself to give fair play to Kansas, which many understood to

mean a free State. Under these conditions Weed advised Seward not to become a candidate, on the theory that defeat in 1856 would sacrifice his chances in 1860.

Seward, as usual, acquiesced in Weed's judgment. "I once heard Seward declare," wrote Gideon Welles, "that 'Seward is Weed and Weed is Seward. What I do, Weed approves. What he says, I indorse. We are one.'"[198] On this occasion, however, it is certain Seward accepted Weed's judgment with much reluctance. His heart was set upon the nomination, and his letters reveal disappointment and even disgust at the arrangement. "It is a delicate thing," he wrote, on the 27th of April, "to go through the present ordeal, but I am endeavouring to do so without giving any one just cause to complain of indifference on my part to the success of the cause. I have shut out the subject itself from conversation and correspondence, and, so far as possible, from my thoughts."[199] But he could not close his ears. "From all I hear 'availability' is to be indulged next week and my own friends are to make the sacrifice," he wrote his wife, on June 11, six days before the convention opened. "Be it so; I shall submit with better grace than others would."[200] Two days later he said: "It tries my patience to hear what is said and to act as if I assented, under expectation of personal benefits, present and prospective."[201]

What especially gruelled Seward was the action of his opponents. "The understanding all around me is," he wrote his wife, on June 14, "that Greeley has struck hands with enemies of mine and sacrificed me for the good of the cause, to be obtained by the nomination of a more available candidate, and that Weed has concurred in demanding my acquiescence." [202] Seward suspected the truth of this "understanding" as to Greeley, but it is doubtful if he then believed Weed had betrayed him. Perhaps this thought came later after he heard of Fremont's astonishing vote and learned that the newspapers were again nominating the Path-finder for a standard-bearer in 1860. "Seward more than hinted to confidential friends," wrote Henry B. Stanton, "that Weed betrayed him for Fremont." Then Stanton tells the story of Weed and Seward riding up Broadway, and how, when passing the bronze statue of Lincoln in Union Square, Seward said, "Weed, if you had been faithful to me, I should have been there instead of Lincoln." "Seward," replied Weed, "is it not better to be alive in a carriage with me than to be dead and set up in bronze?"[203]

How much Weed's advice to Seward was influenced by the arguments of opponents nowhere appears, but the disappointment of Democrats and conservative Americans upon the announcement of Seward's withdrawal proves that these objections were serious. His views were regarded as too extreme for a popular candidate. It was deemed advisable not to put in issue either the abolition of slavery in the District of Columbia, or the repeal of the fugitive slave law, and Seward's pronounced attitude on these questions, it was asserted, would involve them in the campaign regardless of the silence of the platform. It was argued, also, that although the Whigs were numerically the largest portion of the Republican party, a candidate of Democratic antecedents would be preferable, especially in Pennsylvania, a State, they declared, which Seward could not carry. To all this Greeley undoubtedly assented. The dissolution of the firm of Seward, Weed, and Greeley, announced in Greeley's remarkable letter of November 11, 1854, but not yet made public, had, indeed, taken effect. The result was not so patent, certainly not so vitriolic, as it appeared at Chicago in 1860, but Greeley now began insinuating doubts of Seward's popular strength, exaggerating local prejudices against him, and yielding to objections raised by his avowed opponents. His hostility found no place in the columns of the *Tribune*, but it coloured his conversations and private correspondence. To Richard A. Dana he wrote that Callamer's speech on the Kansas question "is better than Seward's, in my humble judgment;"^[204] yet the *Tribune* pronounced Seward's "the great argument" and "unsurpassed in political philosophy." The importance of Pennsylvania became as prominent a factor in the convention of 1856 as it did in that of 1860, and Greeley did not hesitate to affirm Seward's inability to carry it, declaring that such weakness made his nomination fatal to party success.

The opponents of Seward, however, could not have prevented his nomination had he decided to enter the race. He was the unanimous choice of the New York delegation. The mere mention of his name at Philadelphia met with the loudest applause. When Senator Wilson of Massachusetts spoke of him as "the foremost American statesman," the cheers made further speaking impossible for several minutes. He was the idol of the convention as he was the chief figure of his party. John A. King declared that could his name have been presented "it would have received the universal approbation of the convention." Robert Emmet, the son of the

distinguished Thomas Addis Emmet, and the temporary chairman of the convention, made a similar statement. Even Thurlow Weed found it difficult to prevail upon his friends to bide their time until the next national convention. "Earnest friends refused to forego my nomination," Seward wrote his wife on June 17, the day the convention opened, "without my own authority."^[205]

When the several state conventions convened at Syracuse each party sought its strongest man for governor. The Hards and the Softs were first in the field, meeting in separate conventions on July 30. After inviting each other to join in a union meeting they reassembled as one body, pledged to support the Cincinnati platform. It was not an occasion for cheers. Consolidation was the only alternative, with chances that the ultra pro-slavery platform meant larger losses if not certain defeat. In this crisis Horatio Seymour assumed the leadership that had been his in 1852, and that was not to be laid down for more than a decade. Seymour was now in his prime—still under fifty years of age. He had become a leader of energy and courage; and, although destined for many years to lead a divided and often a defeated organisation, he was ever after recognised as the most gifted and notable member of his party. He was a typical Northern Democrat. He had the virtues and foibles that belonged to that character in his generation, the last of whom have now passed from the stage of public action.

The effort to secure a Democratic nominee for governor required four ballots. Addison Gardiner, David L. Seymour, Fernando Wood, and Amasa J. Parker were the leading candidates. David Seymour had been a steady supporter of the Hards. He belonged to the O'Connor type of conservatives, rugged and stalwart, who seemed unmindful of the changing conditions in the political growth of the country. At Cincinnati, he opposed the admission of the Softs as an unjust and utterly irrational disqualification of the Hards, who, he said, had always stood firmly by party platforms and party nominations regardless of personal convictions. Fernando Wood belonged to a different type.^[206] He had already developed those regrettable qualities which gave him a most unsavoury reputation as mayor of New York; but of the dangerous qualities that lay beneath the winning surface of his gracious manner, men as yet knew nothing. Just now his gubernatorial ambition, fed by dishonourable methods, found support in a great host of noisy henchmen who demanded his nomination. Addison Gardiner was the choice of the

Softs. Gardiner had been elected lieutenant-governor on the ticket with Silas Wright in 1844, and later became an original member of the Court of Appeals, from which he retired in 1855. He was a serious, simple-hearted, wise man, well fitted for governor. But Horatio Seymour made up his mind that Parker, although far below Gardiner and David L. Seymour in number of votes, would better unite the convention, and upon Gardiner's withdrawal Parker immediately received the nomination.

Amasa J. Parker was then forty-nine years of age, an eminent, successful lawyer. Before his thirty-second birthday he had served Delaware County as surrogate, district attorney, assemblyman, and congressman. Later, he became a judge of the Supreme Court and removed to Albany, where he resided for forty-six years, until his death in 1890. Parker was a New England Puritan, who had been unusually well raised. He passed from the study of his father, a Congregational clergyman, to the senior class at Union College, graduating at eighteen; and from his uncle's law library to the surrogate's office. All his early years had been a training for public life. He had associated with scholars and thinkers, and in the estimation of his contemporaries there were few stronger or clearer intellects in the State. But his later political career was a disappointment. His party began nominating him for governor after it had fallen into the unfortunate habit of being beaten, and, although he twice ran ahead of his ticket, the anti-slavery sentiment that dominated New York after 1854 kept him out of the executive chair.

The Republican state convention assembled at Syracuse on the 17th of September. A feeling existed that the election this year would extract the people from the mire of Know-Nothingism, giving the State its first Republican governor; and confidence of success, mingled with an unusual desire to make no mistake, characterised the selection of a nominee for chief executive. Myron H. Clark, a man of the people, had made a good governor, but he was too heavily weighted with prohibition to suit the older public men, who did not take kindly to him. They turned to Moses H. Grinnell, whose pre-eminence as a large-hearted, public-spirited merchant always kept him in sight. Grinnell was now fifty-three years of age. His broad, handsome face showed an absence of bigotry and intolerance, while the motives that controlled his life were public and patriotic, not personal. Probably no man in New York City, since the time John Jay left it, had ever

had more admirers. He was a favourite of Daniel Webster, who appointed Washington Irving minister to Spain upon his request. This interest in the famous author, as well as his recent promotion of Dr. Kane's expedition to the Arctic seas in search of Sir John Franklin, indicated the broad philanthropy that governed his well-ordered life. But he declined to accept office. The distinguished house that had borne his name for twenty-seven years, decided that its senior member could not be spared, even temporarily, to become governor of the State, and so Grinnell's official life was limited to a single term in Congress, although his public life may be said to have spanned nearly two-thirds of his more than three score years and ten.

Grinnell's decision seemed to leave an open field, and upon the first ballot John A. King received 91 votes, James S. Wadsworth 72, Simeon Draper 23, Myron H. Clark 22, and Ira Harris 22. Thurlow Weed and the wheel horses of Whig descent, however, preferring that the young party have a governor of their own antecedents, familiar with political difficulties and guided by firmness and wisdom, had secretly determined upon King. But Wadsworth, although he quickly felt the influence of their decision, declined to withdraw. Wadsworth was a born fighter. In the Free-soil secession of 1847, he proclaimed uncompromising hostility to the extension of slavery, and he never changed his position until death ended his gallant and noble service in the Civil War.

Wadsworth descended from a notable family. His father, James Wadsworth, a graduate of Yale, leaving his Connecticut home in young manhood, bought of the Dutch and of the Six Nations twenty thousand acres in the Genesee Valley, and became one of the earliest settlers and wealthiest men in Western New York. He was, also, the most public-spirited citizen. He believed in normal schools and in district school libraries, and he may properly be called one of the founders of the educational system of the State. But he never cared for political office. It was said of him that his refusal to accept public place was as inflexible as his determination to fight Oliver Kane, a well-known merchant of New York City, after trouble had occurred at the card table. The story, told at the time, was that the two, after separating in anger, met before sunrise the next morning, without seconds or surgeons, under a tall pine tree on a bluff, and after politely measuring the distance and taking their places, continued shooting at each other until Kane, slightly wounded, declared he had enough.[\[207\]](#)

James S. Wadsworth discovered none of his father's aversion to holding office. He, also, graduated at Yale and studied law in the office of Daniel Webster, but he preferred politics and agriculture to the troubles of clients, and, although never successful in getting office, all admitted his fitness for it. He was brave, far-sighted, and formed to please. He had a handsome face and stately presence. Many people who never saw him were strongly attracted to him by sympathy of political opinions and by gratitude for important services rendered the country. There was to come a time, in 1862, when these radical friends, looking upon him as the Lord's Anointed, and indifferent to the wishes of Thurlow Weed and the more conservative leaders, forced his nomination for governor by acclamation; but, in 1856, John A. King had the weightiest influence, and, on the second ballot, he took the strength of Draper, Clark, and Harris, receiving 158 votes to 73 for Wadsworth. It was not soon forgotten, however, that in the memorable stampede for King, Wadsworth more than held his own.

John Alsop King was the eldest son of Rufus King. While the father was minister to the court of St. James, the son attended the famous school at Harrow, had as classmates Lord Byron and Sir Robert Peel, and went the usual rounds of continental travel. For nearly four decades he had been conspicuous in public life as assemblyman, senator, congressman, and in the diplomatic service. Starting as a Federalist and an early advocate of anti-slavery sentiments, he had been an Anti-Mason, a National Republican, and a Whig. Only when he acted with Martin Van Buren against DeWitt Clinton did he flicker in his political consistency. Although now sixty-eight years old, he was still rugged—a man of vigorous sense and great public spirit. His congressional experience came when the hosts of slavery and freedom were marshalling for the great contest for the territory between the Mississippi and the Pacific, and at the side of Preston King he resisted Clay's compromise measures, especially the fugitive slave law, and warmly supported the admission of California as a free State. "I have come to have a great liking for the Kings," wrote Seward, in 1850. "They have withstood the seduction of the seducers, and are like a rock in the defence of the right. They have been tried as through fire."^[208] John A. King was not ambitious for public place. He waited to be called to an office, but he did not wait to be called to join a movement which would be helpful to the public. His ear was to the sky rather than to the ground. He believed Ralph Waldo

Emerson's saying: "That is the one base thing in the universe, to receive benefits and render none." Like his distinguished father, he was tolerant in dealing with men who differed from him, but he never shrank from the expression of an opinion because it would bring sacrifice or ostracism.

The ticket was strengthened by the nomination of Henry R. Selden of Monroe for lieutenant-governor. Selden belonged to a family that had been prominent for two centuries in the Connecticut Valley. Like his older brother, Samuel L. Selden, who lived at Rochester, he was an able lawyer and a man of great industry. These brothers brought to the service of the people a perfect integrity, coupled with a gracious urbanity that kept them in public life longer than either desired to remain. One was a Republican, the other a Democrat. Samuel became a partner of Addison Gardiner in 1825, and Henry, after studying law with them, opened an office at Clarkson in the western part of the county. In 1851, Henry became reporter for the Court of Appeals, and then, lieutenant-governor. Samuel's public service began earlier. He became judge of the Court of Common Pleas in 1831, of the Supreme Court in 1847, and of the Court of Appeals in 1856. When he resigned in 1862, Henry took his place by appointment, and afterward by election. Finally, in 1865, he also resigned. The brothers were much alike in the quality they brought to the public service; and their work, as remarkable for its variety as for its dignity, made Samuel an original promoter of the electric telegraph system and Henry a defender of Susan B. Anthony when arrested on the charge of illegally voting at a presidential election.

The Americans nominated Erastus Brooks for governor. He was a younger brother of James Brooks, who founded the New York *Express* in 1836. The Brookses were born in Maine, and early exhibited the industry and courage characteristic of the sons of the Pine Tree State. At eight years of age, Erastus began work in a grocery store, fitting himself for Brown University at a night school, and, at twenty, he became an editor on his brother's paper. His insistence upon the taxation of property of the Catholic Church, because, being held in the name of the Bishops, it should be included under the laws governing personal holdings in realty, brought him prominently before the Americans, who sent him to the State Senate in 1854. But Brooks' political career, like that of his brother, really began after the Civil War, although his identification with the Know-Nothings marked him as a

man of force, capable of making strong friends and acquiring much influence.

The activity of the Americans indicated firm faith in their success. Six months before Brooks' nomination they had named Millard Fillmore for President. At the time, the former President was in Europe. On his return he accepted the compliment and later received the indorsement of the old-line Whigs. Age had not left its impress. Of imposing appearance, he looked like a man formed to rule. The peculiar tenets of the Americans, except as exemplified in the career of their candidate for governor, did not enter into Fillmore's campaign. He rested his hopes upon the conservative elements of all parties who condemned the repeal of the Missouri Compromise and opposed the formation of a party which, he declared, had, for the first time in the history of the Republic, selected candidates for President and Vice President from the free States alone, with the avowed purpose of electing them by the suffrages of one part of the Union to rule over the other part.

This was also the argument of Buchanan. In his letter of acceptance he sounded the keynote of his party, claiming that it was strictly national, devoted to the Constitution and the Union, and that the Republican party, ignoring the historic warning of Washington, was formed on geographic lines.^[209] All this made little impression upon the host of Northern men who exulted in the union of all the anti-slavery elements. But their intense devotion to the positive utterances of their platform took away the sense of humour which often relieves the tension of political activity, and substituted an element of profound seriousness that was plainly visible in speakers and audiences. Seward did not hasten into the campaign. Richard H. Dana wrote, confidentially, that "Seward was awful grouty." It was October 2 when he began speaking. Congress had detained him until August 30, and then his health was so impaired, it was explained, that he needed rest. But other lovers of freedom were deeply stirred. The pulpit became a platform, and the great editors spoke as well as wrote. Henry Ward Beecher seemed ubiquitous; Greeley and Raymond made extended tours through the State; Bryant was encouraged to overcome his great timidity before an audience; and Washington Irving declared his intention of voting, if not of speaking, for Fremont.

This campaign also welcomed into political life a young man whose first speech made it plain that a new champion, with bright and well-tempered sword, had taken up the cause of freedom with the courage of the cavalier. George William Curtis was then thirty-two years old. He had already written the Howadji books, which earned him recognition among men of letters, and *Prue and I*, which had secured his fame as an author. In the campaign of 1856, the people for the first time saw and knew this man whose refined rhetoric, characterised by tender and stirring appeal, and guided by principle and conviction, was, thereafter, for nearly forty years, to be heard at its best on one side of every important question that divided American political life. Nathaniel P. Willis, who drove five miles in the evening to hear him deliver a "stump speech," thought Curtis would be "too handsome and too well dressed" for a political orator; but when he heard him unfold his logical argument step by step, occasionally bursting into a strain of inspiring eloquence that foreshadowed the more studied work of his riper years, it taught him that the author was as caustic and unconstrained on the platform as he appeared in *The Potiphar Papers*.

Curtis' theme was resistance to the extension of slavery. His wife's father, Francis G. Shaw, had stimulated his zeal in the cause of freedom; and he treated the subject with a finish and strength that came from larger experience and longer observation than a young man of thirty-two could usually boast. To him, the struggle for freedom in Kansas was not less glorious than the heroic resistance in 1776, and he made it vivid by the use of historic associations. "Through these very streets," he said, "they marched who never returned. They fell and were buried, but they can never die. Not sweeter are the flowers that make your valley fair, not greener are the pines that give your valley its name, than the memory of the brave men who died for freedom. And yet no victim of those days, sleeping under the green sod, is more truly a martyr of Liberty than every murdered man whose bones lie bleaching in this summer sun upon the silent plains of Kansas. And so long as Liberty has one martyr, so long as one drop of blood is poured out for her, so long from that single drop of bloody sweat of the agony of humanity shall spring hosts as countless as the forest leaves and mighty as the sea."[\[210\]](#)

Curtis thought the question of endangering the Union a mere pretence. "Twenty millions of a moral people, politically dedicated to Liberty, are

asking themselves whether their government shall be administered solely in the interest of three hundred and fifty thousand slave-holders." He did not believe that these millions would dissolve the Union in the interest of these thousands. "I see a rising enthusiasm," he said, in closing; "but enthusiasm is not an election; and I hear cheers from the heart, but cheers are not voters. Every man must labour with his neighbour—in the street, at the plough, at the bench, early and late, at home and abroad. Generally we are concerned in elections with the measures of government. This time it is with the essential principle of government itself."[\[211\]](#)

The result of the election was not a surprise. Fremont's loss of Pennsylvania and Indiana had been foreshadowed in October, making his defeat inevitable, but the Republican victory in New York was more sweeping than the leaders had anticipated, Fremont securing a majority of 80,000 over Buchanan, and John A. King 65,000 over Amasa J. Parker.[\[212\]](#) The average vote was as follows: Republican, 266,328; Democrat, 197,172; Know-Nothing, 129,750. West and north of Albany, every congressman and nearly every assemblyman was a Republican. Reuben E. Fenton, who had been beaten for Congress in 1854 by 1676 votes, was now elected by 8000 over the same opponent. The Assembly stood 82 Republicans, 37 Democrats, and 8 Know-Nothings. In the country at large, Buchanan obtained 174 electoral votes out of 296, but he failed to receive a majority of the popular vote, leaving the vanquished more hopeful and not less cheerful than the victors. Fillmore received the electoral vote of Maryland and a popular vote of 874,534, nearly one-half as many as Buchanan and two-thirds as many as Fremont. In other words, he had divided the vote of the North, making it possible for Buchanan to carry Pennsylvania and Indiana.

CHAPTER XVIII

THE IRREPRESSIBLE CONFLICT

1857-1858

IT WAS the duty of the Legislature of 1857 to elect a successor to Hamilton Fish, whose term as United States senator expired on the 4th of March. Fish had not been a conspicuous member of the Senate; but his great wisdom brought him large influence at a time when slavery strained the courtesy of that body. He was of a most gracious and sweet nature, and, although he never flinched from uttering or maintaining his opinions, he was a lover and maker of peace. In his *Autobiography of Seventy Years*, Senator Hoar speaks of him as the only man of high character and great ability among the leaders of the Republican party, except President Grant, who retained the friendship of Roscoe Conkling.

The contest over the senatorship brought into notice a disposition among Republicans of Democratic antecedents not to act in perfect accord with Thurlow Weed, a danger that leading Whigs had anticipated at the formation of the party. Weed's management had been disliked by anti-slavery Democrats as much as it had been distrusted by a portion of the Whig party, and, although political associations now brought them under one roof, they did not accept him as a guiding or controlling spirit. This disposition manifested itself at the state convention in the preceding September; and to allay any bitterness of feeling which the nomination of John A. King might occasion, it was provided that, in the event of success, the senator should be of Democratic antecedents. The finger of fate then pointed to Preston King. He had resisted the aggressions of the slave power, and in the formation of the Republican party his fearless fidelity to its corner-stone principle made him doubly welcome in council; but when the

Legislature met, other aspirants appeared, prominent among whom were Ward Hunt, James S. Wadsworth, and David Dudley Field.

Hunt, who was destined to occupy a place on the Court of Appeals, and, subsequently, on the Supreme Court of the United States, had taken little interest in politics. He belonged to the Democratic party, and, in 1839, had served one term in the Assembly; but his consistent devotion to Free-soilism, and his just and almost prescient appreciation of the true principles of the Republican party, gave him great prominence in the ranks of the young organisation and created a strong desire to send him to the United States Senate. Hunt was anxious and Wadsworth active. The latter's supporters, standing for him as their candidate for governor, had forced the agreement of the year before, and they now demanded that he become senator; but in the interest of harmony, both finally withdrew in favour of David Dudley Field.

The inspiration of an historic name did not yet belong to the Field family. The projector of the Atlantic cable, the future justice of the Supreme Court of the United States, and the eminent New York editor, had not taken their places among the most gifted of the land, but David Dudley's activity in the Free-soil contests had made him as conspicuous a member of the new party as his celebrated Code of Civil Procedure, passed by the Legislature of 1848, had distinguished him in his profession. Promotion did not move his way, however. Thurlow Weed insisted upon Preston King. It is likely the Albany editor had not forgotten that Field, acting for George Opdyke, a millionaire client, had sued him for libel, and that, although the jury disagreed, the exciting trial had crowded the court-room for nineteen days and cost seventeen thousand dollars; but Weed did not appeal to Field's record, since he claimed the agreement at the state convention included John A. King for governor and Preston King for senator, and to avoid controversy he adroitly consented to leave the matter to Republican legislators of Democratic antecedents, who decided in favour of King. This ended the contest, the caucus giving King 65 votes and Hunt 17.

In 1857, events gave the Republican party little encouragement in New York. Public interest in Kansas had largely died out, and, although the Dred Scott decision, holding inferentially that the Constitution carried with it the right and power to hold slaves everywhere, had startled the nation, leading

press, pulpit, and public meetings to denounce it as a blow at the rights of States and to the rights of man, yet the Democrats carried the State in November, electing Gideon J. Tucker secretary of state, Sanford E. Church comptroller, Lyman Tremaine attorney-general, and Hiram Denio to the Court of Appeals. It was not a decisive victory. The Know-Nothings, who held the balance of power, involuntarily contributed a large portion of their strength to the Democratic party, giving it an aggregate vote of 194,000 to 175,000 for the Republicans, and reducing the vote of James O. Putnam, of Buffalo, the popular American candidate for secretary of state, to less than 67,000, or one-half the number polled in the preceding year.

Other causes contributed to the apparent decrease of Republican strength. The financial disturbance of 1857 appeared with great suddenness in August. There had been fluctuations in prices, with a general downward tendency, but when the crisis came it was a surprise to many of the most watchful financiers. Industry and commerce were less affected than in 1837, but the failures, representing a larger amount of capital than those of any other year in the history of the country up to 1893, astonished the people, associating in the public mind the Democratic charge of Republican extravagance with the general cry of hard times.

But whatever the cause of defeat, the outlook for the Republicans again brightened when Stephen A. Douglas opposed President Buchanan's Lecompton policy. The Kansas Lecompton Constitution was the work of a rump convention controlled by pro-slavery delegates who declared that "the right of property is before and higher than any constitutional sanction, and the right of the owner of a slave to such slave and its increase is as inviolable as the right of the owner of any property whatever." To secure its approval by the people it was ingeniously arranged that the vote taken in December, 1857, should be "for the constitution with slavery" or "for the constitution without slavery," so that in any event the constitution, with its objectionable section, would become the organic law. This shallow scheme, hatched in the South to fix slavery upon a territory that had already declared for freedom by several thousand majority, obtained the support of the President. Douglas immediately pronounced it "a trick" and "a fraud upon the rights of the people."^[213] The breach between the Illinois Senator and the Administration thus became complete.

Meantime, the governor of Kansas convened the territorial legislature in an extra session, which provided for a second election in January, 1858. The December election had stood: for the constitution with slavery, 6226; for the constitution without slavery, 569. Of these 2720 were subsequently shown to be fraudulent. The January election stood: for the constitution with slavery, 138; for the constitution without slavery, 24; against the constitution, 10,226. The President, accepting the "trick election," as Douglas called it, in which the free-state men declined to participate, forwarded a copy of the constitution to Congress, and, in spite of Douglas, it passed the Senate. An amendment in the House returned it to the people with the promise, if accepted, of a large grant of government land; but the electors spurned the bribe—the free-state men, at a third election held on August 2, 1858, rejecting the constitution by 11,000 out of 13,000 votes.

This ended the Lecompton episode, but it was destined to leave a breach in the ranks of the Democrats big with consequences. Stephen A. Douglas was now the best known and most popular man in the North, and his popular sovereignty doctrine, as applied to the Lecompton Constitution, seemed so certain of settling the slavery question in the interest of freedom that leading Republicans of New York, notably Henry J. Raymond and Horace Greeley, not only favoured the return of Douglas to the Senate unopposed by their own party, but seriously considered the union of Douglas Democrats and Republicans. It was even suggested that Douglas become the Republican candidate for President. This would head off Seward and please Greeley, whose predilection for an "available" candidate was only equalled by his growing distrust of the New York Senator. The unanimous nomination of Abraham Lincoln for United States senator and his great debate with Douglas, disclosing the incompatibility between Douglasism and Republicanism, abruptly ended this plan; but the plausible assumption that the inhabitants of a territory had a natural right to establish, as well as prohibit, slavery had made such a profound impression upon Northern Democrats that they did not hesitate to approve the Douglas doctrine regardless of its unpopularity in the South.

In the summer of 1858, candidates for governor were nominated in New York. The Republican convention, convened at Syracuse on the 8th of September, like its predecessor in 1856, was divided into Weed and anti-Weed delegates. The latter, composed of Know-Nothings, Radicals of

Democratic antecedents, and remnants of the prohibition party, wanted Timothy Jenkins for governor. Jenkins was a very skilful political organiser. He had served Oneida County as district attorney and for six years in Congress, and he now had the united support of many men who, although without special influence, made a very formidable showing. But Weed was not looking in that direction. His earliest choice was Simeon Draper of New York City, whom he had thrust aside two years before, and when sudden financial embarrassment rendered Draper unavailable, he encouraged the candidacy of James H. Cook of Saratoga until Jenkins' strength alarmed him. Then he took up Edwin D. Morgan, and for the first time became a delegate to a state convention.

Weed found a noisy company at Syracuse. Horace Greeley as usual was in a receptive mood. The friends of George Patterson thought it time for his promotion. Alexander S. Diven of Elmira, a state senator and forceful speaker, who subsequently served one term in Congress, had several active, influential backers, while John A. King's friends feebly resisted his retirement. The bulk of the Americans opposed Edwin D. Morgan because of his broad sympathies with foreign-born citizens; but Weed clung to him, and on the first ballot he received 116 of the 254 votes. Jenkins got 51 and Greeley 3. On the next ballot one of Greeley's votes went to Jenkins, who received 52 to 165 for Morgan. Robert Campbell of Steuben was then nominated for lieutenant-governor by acclamation and Seward's senatorial course unqualifiedly indorsed.

Edwin D. Morgan was in his forty-eighth year. He had been alderman, merchant, and railroad president; for four years in the early fifties he served as a state senator; more recently, he had acted as chairman of the Republican state committee and of the Republican national convention. Weed did not have Morgan's wise, courageous course as war governor, Union general, and United States senator to guide him, but he knew that his personal character was of the highest, his public life without stain, and that he had wielded the power of absolute disinterestedness. Morgan was a fine specimen of manhood. He stood perfectly erect, with well poised head, his large, lustrous eyes inviting confidence; and the urbanity of his manner softening the answers that showed he possessed a mind of his own. No man among his contemporaries had a larger number of devoted friends. He was a New Englander by birth. More than one person of his name and blood in

Connecticut was noted for public spirit, but none developed greater courage, or evidenced equal sagacity and efficiency.

For several weeks before the convention, the Americans talked of a fusion ticket with the Republicans, and to encourage the plan both state conventions met at the same time and place. In sentiment they were in substantial accord, and men like Washington Hunt, the former governor, and James O. Putnam, hoped for union. Hunt had declined to join the Republican party at its formation, and, in 1856, had followed Fillmore into the ranks of the Americans; but their division in 1857 disgusted him, and, with Putnam and many others, he was now favourable to a fusion of the two parties. After conferring for two days, however, the Republicans made the mistake of nominating candidates for governor and lieutenant-governor before agreeing upon a division of the offices, at which the Americans took offence and put up a separate ticket, with Lorenzo Burrows for governor. Burrows was a man of considerable force of character, a native of Connecticut, and a resident of Albion. He had served four years in Congress as a Whig, and in 1855 was elected state comptroller as a Know-Nothing.

The failure of the fusionists greatly pleased the Democrats, who, in spite of the bitter contest for seats in the New York City delegation, exhibited confidence and some enthusiasm at their state convention on September 15. The Softs, led by Daniel E. Sickles, represented Tammany; the Hards, marshalled by Fernando Wood, were known as the custom-house delegation. In 1857, the city delegates had been evenly divided between the two factions; but this year the Softs, confident of their strength, insisted upon having their entire delegation seated, and, on a motion to make Horatio Seymour temporary chairman, they proved their control by a vote of 54 to 35. The admission of Tammany drew a violent protest from Fernando Wood and his delegates, who then left the convention in a body amidst a storm of hisses and cheers.

A strong disposition existed to nominate Seymour for governor. Having been thrice a candidate and once elected, however, he peremptorily declined to stand. This left the way open to Amasa J. Parker, an exceptionally strong candidate, but one who had led the ticket to defeat in 1856. John J. Taylor of Oswego, whose congressional career had been limited to a single term because of his vote for the Kansas-Nebraska bill in 1854, became the

nominee for lieutenant-governor by acclamation. In its platform, the convention very cunningly resolved that it was "content" to have the American people judge President Buchanan's administration by its acts, and that it "hailed with satisfaction" the fact that the people of Kansas had settled the Lecompton question by practically making the territory a free State.

Thus Parker stood for Buchanan and popular sovereignty, while the Republicans denounced the Lecompton trick as a wicked scheme to subvert popular sovereignty. It was a sharp issue. The whole power of the Administration had been invoked to carry out the Lecompton plan, and New York congressmen were compelled to support it or be cast aside. But in their speeches, Parker and his supporters sought to minimise the President's part and to magnify the Douglas doctrine. It was an easy and plausible way of settling the slavery question, and one which commended itself to those who wished it settled by the Democratic party. John Van Buren's use of it recalled something of the influence and power that attended his speeches in the Free-soil campaign of 1848. Since that day he had been on too many sides, perhaps, to command the hearty respect of any, but he loved fair play, which the Lecompton scheme had outraged, and the application of the doctrine that seemed to have brought peace and a free State to the people appealed to him as a correct principle of government that must make for good. He presented it in the clear, impassioned style for which he was so justly noted. His speeches contained much that did not belong in the remarks of a statesman; but, upon the question of popular sovereignty, as illustrated in Kansas, John Van Buren prepared the way in New York for the candidacy and coming of Douglas in 1860.

Roscoe Conkling, now for the first time a candidate for Congress, exhibited something of the dexterity and ability that characterised his subsequent career. The public, friends and foes, did not yet judge him by a few striking and picturesque qualities, for his vanity, imperiousness, and power to hate had not yet matured, but already he was a close student of political history, and of great capacity as an orator. The intense earnestness of purpose, the marvellous power of rapidly absorbing knowledge, the quickness of wit, and the firmness which Cato never surpassed, marked him then, as afterward upon the floor of Congress, a mighty power amidst great antagonists. Perhaps his anger was not so quickly excited, nor the shafts of

his sarcasm so barbed and cruel, but his speeches—dramatic, rhetorical, with the ever-present, withering sneer—were rapidly advancing him to leadership in central New York. A quick glance at his tall, graceful form, capacious chest, and massive head, removed him from the class of ordinary persons. Towering above his fellows, he looked the patrician. It was known, too, that he had muscle as well as brains. Indeed, his nomination to Congress had been influenced somewhat by the recent assault on Charles Sumner. "Preston Brooks won't hurt him," said the leader of the Fifth Ward, in Utica.^[214]

The keynote of the campaign, however, was not spoken until Seward made his historic speech at Rochester on October 25. The October success in Pennsylvania had thrilled the Republicans; and the New York election promised a victory like that of 1856. Whatever advantage could be gained by past events and future expectations was now Seward's. Lincoln's famous declaration, "I believe this government cannot endure permanently half slave and half free," had been uttered in June, and his joint debate with Douglas, concluded on October 15, had cleared the political atmosphere, making it plain that popular sovereignty was not the pathway for Republicans to follow. Seward's utterance, therefore, was to be the last word in the campaign.

It was not entirely clear just what this utterance would be. Seward had shown much independence of late. In the preceding February his course on the army bill caused severe comment. Because of difficulties with the Mormons in Utah it was proposed to increase the army; but Republicans objected, believing the additional force would be improperly used in Kansas. Seward, however, spoke and voted for the bill. "He is perfectly bedevilled," wrote Senator Fessenden; "he thinks himself wiser than all of us."^[215] Later, in March, he caught something of the popular-sovereignty idea—enough, at least, to draw a mild protest from Salmon P. Chase. "I regretted," he wrote, "the apparent countenance you gave to the idea that the Douglas doctrine of popular sovereignty will do for us to stand upon for the present."^[216] Seward did not go so far as Greeley and Raymond, but his expressions indicated that States were to be admitted with or without slavery as the people themselves decided. Before, he had insisted that Congress had the right to make conditions; now, his willingness cheerfully to co-operate with Douglas and other "new defenders of the sacred cause in

Kansas" seemed to favour a new combination, if not a new party. In other words, Seward had been feeling his way until it aroused a faint suspicion that he was trimming to catch the moderate element of his party. If he had had any thought of harmony of feeling between Douglas and the Republicans, however, the Lincoln debate compelled him to abandon it, and in his speech of October 25 he confined himself to the discussion of the two radically different political systems that divided the North and the South.

The increase in population and in better facilities for internal communication, he declared, had rapidly brought these two systems into close contact, and collision was the result. "Shall I tell you what this collision means? They who think it is accidental, unnecessary, the work of interested or fanatical agitators, and therefore ephemeral, mistake the case altogether. It is an irrepressible conflict between opposing and enduring forces, and it means that the United States must and will, sooner or later, become either entirely a slave-holding nation, or entirely a free labour nation. Either the cotton and rice fields of South Carolina and the sugar plantations of Louisiana will ultimately be tilled by free labour, and Charleston and New Orleans become marts for legitimate merchandise alone, or else the rye fields and wheat fields of Massachusetts and New York must again be surrendered by their farmers to slave culture and to the production of slaves, and Boston and New York become once more markets for trade in the bodies and souls of men."[\[217\]](#)

It was one of the most impressive and commanding speeches that had ever come from his eloquent lips, but there was nothing new in it. As early as 1848 he had made the antagonism between freedom and slavery the leading feature of a speech that attracted much attention at the time, and in 1856 he spoke of "an ancient and eternal conflict between two entirely antagonistic systems of human labour." Indeed, for ten years, in company with other distinguished speakers, he had been ringing the changes on this same idea. Only four months before, Lincoln had proclaimed that "A house divided against itself cannot stand."[\[218\]](#) Yet no one had given special attention to it. But now the two words, "irrepressible conflict," seemed to sum up the antipathy between the two systems, and to alarm men into a realisation of the real and perhaps the immediate danger that confronted them. "Hitherto," says Frederick W. Seward in the biography of his father, "while it was accepted and believed by those who followed his political teachings, among

his opponents it had fallen upon unheeding ears and incredulous minds. But now, at last, the country was beginning to wake up to the gravity of the crisis, and when he pointed to the 'irrepressible conflict' he was formulating, in clear words, a vague and unwilling belief that was creeping over every intelligent Northern man."[\[219\]](#)

The effect was instantaneous. Democratic press and orators became hysterical, denouncing him as "vile," "wicked," "malicious," and "vicious." The *Herald* called him an "arch-agitator," more dangerous than Beecher, Garrison, or Theodore Parker. It was denied that any conflict existed except such as he was trying to foment. Even the New York *Times*, his own organ, thought the idea of abolishing slavery in the slave States rather fanciful, while the Springfield *Republican* pronounced his declaration impolitic and likely to do him and his party harm. On the other hand, the radical anti-slavery papers thought it bold and commendable. "With the instinct of a statesman," the *Tribune* said, "Seward discards all minor, temporary, and delusive issues, and treats only of what is final and essential. Clear, calm, sagacious, profound, and impregnable, showing a masterly comprehension of the present aspect and future prospects of the great question which now engrosses our politics, this speech will be pondered by every thoughtful man in the land and confirm the eminence so long maintained by its author."[\[220\]](#) James Watson Webb, in the *Courier and Enquirer*, declared that it made Seward and Republicanism one and inseparable, and settled the question in New York as to who should be the standard-bearer in 1860.

The result of the election was favourable to the Republicans, Morgan's majority over Parker being 17,440.[\[221\]](#) Ninety-nine members of the Legislature and twenty-nine congressmen were either Republicans or anti-Lecompton men. But, compared with the victory of 1856, it was a disappointment. John A. King had received a majority of 65,000 over Parker. The *Tribune* was quick to charge some of this loss to Seward. "The clamour against Sewardism lost us many votes," it declared the morning after the election. Two or three days later, as the reduced majority became more apparent, it explained that "A knavish clamour was raised on the eve of election by a Swiss press against Governor Seward's late speech at Rochester as revolutionary and disunionist. Our loss from this source is considerable." The returns, however, showed plainly that one-half of the Americans, following the precedent set in 1857, had voted for Parker, while

the other half, irritated by the failure of the union movement at Syracuse, had supported Burrows. Had the coalition succeeded, Morgan's majority must have been larger than King's. But, small as it was, there was abundant cause for Republican rejoicing, since it kept the Empire State in line with the Republican States of New England, Ohio, Michigan, Iowa, and Wisconsin, which were now joined for the first time by Pennsylvania, New Jersey, and Minnesota. Indeed, of the free States, only California and Oregon had indorsed Buchanan's administration.

CHAPTER XIX

SEWARD'S BID FOR THE PRESIDENCY

1859-1860

THE elections in 1858 simplified the political situation. With the exception of Pennsylvania, where the tariff question played a conspicuous part, all the Northern States had disapproved President Buchanan's Lecompton policy, and the people, save the old-line Whigs, the Abolitionists, and the Americans, had placed themselves under the leadership of Seward, Lincoln, and Douglas, who now clearly represented the political sentiments of the North. If any hope still lingered among the Democrats of New York, that the sectional division of their party might be healed, it must have been quickly shattered by the fierce debates over popular sovereignty and the African slave-trade which occurred in the United States Senate in February, 1859, between Jefferson Davis, representing the slave power of the South, and Stephen A. Douglas, the recognised champion of his party in the free States.

Under these circumstances, the Democratic national convention, called to meet in Charleston, South Carolina, on April 23, 1860, became the centre of interest in the state convention, which met at Syracuse on the 14th of September, 1859. Each faction desired to control the national delegation. As usual, Daniel S. Dickinson was a candidate for the Presidency. He believed his friends in the South would prefer him to Douglas if he could command an unbroken New York delegation, and, with the hope of having the delegates selected by districts as the surer road to success, he flirted with Fernando Wood until the latter's perfidy turned his ear to the siren song of the Softs, who promised him a solid delegation whenever it could secure his nomination. Dickinson listened with distrust. He was the last of the old leaders of the Hards. Seymour and Marcy had left them; but "Scripture

Dick," as he was called, because of his many Bible quotations, stood resolutely and arrogantly at his post, defying the machinations of his opponents with merciless criticism. The Binghamton Stalwart did not belong in the first rank of statesmen. He was neither an orator nor a tactful party leader. It cannot be said of him that he was a quickwitted, incisive, and successful debater;^[222] but, on critical days, when the fate of his faction hung in the balance, he was a valiant fighter, absolutely without fear, who took blows as bravely as he gave them, and was loyal to all the interests which he espoused. He now dreaded the Softs bearing gifts. But their evident frankness and his supreme need melted the estrangement that had long existed between them.

In the selection of delegates to the state convention Fernando Wood and Tammany had a severe struggle. Tammany won, but Wood appeared at Syracuse with a full delegation, and for half an hour before the convention convened Wood endeavoured to do by force what he knew could not be accomplished by votes. He had brought with him a company of roughs, headed by John C. Heenan, "the Benicia Boy," and fifteen minutes before the appointed hour, in the absence of a majority of the delegates, he organised the convention, electing his own chairman and appointing his own committees. When the bulk of the Softs arrived they proceeded to elect their chairman. This was the signal for a riot, in the course of which the chairman of the regulars was knocked down and an intimidating display of pistols exhibited. Finally the regulars adjourned, leaving the hall to the Wood contestants, who completed their organisation, and, after renominating the Democratic state officers elected in 1857, adjourned without day.

Immediately, the regulars reappeared; and as the Hards from the up-state counties answered to the roll call, the Softs vociferously applauded. Then Dickinson made a characteristic speech. He did not fully decide to join the Softs until Fernando Wood had sacrificed the only chance of overthrowing them; but when he did go over, he burned the bridges behind him. The Softs were delighted with Dickinson's bearing and Dickinson's speech. It united the party throughout the State and put Tammany in easy control of New York City.

With harmony restored there was little for the convention to do except to renominate the state officers, appoint delegates to the Charleston convention who were instructed to vote as a unit, and adopt the platform. These resolutions indorsed the administration of President Buchanan; approved popular sovereignty; condemned the "irrepressible conflict" speech of Seward as a "revolutionary threat" aimed at republican institutions; and opposed the enlargement of the Erie canal to a depth of seven feet.

The Republican state convention had previously assembled on September 7 and selected a ticket, equally divided between men of Democratic and Whig antecedents, headed by Elias W. Leavenworth for secretary of state. Great confidence was felt in its election until the Americans met in convention on September 22 and indorsed five of its candidates and four Democrats. This, however, did not abate Republican activity, and, in the end, six of the nine Republican nominees were elected. The weight of the combined opposition, directed against Leavenworth, caused his defeat by less than fifteen hundred, showing that Republicans were gradually absorbing all the anti-slavery elements.

Upon what theory the American party nominated an eclectic ticket did not appear, although the belief obtained that it hoped to cloud Seward's presidential prospects by creating the impression that the Senator was unable, without assistance, to carry his own State on the eve of a great national contest. But whatever the reason, the result deeply humiliated the party, since its voting strength, reduced to less than 21,000, proved insufficient to do more than expose the weakness. This was the last appearance of the American party. It had endeavoured to extend its life and increase its influence; but after its refusal to interdict slavery in the territories it rapidly melted away. Henry Wilson, senator and Vice President, declared that he would give ten years of his life if he could blot out his membership in the Know-Nothing party, since it associated him throughout his long and attractive public career with proscriptive principles of which he was ashamed.

In the midst of the campaign the country was startled by John Brown's raid at Harper's Ferry. For two years Brown had lived an uneventful life in New York on land in the Adirondack region given him by Gerrit Smith. In 1851,

he moved to Ohio, and from thence to Kansas, where he became known as John Brown of Osawatomie. He had been a consistent enemy of slavery, working the underground railroad and sympathising with every scheme for the rescue of slaves; but once in Kansas, he readily learned the use of a Sharpe's rifle. In revenge for the destruction of Lawrence, he deliberately massacred the pro-slavery settlers living along Pottawatomie creek. "Without the shedding of blood there is no remission of sins," was a favourite text. His activity made him a national character. The President offered \$250 for his arrest and the governor of Missouri added \$3000 more. In 1858, he returned East, collected money to aid an insurrection among the slaves of Virginia, and on October 17, 1859, with eighteen men, began his quixotic campaign by cutting telegraph wires, stopping trains, and seizing the national armory at Harper's Ferry. At one time he had taken sixty prisoners.

The affair was soon over, but not until the entire band was killed or captured. Brown, severely hurt, stood between two of his sons, one dead and the other mortally wounded, refusing to surrender so long as he could fight. After his capture, he said, coolly, in reply to a question: "We are Abolitionists from the North, come to release and take your slaves."

The trial, conviction, and execution of Brown and his captured companions ended the episode, but its influence was destined to be far-reaching. John Brown became idealised. His bearing as he stood between his dead and dying sons, his truth-telling answers, and the evidence of his absolute unselfishness filled many people in the North with a profound respect for the passion that had driven him on, while his bold invasion of a slave State and his reckless disregard of life and property alarmed the South into the sincere belief that his methods differed only in degree from the teachings of those who talked of an irrepressible conflict and a higher law. To aid him in regaining his lost position in the South, Stephen A. Douglas proclaimed it as his "firm and deliberate belief that the Harper Ferry crime was the natural, logical, and inevitable result of the doctrine and teachings of the Republican party."[\[223\]](#)

The sentimentalists of the North generally sympathised with Brown. Emerson spoke of him as "that new saint awaiting his martyrdom, and who, if he shall suffer, will make the gallows glorious like the cross."[\[224\]](#) In the

same spirit Thoreau called him "an angel of light," and Longfellow wrote in his diary on the day of the execution: "The date of a new revolution, quite as much needed as the old one."^[225] But the Republican leaders deprecated the affair, characterising it as "among the gravest of crimes," and denying that it had any relation to their party except as it influenced the minds of all men for or against slavery.

William H. Seward was in Europe at the time of the raid. Early in May, 1859, his friends had celebrated his departure from New York, escorting him to Sandy Hook, and leaving him finally amidst shouts and music, bells and whistles, and the waving of hats and handkerchiefs. Such a scene is common enough nowadays, but then it was unique. His return at the close of December, after an absence of eight months, was the occasion of great rejoicing. A salute of a hundred guns was fired in City Hall Park, the mayor and common council tendered him a public reception, and after hours of speech-making and hand-shaking he proceeded slowly homeward amidst waiting crowds at every station. At Auburn the streets were decorated, and the people, regardless of creed or party, escorted him in procession to his home. Few Republicans in New York had any doubt at that moment of his nomination and election to the Presidency.

On going to Washington Seward found the United States Senate investigating the Harper's Ferry affair and the House of Representatives deadlocked over the election of a speaker. Bitterness and threats of disunion characterised the proceeding at both ends of the Capitol. "This Union," said one congressman, "great and powerful as it is, can be tumbled down by the act of any one Southern State. If Florida withdraws, the federal government would not dare attack her. If it did, the bands would dissolve as if melted by lightning."^[226] Referring to the possibility of the election of a Republican President, another declared that "We will never submit to the inauguration of a Black Republican President. You may elect Seward to be President of the North; but of the South, never! Whenever a President is elected by a fanatical majority of the North, those whom I represent are ready, let the consequences be what they may, to fall back on their reserved rights, and say, 'As to this Union we have no longer any lot or part in it.'"^[227]

In the midst of these fiery, disunion utterances, on the 21st of February, 1860, Seward introduced a bill for the admission of Kansas into the Union.

After the overwhelming defeat of the Lecompton Constitution, the free-state men had controlled the territorial legislature, repealed the slave code of 1855, and, in the summer of 1859, convened a constitutional convention at Wyandotte. A few weeks later the people ratified the result of its work by a large majority. It was this Wyandotte Constitution under which Seward proposed to admit Kansas, and he fixed the consideration of his measure for the 29th of February. This would be two days after Abraham Lincoln had spoken in New York City.

Lincoln, whose fame had made rapid strides in the West since his debate with Douglas in 1858, had been anxious to visit New York. It was the home of Seward, the centre of Republican strength, and to him practically an unknown land. Through the invitation of the Young Men's Central Republican Union he was now to lecture at Cooper Institute on the 27th of February. It was arranged at first that he speak in Henry Ward Beecher's church, but the change, relieving him from too close association with the great apostle of abolition, opened a wider door for his reception. Personally he was known to very few people in the city or State. In 1848, on his way to New England to take the stump, he had called upon Thurlow Weed at Albany, and together they visited Millard Fillmore, then candidate for Vice President; but the meeting made such a slight impression upon the editor of the *Evening Journal* that he had entirely forgotten it. Thirty years before, in one of his journeys to Illinois, William Cullen Bryant had met him. Lincoln was then a tall, awkward lad, the captain of a militia company in the Black Hawk War, whose racy and original conversation attracted the young poet; but Bryant, too, had forgotten him, and it was long after the famous debate that he identified his prairie acquaintance as the opponent of Douglas. Lincoln, however, did not come as a stranger. His encounter with the great Illinoisan had marked him as a powerful and logical reasoner whose speeches embraced every political issue of the day and cleared up every doubtful point. Well-informed people everywhere knew of him. He was not yet a national character, but he had a national reputation.

Though Lincoln's lecture was one of a course, the admission fee did not restrain an eager audience from filling the commodious hall. "Since the day of Clay and Webster," said the *Tribune*, "no man has spoken to a larger assemblage of the intellect and mental culture of our city."[\[228\]](#) Bryant acted as chairman of the meeting, and other well-known men of the city occupied

the stage. In his *Life of Lincoln*, Herndon suggests that the new suit of clothes which seemed so fine in his Springfield home was in such awkward contrast with the neatly fitting dress of the New Yorkers that it disconcerted him, and the brilliant audience dazzled and embarrassed him; but his hearers thought only of the pregnant matter of the discourse, so calmly and logically discussed that Horace Greeley, years afterward, pronounced it "the very best political address to which I ever listened, and I have heard some of Webster's grandest."[\[229\]](#)

Lincoln had carefully prepared for the occasion. He came East to show what manner of man he was, and while he evidenced deep moral feeling which kept his audience in a glow, he combined with it rare political sagacity, notably in omitting the "house divided against itself" declaration. He argued that the Republican party was not revolutionary, but conservative, since it maintained the doctrine of the fathers who held and acted upon the opinion that Congress had the power to prohibit slavery in the territories. "Some of you," he said, addressing himself to the Southern people, "are for reviving the foreign slave trade; some for Congress forbidding the territories to prohibit slavery within their limits; some for maintaining slavery in the territories through the judiciary; some for the 'great principle' that if one man would enslave another, no third man should object, fantastically called popular sovereignty; but never a man among you is in favour of federal prohibition of slavery in federal territories, according to the practice of our fathers who formed the government under which we live. You say we have made the slavery question more prominent than it formerly was. We deny it. We admit that it is more prominent, but we deny that we made it so. It was not we, but you who discarded the old policy of the fathers." Of Southern threats of disunion, he said: "Your purpose, then, plainly stated, is that you will destroy the government unless you be allowed to construe and enforce the Constitution as you please on all points in dispute between you and us. You will rule or ruin in all events." Referring to the Harper's Ferry episode, he said: "That affair in its philosophy corresponds with the many attempts related in history at the assassination of kings and emperors. An enthusiast broods over the oppression of a people, until he fancies himself commissioned by heaven to liberate them. He ventures the attempt which ends in little else than his own execution."

Lincoln's lecture did not disappoint. He had entertained and interested the vast assemblage, which frequently rang with cheers and shouts of applause as the gestures and the mirth-provoking look emphasised the racy hits that punctuated the address. "No man," said the *Tribune*, "ever before made such an impression on his first appeal to a New York audience. He is one of Nature's orators."^[230]

Two days later, Seward addressed the United States Senate. There is no evidence that he fixed this date because of the Cooper Institute lecture. The gravity of the political situation demanded some expression from him; but the knowledge of the time of Lincoln's speech gave him ample opportunity to arrange to follow it with one of his own, if he wished to have the last word, or to institute a comparison of their respective views on the eve of the national convention. However this may be, Seward regarded his utterances on this occasion of the utmost importance. He was the special object of Southern vituperation. A "Fire-Eater" of the South publicly advertised that he would be one of one hundred "gentlemen" to give twenty-five dollars each for the heads of Horace Greeley, Henry Ward Beecher, and forty other prominent Northern leaders in and out of Congress, but for the head of Seward his proposed subscription was multiplied twenty fold. It is noticeable that in this long list of "traitors" the name of Abraham Lincoln does not appear. It was Seward whom the South expected the Republican party would nominate for President, and in him it saw the narrow-minded, selfish, obstinate Abolitionist who hated them as intensely as they despised him. To dispossess the Southern mind of this feeling the Auburn statesman now endeavoured to show that if elected President he would not treat the South unfriendly.

Seward's speech bears evidence of careful preparation. It was not only read to friends for criticism, but Henry B. Stanton, in his *Random Recollections*, says that Seward, before the day of its delivery, assisted him in describing such a scene in the Senate as he desired laid before the public. On his return to Washington, Seward had not been received with a show of friendship by his associates from the South. It was remarked that while Republican senators greeted him warmly, "his Southern friends were afraid to be seen talking to him." On the occasion of his speech, however, he wished the record to show every senator in his place and deeply interested.

Visitors to the Senate on the 29th of February crowded every available spot in the galleries. "But it was on the floor itself," wrote Stanton to the *Tribune*, "that the most interesting spectacle presented itself. Every senator seemed to be in his seat. Hunter, Davis, Toombs, Mason, Slidell, Hammond, Clingman, Brown, and Benjamin paid closest attention to the speaker. Crittenden listened to every word. Douglas affected to be self-possessed; but his nervousness of mien gave token that the truths now uttered awakened memories of the Lecompton contest, when he, Seward, and Crittenden, the famous triumvirate, led the allies in their attack upon the Administration. The members of the House streamed over to the north wing of the Capitol almost in a body, leaving Reagan of Texas to discourse to empty benches, while Seward held his levee in the Senate."[\[231\]](#)

Seward lacked the tones, the kindly eye, and the mirth-provoking look of Lincoln. His voice was husky, his manner didactic, and his physique unimposing, but he had the gift of expression, and the ability to formulate his opinions and marshal his facts in lucid sentences that harmonised with Northern sentiments and became at once the creed and rallying cry of his party; and, on this occasion, he held the Senate spellbound for two hours, the applause at one time becoming so long continued that the presiding officer threatened to clear the galleries. He was always calm and temperate. But it seemed now to be his desire, in language more subdued, perhaps, than he had ever used before, to allay the fears of what would happen should the Republican party succeed in electing a President; and, without the sacrifice of any principle, he endeavoured to outline the views of Republicans and the spirit that animated himself. There was nothing new in his speech. He avoided the higher law and irrepressible conflict doctrines, and omitted his former declarations that slavery "can and must be abolished, and you and I can and must do it." In like manner he failed to demand, as formerly, that the Supreme Court "recede from its spurious judgment" in the Dred Scott case. But he reviewed with the same logic that had characterised his utterances for twenty years, the relation of the Constitution to slavery; the influence of slavery upon both parties; the history of the Kansas controversy; and the manifest advantages of the Union, dwelling at length and with much originality upon the firm hold it had upon the people, and the certainty that it would survive the rudest shocks of faction. Of the Harper's Ferry affair, Seward spoke with more

sympathy than Lincoln. "While generous and charitable natures will probably concede that John Brown acted on earnest, though fatally erroneous convictions," he said, "yet all good citizens will nevertheless agree that this attempt to execute an unlawful purpose in Virginia by invasion, involving servile war, was an act of sedition and treason, and criminal in just the extent that it affected the public peace and was destructive of human happiness and life."

It has been noted with increasing admiration that Lincoln and Seward, without consultation and in the presence of a great impending crisis, paralleled one another's views so closely. Each embodied the convictions and aspirations of his party. The spirit of an unsectarian patriotism that characterised Seward's speech proved highly satisfactory to the great mass of Republicans. The *New York Times* rejoiced that its tone indicated "a desire to allay and remove unfounded prejudice from the public mind," and pronounced "the whole tenor of it in direct contradiction to the sentiments which have been imputed to him on the strength of declarations which he has hitherto made."^[232] Samuel Bowles of the *Springfield Republican* wrote Thurlow Weed that the state delegation—so "very marked" is the reaction in Seward's favour—would "be so strong for him as to be against anybody else," and that "I hear of ultra old Whigs in Boston who say they are ready to take him up on his recent speech."^[233] Charles A. Dana, then managing editor of the *Tribune*, declared that "Seward stock is rising," and Salmon P. Chase admitted that "there seems to be at present a considerable set toward Seward." Nathaniel P. Banks, who was himself spoken of as a candidate, thought Seward's prospects greatly enhanced.

But a growing and influential body of men in the Republican party severely criticised the speech because it lacked the moral earnestness of the "higher law" spirit. To them it seemed as if Seward had made a bid for the Presidency, and that the irrepressible conflict of 1858 was suddenly transformed into the condition of a mild and patient lover who is determined not to quarrel. "Differences of opinion, even on the subject of slavery," he said, "are with us political, not social or personal differences. There is not one disunionist or disloyalist among us all. We are altogether unconscious of any process of dissolution going on among us or around us. We have never been more patient, and never loved the representatives of other sections more than now. We bear the same testimony for the people

around us here. We bear the same testimony for all the districts and States we represent."

This did not sound like the terrible "irrepressible conflict" pictured at Rochester. Wendell Phillips' famous epigram that "Seward makes a speech in Washington on the tactics of the Republican party, but phrases it to suit Wall street,"^[234] voiced the sentiment of his critics. Garrison was not less severe. "The temptation which proved too powerful for Webster," he wrote, "is seducing Seward to take the same downward course."^[235] Greeley did not vigorously combat this idea. "Governor Seward," he said, "has so long been stigmatised as a radical that those who now first study his inculcations carefully will be astonished to find him so eminently pacific and conservative. Future generations will be puzzled to comprehend how such sentiments as his, couched in the language of courtesy and suavity which no provocation can induce him to discard, should ever have been denounced as incendiary."^[236]

No doubt much of this criticism was due to personal jealousy, or to the old prejudice against him as a Whig leader who had kept himself in accord with the changing tendencies of a progressive people, alternately exciting them with irrepressible conflicts and soothing them with sentences of conservative wisdom; but Bowles, in approving the speech because it had brought ultra old Whigs of Boston to Seward's support, exposed the real reason for the adverse criticism, since an address that would capture an old-line Whig, who indorsed Fillmore in 1856, could scarcely satisfy the type of Republicans who believed, with John A. Andrew, that whether the Harper's Ferry enterprise was wise or foolish, "John Brown himself is right." It is little wonder, perhaps, that these people began to doubt whether Seward had strong convictions.

CHAPTER XX

DEAN RICHMOND'S LEADERSHIP AT CHARLESTON

1860

WHEN the Democratic national convention opened at Charleston, South Carolina, on April 23, 1860, Fernando Wood insisted upon the admission of his delegation on equal terms with Tammany. The supreme question was the nomination of Stephen A. Douglas, and the closeness of the contest between the Douglas and anti-Douglas forces made New York's thirty-five votes most important. Wood promised his support, if admitted, to the anti-Douglas faction; the Softs, led by Dean Richmond, encouraged Douglas and whispered kindly words to the supporters of James Guthrie of Kentucky. It was apparent that Wood's delegation had no standing. It had been appointed before the legal hour for the convention's assembling in the absence of a majority of the delegates, and upon no theory could its regularity be accepted; but Wood, mild and bland in manner, made a favourable impression in Charleston. No one would have pointed him out in a group of gentlemen as the redoubtable mayor of New York City, who invented surprises, and, with a retinue of roughs, precipitated trouble in conventions. His adroit speeches, too, had won him advantage, and when he pledged himself to the ultra men of the South his admission became a necessary factor to their success. This, naturally, threw the Softs into the camp of Douglas, whose support made their admission possible.[\[237\]](#)

The New York delegation, composed of distinguished business men and adroit politicians, was divided into two factions, each one fancying itself the more truly patriotic, public-spirited, and independent.[\[238\]](#) The Softs had trapped the Hards into allegiance with the promise of a solid support for

Dickinson whenever the convention manifested a disposition to rally around him—and then gagged them by a rigid unit rule. This made Dickinson declamatory and bitter, while the Softs themselves, professing devotion to Douglas, exhibited an unrest which indicated that changed conditions would easily change their devotion. Altogether, it was a disappointing delegation, distrusted by the Douglas men, feared by the South, and at odds with itself; yet, it is doubtful if the Empire State ever sent an abler body of men to a national convention. Its chairman, Dean Richmond, now at the height of his power, was a man of large and comprehensive vision, and, although sometimes charged with insincerity, his rise in politics had not been more rapid than his success in business. Before his majority he had become the director of a bank, and at the age of thirty-eight he had established himself in Buffalo as a prosperous dealer and shipper. Then, he aided in consolidating seven corporations into the New York Central Railroad—securing the necessary legislation for the purpose—and in 1853 had become its vice president. Eleven years later, and two years before his death, he became its president. In 1860, Dean Richmond was in his forty-seventh year, incapable of any meanness, yet adroit, shrewd, and skilful, stating very perfectly the judgment of a clear-headed and sound business man. As chairman of the Democratic state committee, he was a somewhat rugged but an intensely interesting personality, who had won deservedly by his work a foremost place among the most influential national leaders of the party. His opinion carried great weight, and, though he spoke seldom, his mind moved rapidly by a very simple and direct path to correct conclusions.

[\[239\]](#)

Around Richmond were clustered August Belmont and Augustus Schell of New York City, Peter Caggar and Erastus Corning of Albany, David L. Seymour of Troy, Sanford E. Church of Albion, and a dozen others quite as well known. Perhaps none of them equalled the powerful Richardson of Illinois, who led the Douglas forces, or his brilliant lieutenant, Charles E. Stuart of Michigan, whose directions and suggestions on the floor of the convention, guided by an unerring knowledge of parliamentary law, were regarded with something of dread even by Caleb Cushing, the gifted president of the convention; but John Cochrane of New York City, who had attended Democratic state and national conventions for a quarter of a century, was quite able to represent the Empire State to its advantage on the

floor or elsewhere. He was a man of a high order of ability, and an accomplished and forceful public speaker, whose sonorous voice, imposing manner, and skilful tactics made him at home in a parliamentary fight. "Cochrane is a large but not a big man," said a correspondent of the day, "full in the region of the vest, and wears his beard, which is coarse and sandy, trimmed short. His head is bald, and his countenance bold, and there are assurances in his complexion that he is a generous liver. He is a fair type of the fast man of intellect and culture, whose ambition is to figure in politics. He is in Congress and can command the ear of the House at any time. His great trouble is his Free-soil record. He took Free-soilism like a distemper and mounted the Buffalo platform. He is well over it now, however, with the exception of a single heresy—the homestead law. He is for giving homesteads to the actual settlers upon the public land." [240]

Douglas had a majority of the delegates in the Charleston convention. But, with the aid of California and Oregon, the South had seventeen of the thirty-three States. This gave it a majority of the committee on resolutions, and, after five anxious days of protracted and earnest debate, that committee reported a platform declaring it the duty of the federal government to protect slavery in the territories, and denying the power of a territory either to abolish slavery or to destroy the rights of property in slaves by any legislation whatever. The minority reaffirmed the Cincinnati platform of 1856, with the following preamble and resolution: "Inasmuch as differences of opinion exist in the Democratic party as to the nature and extent of the powers of a territorial legislature, and as to the powers and duties of Congress over the institution of slavery within the territories; Resolved, that the Democratic party will abide by the decisions of the Supreme Court on the questions of constitutional law."

It was quickly evident that the disagreement which had plunged the committee into trouble extended to the convention. The debate became hot and bitter. In a speech of remarkable power, William L. Yancey of Alabama upbraided the Northern delegates for truckling to the Free-soil spirit. "You acknowledged," he said, "that slavery did not exist by the law of nature or by the law of God—that it only existed by state law; that it was wrong, but that you were not to blame. That was your position, and it was wrong. If you had taken the position directly that slavery was right ... you would have triumphed. But you have gone down before the enemy so that they have put

their foot upon your neck; you will go lower and lower still, unless you change front and change your tactics. When I was a schoolboy in the Northern States, abolitionists were pelted with rotten eggs. But now this band of abolitionists has spread and grown into three bands—the black Republican, the Free-soilers, and squatter sovereignty men—all representing the common sentiment that slavery is wrong."[\[241\]](#) Against this extreme Southern demand that Northern Democrats declare slavery right and its extension legitimate, Senator Pugh of Ohio vigorously protested. "Gentlemen of the South," he thundered, "you mistake us—you mistake us! we will not do it."[\[242\]](#)

The admission of the Softs and the adoption of a rule allowing individual delegates from uninstructed States to vote as they pleased had given the Douglas men an assured majority, and on the seventh day, when the substitution of the minority for the majority report by a vote of 165 to 138 threatened to culminate in the South's withdrawal, the Douglas leaders permitted a division of their report into its substantive propositions. Under this arrangement, the Cincinnati platform was reaffirmed by a vote of 237½ to 65. The danger point had now been reached, and Edward Driggs of Brooklyn, scenting the brewing mischief, moved to table the balance of the report. Driggs favoured Douglas, but, in common with his delegation, he favoured a united party more, and could his motion have been carried at that moment with a show of unanimity, the subsequent secession might have been checked if not wholly avoided. The Douglas leaders, however, not yet sufficiently alarmed, thought the withdrawal of two or three Southern States might aid rather than hinder the nomination of their chief, and on this theory Driggs' motion was tabled. But, when Alabama, Arkansas, and Mississippi withdrew their votes, and nearly the entire South refused to express an opinion on the popular sovereignty plank, the extent of the secession suddenly flashed upon Richardson, who endeavoured to speak in the din of the wildest excitement. Richardson had withdrawn Douglas' name at the Cincinnati convention in 1856; and, thinking some way out of their present trouble might now be suggested by him, John Cochrane, in a voice as musical as it was far-reaching, urged the convention to hear one whom he believed brought another "peace offering;" but objection was made, and the roll call continued. Richardson's purpose, however, had not escaped the vigilant New Yorkers, who now retired for

consultation. The question was, should they strike out the only resolution having the slightest significance in the minority report? By the time they had decided in the affirmative, and returned to the hall, the whole Douglas army was in full retreat, willing, finally, to stand solely upon the reaffirmation of the Cincinnati platform, where the Driggs motion would have landed them two hours earlier.

But the Douglas leaders were not yet satisfied. Writhing under their forced surrender, Stuart of Michigan took the floor, and by an inflammatory speech of the most offensive type started the stampede which the surrender of the Douglas platform was intended to avoid. Alabama led off, followed by Mississippi, Louisiana, South Carolina, Florida, Texas, and Arkansas. Glenn of Mississippi, pale with emotion, spoke the sentiments of the seceders. "Our going," he said, "is not conceived in passion or carried out from mere caprice or disappointment. It is the firm resolve of the great body we represent. The people of Mississippi ask, what is the construction of the platform of 1856? You of the North say it means one thing; we of the South another. They ask which is right and which is wrong? The North have maintained their position, but, while doing so, they have not acknowledged the rights of the South. We say, go your way and we will go ours. But the South leaves not like Hagar, driven into the wilderness, friendless and alone, for in sixty days you will find a united South standing shoulder to shoulder."[\[243\]](#)

This declaration, spoken with piercing emphasis, was received with the most enthusiastic applause that had thus far marked the proceedings of the convention. "The South Carolinians cheered long and loud," says an eyewitness, "and the tempest of shouts made the circuit of the galleries and the floor several times before it subsided. A large number of ladies favoured the secessionists with their sweetest smiles and with an occasional clapping of hands."[\[244\]](#)

All this was telling hard upon the New York delegation.[\[245\]](#) It wanted harmony more than Douglas. Dickinson aspired to bring Southern friends to his support,[\[246\]](#) while Dean Richmond was believed secretly to indulge the hope that ultimately Horatio Seymour might be nominated; and, under the plausible and patriotic guise of harmonising the party, the delegation had laboured hard to secure a compromise. It was shown that Douglas need not

be nominated; that with the South present he could not receive a two-thirds majority; that with another candidate the Southern States would continue in control. It was known that a majority of the delegation stood ready even to vote for a conciliatory resolution, a mild slave code plank, declaring that all citizens of the United States have an equal right to settle, with their property, in the territories, and that under the Supreme Court's decisions neither rights of person nor property could be destroyed or impaired by congressional or territorial legislation. This was Richmond's last card. In playing it he took desperate chances, but he was tired of the strain of maintaining the leadership of one faction, and of avoiding a total disruption with the other.

To the Southern extremists, marshalled by Mason and Slidell, the platform was of secondary importance. They wanted to destroy Guthrie, a personal enemy of Slidell, as well as to defeat Douglas, and, although it was apparent that the latter could not secure a two-thirds majority, it was no less evident that the Douglas vote could nominate Guthrie. To break up this combination, therefore, the ultras saw no way open except to break up the convention on the question of a platform. This phase of the case left Richmond absolutely helpless. The secession of the cotton States might weaken Douglas, but it could in nowise aid the chances of a compromise candidate, since the latter, if nominated, must rely upon a large portion of the Douglas vote.

But Dean Richmond did not lose sight of his ultimate purpose. The secession left the convention with 253 out of 304 votes; and a motion requiring a candidate to obtain two-thirds of the original number became a test of devotion to Douglas, who hoped to get two-thirds of the remaining votes, but who could not, under any circumstances, receive two-thirds of the original number. As New York's vote was now decisive, it put the responsibility directly upon Richmond. It was his opportunity to help or to break Douglas. The claim that precedent required two-thirds of the electoral vote to nominate was rejected by Stuart as not having the sanction of logic. "Two-thirds of the vote given in this convention" was the language of the rule, he argued, and it could not mean two-thirds of all the votes originally in the convention. Cushing admitted that a rigid construction of the rule seemed to refer to the votes cast on the ballot in this convention, but "the chair is not of the opinion," he said, "that the words of the rule apply to the

votes cast for the candidate, but to two-thirds of all the votes to be cast by the convention." This ruling in nowise influenced the solid delegations of Douglas' devoted followers from Ohio, Indiana, Illinois, Michigan, Wisconsin, Iowa, and Minnesota; and if Richmond had been as loyal in his support, it was reasoned, New York would have followed the Northwestern States. But Cushing's ruling afforded Richmond a technical peg upon which to hang a reason for not deliberately and decisively cutting off the Empire State from the possibilities of a presidential nomination, and, apparently without any scruples whatever, he decided that the nominee must receive the equivalent of two-thirds of the electoral college.^[247] After that vote one can no more think of Richmond or the majority of his delegation as inspired with devoted loyalty to Douglas. One delegate declared that it sounded like clods falling upon the Little Giant's coffin.^[248]

Little enthusiasm developed over the naming of candidates. Six were placed in nomination—Douglas of Illinois, Guthrie of Kentucky, Hunter of Virginia, Andrew Johnson of Tennessee, Lane of Oregon, and Dickinson of New York. George W. Patrick of California named Dickinson, and on the first ballot he received two votes from Pennsylvania, one from Virginia, and four from California, while New York cast its thirty-five votes for Douglas with as much *éclat* as if it had not just made his nomination absolutely impossible.^[249] The result gave Douglas 145½ to 107½ for all others, with 202 necessary to a choice. On the thirty-third ballot, Douglas, amidst some enthusiasm, reached 152½ votes, equivalent to a majority of the electoral college; but, as the balloting proceeded, it became manifest that this was his limit, and on the ninth day motions to adjourn to New York or Baltimore in June became frequent. The fifty-seventh ballot, the last of the session, gave Douglas 151½, Guthrie 65½, Dickinson 4, and all others 31. Dickinson had flickered between half a vote and sixteen, with an average of five. Never perhaps in the history of political conventions did an ambitious candidate keep so far from the goal of success.

It was now apparent that the convention could not longer survive. The listless delegates, the absence of enthusiasm, and the uncrowded galleries, showed that all hope of a nomination was abandoned, especially since the friends of Douglas, who could prevent the selection of another, declared that the Illinoisan would not withdraw under any contingency. It is dreary reading, the record of the last three days. If any further evidence were

needed to show the utter collapse of the dwindling, discouraged convention, the dejected, despairing appearance of Richardson, until now supported by a bright heroism and cheery good humour, would have furnished it. Accordingly, on the tenth day of the session, it was agreed to reassemble at Baltimore on Monday, June 18. Meantime the seceders had formed themselves into a convention, adopted the platform recently reported by the majority, and adjourned to meet at Richmond on the same day.

Bitter thoughts filled the home-going delegates. Douglas' Northwestern friends talked rancorously of the South; while, in their bitterness, Yancey and his followers exulted in the defeat of the Illinois Senator. "Men will be cutting one another's throats in a little while," said Alexander H. Stephens. "In less than twelve months we shall be in war, and that the bloodiest in history. Men seem to be utterly blinded to the future."[\[250\]](#)

"Do you not think matters may be adjusted at Baltimore?" asked R.M. Johnston. "Not the slightest chance of it," was the reply. "The party is split forever. Douglas will not retire from the stand he has taken. The only hope was at Charleston. If the party would be satisfied with the Cincinnati platform and would cordially nominate Douglas, we should carry the election; but I repeat to you that is impossible."[\[251\]](#)

Between the conventions the controversy moved to the floor of the United States Senate. "We claim protection for slavery in the territories," said Jefferson Davis, "first, because it is our right; secondly, because it is the duty of the general government."[\[252\]](#) In replying to Davis several days later, Douglas said: "My name never would have been presented at Charleston except for the attempt to proscribe me as a heretic, too unsound to be the chairman of a committee in this body, where I have held a seat for so many years without a suspicion resting on my political fidelity. I was forced to allow my name to go there in self-defence; and I will now say that had any gentleman, friend or foe, received a majority of that convention over me the lightning would have carried a message withdrawing my name."[\[253\]](#)

A few days afterward Davis referred to the matter again. "I have a declining respect for platforms," he said. "I would sooner have an honest man on any sort of a rickety platform you could construct than to have a man I did not trust on the best platform which could be made." This stung Douglas. "If

the platform is not a matter of much consequence," he demanded, "why press that question to the disruption of the party? Why did you not tell us in the beginning of this debate that the whole fight was against the man and not upon the platform?"[\[254\]](#)

These personalities served to deepen the exasperation of the sections. The real strain was to come, and there was great need that cool heads and impersonal argument should prevail over misrepresentation and passion. But the coming event threw its shadow before it.

CHAPTER XXI

SEWARD DEFEATED AT CHICAGO

1860

THE Republican national convention met at Chicago on May 16. It was the prototype of the modern convention. In 1856, an ordinary hall in Philadelphia, with a seating capacity of two thousand, sufficed to accommodate delegates and spectators, but in 1860 the large building, called a "wigwam," specially erected for the occasion and capable of holding ten thousand, could not receive one-half the people seeking admission, while marching clubs, bands of music, and spacious headquarters for state delegations, marked the new order of things. As usual in later years, New York made an imposing demonstration. The friends of Seward took an entire hotel, and an organised, well-drilled body of men from New York City, under the lead of Tom Hyer, a noted pugilist, headed by a gaily uniformed band, paraded the streets amidst admiring crowds. For the first time, too, office-seekers were present in force at a Republican convention; and, to show their devotion, they packed hotel corridors and the convention hall itself with bodies of men who vociferously cheered every mention of their candidate's name. Such tactics are well understood and expected nowadays, but in 1860 they were unique.

The convention, consisting of 466 delegates, represented one southern, five border, and eighteen free States. "As long as conventions shall be held," wrote Horace Greeley, "I believe no abler, wiser, more unselfish body of delegates will ever be assembled than that which met at Chicago."^[255] Governor Morgan, as chairman of the Republican national committee, called the convention to order, presenting David Wilmot, author of the famous proviso, for temporary chairman. George Ashmun of Massachusetts, the favourite friend of Webster, became permanent

president. The platform, adopted by a unanimous vote on the second day, denounced the Harper's Ferry invasion "as among the gravest of crimes;" declared the doctrine of popular sovereignty "a deception and fraud;" condemned the attempt of President Buchanan to force the Lecompton Constitution upon Kansas; denied "the authority of Congress, of a territorial legislature, or of an individual to give legal existence to slavery in any territory;" demanded a liberal homestead law; and favoured a tariff "to encourage the development of the industrial interests of the whole country." The significant silence as to personal liberty bills, the Dred Scott decision, the fugitive slave law, and the abolition of slavery in the District of Columbia, evidenced the handiwork of practical men.

Only one incident disclosed the enthusiasm of delegates for the doctrine which affirms the equality and defines the rights of man. Joshua E. Giddings sought to incorporate the sentiment that "all men are created free and equal," but the convention declined to accept it until the eloquence of George William Curtis carried it amidst deafening applause. It was not an easy triumph. Party leaders had preserved the platform from radical utterances; and, with one disapproving yell, the convention tabled the Giddings amendment. Instantly Curtis renewed the motion; and when it drowned his voice, he stood with folded arms and waited. At last, the chairman's gavel gave him another chance. In the calm, his musical voice, in tones that penetrated and thrilled, begged the representatives of the party of freedom "to think well before, upon the free prairies of the West, in the summer of 1860, you dare to shrink from repeating the words of the great men of 1776."[\[256\]](#) The audience, stirred by an unwonted emotion, applauded the sentiment, and then adopted the amendment with a shout more unanimous than had been the vote of disapproval.

The selection of a candidate for President occupied the third day. Friends of Seward who thronged the city exhibited absolute confidence.[\[257\]](#) They represented not only the discipline of the machine, with its well-drilled cohorts, called the "irrepressibles," and its impressive marching clubs, gay with banners and badges, but the ablest leaders on the floor of the convention. And back of all, stood Thurlow Weed, the matchless manager, whose adroitness and wisdom had been crowned with success for a whole generation. "He is one of the most remarkable men of our time," wrote Samuel Bowles, in the preceding February. "He is cool, calculating, a man

of expedients, who boasts that for thirty years he had not in political affairs let his heart outweigh his judgment." Governor Edwin D. Morgan and Henry J. Raymond were his lieutenants, William M. Evarts, his floor manager, and a score of men whose names were soon to become famous acted as his assistants. The brilliant rhetoric of George William Curtis, when insisting upon an indorsement of the Declaration of Independence, gave the opposition a taste of their mettle.

Seward, confident of the nomination, had sailed for Europe in May, 1859, in a happy frame of mind. The only serious opposition had come from the *Tribune* and from the Keystone State; but on the eve of his departure Simon Cameron assured him of Pennsylvania, and Greeley, apparently reconciled, had dined with him at the Astor House. "The sky is bright, and the waters are calm," was the farewell to his wife.^[258] After his return there came an occasional shadow. "I hear of so many fickle and timid friends," he wrote; ^[259] yet he had confidence in Greeley, who, while calling with Weed, exhibited such friendly interest that Seward afterward resented the suggestion of his disloyalty.^[260] On reaching Auburn to await the action of the convention, his confidence of success found expression in the belief that he would not again return to Congress during that session. As the work of the convention progressed his friends became more sanguine. The solid delegations of New York, Michigan, Wisconsin, Minnesota, California, and Kansas, supplemented by the expected votes of New England and other States on a second roll call, made the nomination certain. Edward Bates had Missouri, Delaware, and Oregon, but their votes barely equalled one-half of New York's; Lincoln was positively sure of only Illinois, and several of its delegates preferred Seward; Chase had failed to secure the united support of Ohio, and Dayton in New Jersey was without hope. Cameron held Pennsylvania in reversion for the New York Senator. So hopeless did the success of the opposition appear at midnight of the second day, that Greeley telegraphed the *Tribune* predicting Seward's nomination, and the "irrepressibles" anticipated victory in three hundred bottles of champagne. As late as the morning of the third day, the confidence of the Seward managers impelled them to ask whom the opposition preferred for Vice President.

But opponents had been industriously at work. They found that Republicans of Know-Nothing antecedents, especially in Pennsylvania, still disliked

Seward's opposition to their Order, and that conservative Republicans recoiled from his doctrine of the higher law and the irrepressible conflict. Upon this broad foundation of unrest, the opposition adroitly builded, poisoning the minds of unsettled delegates with stories of his political methods and too close association with Thurlow Weed. No one questioned Seward's personal integrity; but the distrust of the political boss existed then as much as now, and his methods were no less objectionable. "The misconstruction put on his phrase 'the irrepressible conflict between freedom and slavery' has, I think, damaged him a good deal," wrote William Cullen Bryant, "and in this city there is one thing which has damaged him still more. I mean the project of Thurlow Weed to give charters for a set of city railways, for which those who receive them are to furnish a fund of from four to six hundred thousand dollars, to be expended for the Republican cause in the next presidential election."[\[261\]](#) Such a scheme would be rebuked even in this day of trust and corporation giving. People resented the transfer to Washington of the peculiar state of things at Albany, and when James S. Pike wrote of Seward's close connection with men who schemed for public grants, it recalled his belief in the adage that "Money makes the mare go." Allusion to Seward's "bad associates," as Bryant called them, and to the connection between "Seward stock" and "New York street railroads" had become frequent in the correspondence of leading men, and now, when delegates could talk face to face in the confidence of the party council chamber, these accusations made a profound impression. The presence of Tom Hyer and his rough marchers did not tend to eliminate these moral objections. "If you do not nominate Seward, where will you get your money?" was their stock argument.[\[262\]](#)

Horace Greeley, sitting as a delegate from Oregon, stayed with the friends of Bates and Lincoln at the Tremont Hotel. The announcement startled the New Yorkers. He had visited Weed at Albany on his way to Chicago, leaving the impression that he would support Seward,[\[263\]](#) but once in the convention city his disaffection became quickly known. Of all the members of the convention none attracted more attention, or had greater influence with the New England and Western delegates. His peculiar head and dress quickly identified him as he passed through the hotel corridors from delegation to delegation, and whenever he stopped to speak, an eager crowd of listeners heard his reasons why Seward could not carry the doubtful

States. He marshalled all the facts and forgot no accusing rumour. His remarkable letter of 1854, dissolving the firm of Weed, Seward, and Greeley, had not then been published, leaving him in the position of a patriot and prophet who opposed the Senator because he sincerely believed him a weak candidate. "If we have ever demurred to his nomination," he said in the *Tribune* of April 23, in reply to the *Times'* charge of hostility, "it has been on the ground of his too near approximation in principle and sentiment to our standard to be a safe candidate just yet. We joyfully believe that the country is acquiring a just and adequate conception of the malign influence exerted by the slave power upon its character, its reputation, its treatment of its neighbour, and all its great moral and material interests. In a few years more we believe it will be ready to elect as its President a man who not only sees but proclaims the whole truth in this respect—in short, such a man as Governor Seward. We have certainly doubted its being yet so far advanced in its political education as to be ready to choose for President one who looks the slave oligarchy square in the eye and says, 'Know me as your enemy.'"

Greeley favoured Bates of Missouri, but was ready to support anybody to beat Seward. Bryant, disliking what he called the "pliant politics" of the New York Senator, had been disposed to favour Chase until the Cooper Institute speech. Lincoln left a similar trail of friends through New England. The Illinoisan's title of "Honest Old Abe," given, him by his neighbours, contrasted favourably with the whispered reports of "bad associates" and the "New York City railroad scheme." Gradually, even the radical element in the unpledged delegations began questioning the advisability of the New Yorker's selection, and when, on the night preceding the nomination, Andrew Curtin of Pennsylvania and Henry S. Lane^[264] of Indiana, candidates for governor in their respective States, whose defeat in October would probably bring defeat in November, declared that Seward's selection would cost them their election, the opposition occupied good vantage ground. David Davis, the Illinois manager for Lincoln, against the positive instructions of his principal, strengthened these declarations by promising to locate Simon Cameron and Caleb B. Smith in the Cabinet. The next morning, however, the anti-Seward forces entered the convention without having concentrated upon a candidate. Lincoln had won Indiana, but

Pennsylvania and Ohio were divided; New Jersey stood for Dayton; Bates still controlled Missouri, Delaware, and Oregon.

William M. Evarts presented Seward's name amidst loud applause. But at the mention of Lincoln's the vigour of the cheers surprised the delegates. The Illinois managers had cunningly filled the desirable seats with their shouters, excluding Tom Hyer and his marchers, who arrived too late, so that, although the applause for Seward was "frantic, shrill, and wild," says one correspondent, the cheers for Lincoln were "louder and more terrible." [265] Whether this had the influence ascribed to it at the time by Henry J. Raymond and others has been seriously questioned, but it undoubtedly aided in fixing the wavering delegates, and in encouraging the friends of other candidates to rally about the Lincoln standard.

The first roll call proved a disappointment to Seward. Though the pledged States were in line, New England fell short, Pennsylvania showed indifference, and Virginia created a profound surprise. Nevertheless, the confidence of the Seward forces remained unshaken. Of the 465 votes, Seward had 173½, Lincoln 102, Cameron 50½, Chase 49, and Bates 48, with 42 for seven others; necessary to a choice, 233. On the second ballot Seward gained four votes from New Jersey, two each from Texas and Kentucky, and one each from Massachusetts, Pennsylvania, and Nebraska—making a total of 184½. Lincoln moved up to 133. The action of Ohio in giving fourteen votes to Lincoln had been no less disappointing to the Seward managers than the transfer of Vermont's vote to the same column; but, before they could recover from this shock, Cameron was withdrawn and 48 votes from Pennsylvania carried Lincoln's total to 181.

The announcement of this change brought the convention to its feet amid scenes of wild excitement. Seward's forces endeavoured to avert the danger, but the arguments of a week were bearing fruit. As the third roll call proceeded, the scattering votes turned to Lincoln. Seward lost four from Rhode Island and half a vote from Pennsylvania, giving him 180, Lincoln 231½, Chase 24½, Bates 22, and 7 for three others. At this moment, an Ohio delegate authorised a change of four votes from Chase to Lincoln, and instantly one hundred guns, fired from the top of an adjoining building, announced the nomination of "Honest Old Abe." In a short speech of rare

felicity and great strength, William M. Evarts moved to make the nomination unanimous.

The New York delegation, stunned by the result, declined the honour of naming a candidate for Vice President; and, on reassembling in the afternoon, the convention nominated Hannibal Hamlin of Maine. As Evarts was leaving the wigwam he remarked, with characteristic humour: "Well, Curtis, at least we have saved the Declaration of Independence!"

Three days after the nomination Greeley wrote James S. Pike: "Massachusetts was right in Weed's hands, contrary to all reasonable expectation. It was all we could do to hold Vermont by the most desperate exertions; and I at some times despaired of it. The rest of New England was pretty sound, but part of New Jersey was somehow inclined to sin against the light and knowledge. If you had seen the Pennsylvania delegation, and known how much money Weed had in hand, you would not have believed we could do so well as we did. Give Curtin thanks for that. Ohio looked very bad, yet turned out well, and Virginia had been regularly sold out; but the seller could not deliver. We had to rain red-hot bolts on them, however, to keep the majority from going for Seward, who got eight votes here as it was. Indiana was our right bower, and Missouri above praise. It was a fearful week, such as I hope and trust I shall never see repeated."[\[266\]](#) That Greeley received credit for all he did is evidenced by a letter from John D. Defrees, then a leading politician of Indiana, addressed to Schuyler Colfax. "Greeley slaughtered Seward and saved the party," he wrote. "He deserves the praises of all men and gets them now. Wherever he goes he is greeted with cheers."[\[267\]](#)

The profound sorrow of Seward's friends resembled the distress of Henry Clay's supporters in 1840. It was not chagrin; it was not the selfish fear that considers the loss of office or spoils; it was not discouragement or despair. Apprehensions for the future of the party and the country there may have been, but their grief found its fountain-head in the feeling that "his fidelity to the country, the Constitution and the laws," as Evarts put it; "his fidelity to the party, and the principle that the majority govern; his interest in the advancement of our party to victory, that our country may rise to its true glory,"[\[268\]](#) had led to his sacrifice solely for assumed availability. The belief obtained that a large majority of the delegates preferred him, and that

had the convention met elsewhere he would probably have been successful. In his *Life of Lincoln*, Alex. K. McClure of Pennsylvania, an anti-Seward delegate, says that "of the two hundred and thirty-one men who voted for Lincoln on the third and last ballot, not less than one hundred of them voted reluctantly against the candidate of their choice."[\[269\]](#)

At Auburn a funeral gloom settled upon the town.[\[270\]](#) Admiration for Seward's great ability, and a just pride in the exalted position he occupied in his party and before the country, had long ago displaced the local spirit that refused him a seat in the constitutional convention of 1846; and after the defeat his fellow townsmen could not be comforted. Sincere sorrow filled their hearts. But Seward's bearing was heroic. When told that no Republican could be found to write a paragraph for the evening paper announcing and approving the nominations, he quickly penned a dozen lines eulogistic of the convention and its work. To Weed, who shed bitter tears, he wrote consolingly. "I wish I were sure that your sense of disappointment is as light as my own," he said. "It ought to be equally so, if we have been equally thoughtful and zealous for friends, party, and country. I know not what has been left undone that could have been done, or done that ought to be regretted."[\[271\]](#) During the week many friends from distant parts of the State called upon him, "not to console," as they expressed it, "but to be consoled." His cheerful demeanour under a disappointment so overwhelming to everybody else excited the inquiry how he could exhibit such control. His reply was characteristic. "For twenty years," he said, "I have been breasting a daily storm of censure. Now, all the world seems disposed to speak kindly of me. In that pile of papers, Republican and Democratic, you will find hardly one unkind word. When I went to market this morning I confess I was unprepared for so much real grief as I heard expressed at every corner."[\[272\]](#)

But deep in his heart despondency reigned supreme. "The reappearance at Washington in the character of a leader deposed by his own party, in the hour of organisation for decisive battle, thank God is past—and so the last of the humiliations has been endured," he wrote his wife. "Preston King met me at the depot and conveyed me to my home. It seemed sad and mournful. Dr. Nott's benevolent face, Lord Napier's complacent one, Jefferson's benignant one, and Lady Napier's loving one, seemed all like pictures of the dead. Even 'Napoleon at Fontainebleau' seemed more frightfully desolate

than ever. At the Capitol the scene was entirely changed from my entrance into the chamber last winter. Cameron greeted me kindly; Wilkinson of Minnesota, and Sumner cordially and manfully. Other Republican senators came to me, but in a manner that showed a consciousness of embarrassment, which made the courtesy a conventional one; only Wilson came half a dozen times, and sat down by me. Mason, Gwin, Davis, and most of the Democrats, came to me with frank, open, sympathising words, thus showing that their past prejudices had been buried in the victory they had achieved over me. Good men came through the day to see me, and also this morning. Their eyes fill with tears, and they become speechless as they speak of what they call 'ingratitude.' They console themselves with the vain hope of a day of 'vindication,' and my letters all talk of the same thing. But they awaken no response in my heart. I have not shrunk from any fiery trial prepared for me by the enemies of my cause. But I shall not hold myself bound to try, a second time, the magnanimity of its friends."[\[273\]](#) To Weed he wrote: "Private life, as soon as I can reach it without grieving or embarrassing my friends, will be welcome to me. It will come the 4th of next March in my case, and I am not unprepared."[\[274\]](#)

Defeat was a severe blow to Seward. For the moment he seemed well-nigh friendless. The letter to his wife after he reached Washington was a threnody. He was firmly convinced that he was a much injured man, and his attitude was that of the martyr supported by the serenity of the saint. But to the world he bore himself with the courage and the dignity that belong to one whose supremacy is due to superiority of talents. The country could not know that he was to become a secretary of state of whom the civilised world would take notice; but one of Seward's prescience must have felt well satisfied in his own mind, even when telling Weed how "welcome" private life would be, that, although he was not to become President, he was at the opening of a greater political career.

CHAPTER XXII

NEW YORK'S CONTROL AT BALTIMORE

1860

THE recess between the Charleston and Baltimore conventions did not allay hostilities. Jefferson Davis' criticism and Douglas' tart retorts transferred the quarrel to the floor of the United States Senate, and by the time the delegates had reassembled at Baltimore on June 18, 1860, the factions exhibited greater exasperation than had been shown at Charleston. Yet the Douglas men seemed certain of success. Dean Richmond, it was said, had been engaged in private consultation with Douglas and his friends, pledging himself to stand by them to the last. On the other hand, rumours of a negotiation in which the Southerners and the Administration at Washington had offered the New Yorkers their whole strength for any man the Empire State might name other than Douglas and Guthrie, found ready belief among the Northwestern delegates. It was surmised, too, that the defeat of Seward at Chicago had strengthened the chances of Horatio Seymour, on the ground that the disappointed and discontented Seward Republicans would allow him to carry the State. Whatever truth there may have been in these reports, all admitted that the New York delegation had in its hands the destiny of the convention, if not that of the party itself.^[275]

The apparent breaking point at Charleston was the adoption of a platform; at Baltimore it was the readmission of seceding delegates. Florida, Mississippi, Arkansas, and Texas presented their original delegations, who sought immediate admission; but a resolution, introduced by Sanford E. Church of New York, referred them to the committee on credentials, with the understanding that persons accepting seats were bound in honour to abide the action of the convention. The Douglas men, greeting this resolution with tremendous applause, proposed driving it through without

debate; but New York hesitated to order the previous question. Then it asked permission to withdraw for consultation, and when it finally voted in the negative, deeming it unwise to stifle debate, it revealed the fact that its action was decisive on all questions.

An amendment to the Church resolution proposed sending only contested seats to the credentials committee, without conditions as to loyalty, and over this joinder of issues some very remarkable speeches disclosed malignant bitterness rather than choice rhetoric. Richardson, still the recognised spokesman of Douglas, received marked attention as he argued boldly that the amendment admitted delegates not sent there, and decided a controversy without a hearing. "I do not propose," he said, "to sit side by side with delegates who do not represent the people; who are not bound by anything, when I am bound by everything. We are not so hard driven yet as to be compelled to elect delegates from States that do not choose to send any here."[\[276\]](#)

Russell of Virginia responded, declaring that his State intended, in the interest of fair play, to cling to the Democracy of the South. "If we are to be constrained to silence," he vociferated, "I beg gentlemen to consider the silence of Virginia ominous. If we are not gentlemen—if we are such knaves that we cannot trust one another—we had better scatter at once, and cease to make any effort to bind each other."[\[277\]](#) Speaking on similar lines, Ewing of Tennessee asked what was meant. "Have you no enemy in front? Have you any States to spare? We are pursued by a remorseless enemy, and yet from all quarters of this convention come exclamations of bitterness and words that burn, with a view to open the breach in our ranks wider and wider, until at last, Curtius-like, we will be compelled to leap into it to close it up."

But it remained for Montgomery of Pennsylvania, in spite of Cochrane's conciliatory words, to raise the political atmosphere to the temperature at Charleston just before the secession. "For the first time in the history of the Democratic party," he said, "a number of delegations of sovereign States, by a solemn instrument in writing, resigned their places upon the floor of the convention. They went out with a protest, not against a candidate, but against the principles of a party, declaring they did not hold and would not support them. And not only that, but they called a hostile convention, and

sat side by side with us, deliberating upon a candidate and the adoption of a platform. Principles hostile to ours were asserted and a nomination hostile to ours was threatened. Our convention was compelled to adjourn in order to have these sovereign States represented. What became of the gentlemen who seceded? They adjourned to meet at Richmond. Now they seek to come back and sit upon this floor with us, and to-day they threaten us if we do not come to their terms. God knows I love the star spangled banner of my country, and it is because I love the Union that I am determined that any man who arrays himself in hostility to it shall not, with my consent, take a seat in this convention. I am opposed to secession either from this Union or from the Democratic convention, and when men declare the principles of the party are not their principles, and that they will neither support them nor stay in a convention that promulgates them, then I say it is high time, if they ask to come back, that they shall declare they have changed their minds."

[278]

This swung the door of vituperative debate wide open, and after an adjournment had closed it in the hall, the crowds continued it in the street. At midnight, while Yancey made one of his silver-toned speeches, which appears, by all accounts, to have been a piece of genuine eloquence, the friends of Douglas, on the opposite side of Monument Square, kept the bands playing and crowds cheering.

When the convention assembled on the second day, Church, in the interest of harmony, withdrew the last clause of his resolution, and, without a dissenting voice, all contested seats went to the committee on credentials. Then the convention impatiently waited three days for a report, while the night meetings, growing noisier and more arrogant, served to increase the bitterness. The Douglasites denounced their opponents as "disorganisers and disunionists;" the Southerners retorted by calling them "a species of sneaking abolitionists." Yancey spoke of them as small men, with selfish aims. "They are ostrich-like—their head is in the sand of squatter sovereignty, and they do not know their great, ugly, ragged abolition body is exposed."

On the fourth day, the committee presented two reports, the majority, without argument, admitting the contestants—the minority, in a remarkably strong document of singular skill and great clearness, seating the seceders

on the ground that their withdrawal was not a resignation and was not so considered by the convention. A resignation, it argued, must be made to the appointing power. The withdrawing delegates desired the instruction of their constituencies, who authorised them in every case except South Carolina to repair to Baltimore and endeavour once more to unite their party and promote harmony and peace in the great cause of their country.

This report made a profound impression upon the convention, and the motion to substitute it for the majority report at once threw New York into confusion. That delegation had already decided to sustain the majority, but the views of the seceders, so ably and logically presented, had reopened the door of debate, and a resolute minority, combining more than a proportionate share of the talent and worth of the delegation, insisted upon further time. After the convention had grudgingly taken a recess to accommodate the New Yorkers, William H. Ludlow reappeared and apologised for asking more time. This created the impression that Richmond's delegation, at the last moment, proposed to slaughter Douglas^[279] as it did at Charleston, and the latter's friends, maddened and disheartened over what they called "New York's dishonest and cowardly procrastination," would gladly have prevented an adjournment. But the Empire State held the key to the situation. Without it Douglas could get nothing and in a hopeless sort of way his backers granted Ludlow's request.
^[280]

The situation of the New York delegation was undoubtedly most embarrassing. Their admission to the Charleston convention had depended upon the Douglas vote, but their hope of success hinged upon harmony with the cotton States. A formidable minority favoured the readmission of the seceders and the abandonment of Douglas regardless of their obligation. This was not the policy of Dean Richmond, who was the pivotal personage. His plan included the union of the party by admitting the seceders, and the nomination of Horatio Seymour with the consent of the Northwest, after rendering the selection of Douglas impossible. It was a brilliant programme, but the inexorable demand of the Douglas men presented a fatal drawback. Richmond implored and pleaded. He knew the hostility of the Douglasites could make Seymour's nomination impossible, and he knew, also, that a refusal to admit the seceders would lead to a second secession, a second ticket, and a hopelessly divided party. Nevertheless, the Douglas men were

remorseless.[281] Even Douglas' letter, sent Richardson on the third day, and his dispatch to Dean Richmond,[282] received on the fifth day, authorising the withdrawal of his name if it could be done without sacrificing the principle of non-intervention, did not relieve the situation. Rule or ruin was now their motto, as much as it was the South's, and between them Richmond's diplomatic resistance,[283] which once seemed of iron, became as clay. Nevertheless, Richmond's control of the New York delegation remained unbroken. The minority tried new arguments, planned new combinations, and racked their brains for new devices, but when Richmond finally gave up the hopeless and thankless task of harmonising the Douglasites and seceders, a vote of 27 to 43 forced the minority of the delegation into submission by the screw of the Syracuse unit rule, and New York finally sustained the majority report.

After this, the convention became the theatre of a dramatic event which made it, for the moment, the centre of interest to the political world. The majority report seated the Douglas faction from Alabama and Louisiana, and then excluded William L. Yancey, a representative seceder, and let in Pierre Soulé, a representative Douglasite. It is sufficient proof of the sensitiveness of the relations between the two factions that an expressed preference for one of these men should again disrupt the convention, but the moving cause was far deeper than the majority's action. Yancey belonged to the daring, resolute, and unscrupulous band of men who, under the unhappy conditions that threatened their defeat, had already decided upon disunion; and, when the convention repudiated him, the lesser lights played their part. Virginia led a new secession, followed by most of the delegates from North Carolina, Tennessee, Arkansas, Kentucky, and Maryland, and finally by Caleb Cushing himself, the astute presiding officer, whose action anticipated the withdrawal of Massachusetts.

When they were gone, Pierre Soulé took the floor and made the speech of the convention, fascinating all who saw and heard. An eye-witness speaks of his rolling, glittering, eagle eye, Napoleonic head and face, sharp voice with a margin of French accent, and piercing, intense earnestness of manner. "I have not been at all discouraged," he said, "by the emotion which has been attempted to be created in this body by those who have seceded from it. We from the furthest South were prepared; we had heard the rumours which were to be initiatory of the exit which you have

witnessed on this day, and we knew that conspiracy, which had been brooding for months past, would break out on this occasion, and for the purposes which are obvious to every member. Sirs, there are in political life men who were once honoured by popular favour, who consider that the favour has become to them an inalienable property, and who cling to it as to something that can no longer be wrested from their hands—political fossils so much incrusting in office that there is hardly any power that can extract them. They saw that the popular voice was already manifesting to this glorious nation who was to be her next ruler. Instead of bringing a candidate to oppose him; instead of creating issues upon which the choice of the nation could be enlightened; instead of principles discussed, what have we seen? An unrelenting war against the individual presumed to be the favourite of the nation! a war waged by an army of unprincipled and unscrupulous politicians, leagued with a power which could not be exerted on their side without disgracing itself and disgracing the nation." Secession, he declared, meant disunion, "but the people of the South will not respond to the call of the secessionists."[\[284\]](#)

The effect of Soulé's speech greatly animated and reassured the friends of Douglas, who now received 173½ of the 190½ votes cast. Dickinson got half a vote from Virginia, and Horatio Seymour one vote from Pennsylvania. At the mention of the latter's name, David P. Bissell of Utica promptly withdrew it upon the authority of a letter, in which Seymour briefly but positively declared that under no circumstances could he be a candidate for President or Vice President. On the second ballot, Douglas received all the votes but thirteen. This was not two-thirds of the original vote, but, in spite of the resolution which Dean Richmond passed at Charleston, Douglas was declared, amidst great enthusiasm, the nominee of the convention, since two-thirds of the delegates present had voted for him. Benjamin Fitzpatrick, United States senator from Alabama, was then nominated for Vice President. When he afterwards declined, the national committee appointed Herschel V. Johnson of Georgia in his place.

Meantime the Baltimore seceders, joined by their seceding colleagues from Charleston, met elsewhere in the city, adopted the Richmond platform, and nominated John C. Breckenridge of Kentucky for President, and Joseph Lane of Oregon for Vice President. A few days later the Richmond convention indorsed these nominations.

After the return of the New York delegation, the gagged minority, through the lips of Daniel S. Dickinson, told the story of the majority's purpose at Charleston and Baltimore. Dickinson was not depressed or abashed by his failure; neither was he a man to be rudely snuffed out or bottled up; and, although his speech at the Cooper Institute mass-meeting, called to ratify the Breckenridge and Lane ticket, revealed a vision clouded with passion and prejudice, it clearly disclosed the minority's estimate of the cardinal object of Dean Richmond's majority. "Waiving all questions of the merits or demerits of Mr. Douglas as a candidate," he said, his silken white hair bringing into greater prominence the lines of a handsome face, "his pretensions were pressed upon the convention in a tone and temper, and with a dogged and obstinate persistence, which was well calculated, if it was not intended, to break up the convention, or force it into obedience to the behests of a combination. The authors of this outrage, who are justly and directly chargeable with it, were the ruling majority of the New York delegation. They held the balance of power, and madly and selfishly and corruptly used it for the disruption of the Democratic party in endeavouring to force it to subserve their infamous schemes. They were charged with high responsibilities in a crisis of unusual interest in our history, and in an evil moment their leprous hands held the destinies of a noble party. They proclaimed personally and through their accredited organs that the Southern States were entitled to name a candidate, but from the moment they entered the convention at Charleston until it was finally broken up at Baltimore by their base conduct and worse faith, their every act was to oppose any candidate who would be acceptable to those States.

"Those who controlled the New York delegation through the fraudulent process of a unit vote—a rule forced upon a large minority to stifle their sentiments—will hereafter be known as political gamblers. The Democratic party of New York, founded in the spirit of Jefferson, has, in the hands of these gamblers, been disgraced by practices which would dishonour a Peter Funk cast-off clothing resort; cheating the people of the State, cheating a great and confiding party, cheating the convention which admitted them to seats, cheating delegations who trusted them, cheating everybody with whom they came in contact, and then lamenting from day to day, through their accredited organ, that the convention had not remained together so that they might finally have cheated Douglas. Political gamblers! You have

perpetrated your last cheat—consummated your last fraud upon the Democratic party. Henceforth you will be held and treated as political outlaws. There is no fox so crafty but his hide finally goes to the hatter."[\[285\]](#)

In his political controversies, Dickinson acted on the principle that an opponent is necessarily a blockhead or a scoundrel. But there was little or no truth in his severe arraignment. Richmond's purpose was plainly to nominate Horatio Seymour if it could be done with the consent of the Northwestern States, and his sudden affection for a two-thirds rule came from a determination to prolong the convention until it yielded consent. At no time did he intend leaving Douglas for any one other than Seymour. On the other hand, Dickinson had always favoured slavery.[\[286\]](#) Neither the Wilmot Proviso nor the repeal of the Missouri Compromise disturbed him. What slavery demanded he granted; what freedom sought he denounced. His belief that the South would support him for a compromise candidate in return for his fidelity became an hallucination. It showed itself at Cincinnati in 1852 when he antagonised Marcy; and his position in 1860 was even less advantageous. Nevertheless, Dickinson nursed his delusion until the guns at Fort Sumter disclosed the real design of Yancey and the men in whom he had confided.

CHAPTER XXIII

RAYMOND, GREELEY, AND WEED

1860

IT WAS impossible that the defeat of Seward at Chicago, so unexpected, and so far-reaching in its effect, should be encountered without some attempt to fix the responsibility. To Thurlow Weed's sorrow^[287] was added the mortification of defeat. He had staked everything upon success, and, although he doubtless wished to avoid any unseemly demonstration of disappointment, the rankling wound goaded him into a desire to relieve himself of any lack of precaution. Henry J. Raymond scarcely divided the responsibility of management; but his newspaper, which had spoken for Seward, shared in the loss of prestige, while the *Tribune*, his great rival in metropolitan journalism, disclosed between the lines of assumed modesty an exultant attitude.

Greeley had played a very important part in the historic convention. The press gave him full credit for his activity, and he admitted it in his jubilant letter to Pike; but after returning to New York he seemed to think it wise to minimise his influence, claiming that the result would have been the same had he remained at home. "The fact that the four conspicuous doubtful States of New Jersey, Pennsylvania, Indiana, and Illinois," he wrote, "unanimously testified that they could not be carried for Seward was decisive. Against this Malakoff the most brilliant evolutions of political strategy could not avail."^[288] This two-column article, modestly concealing his own work, might not have led to an editorial war between the three great Republican editors of the State, had not Greeley, in the exordium of a speech, published in the *Tribune* of May 23, exceeded the limits of human endurance. "The past is dead," he said. "Let the dead past bury it, and let the mourners, if they will, go about the streets."

The exultant sentences exasperated Raymond, who held the opinion which generally obtained among New York Republican leaders, that Greeley's persistent hostility was not only responsible for Seward's defeat, but that under the guise of loyalty to the party's highest interests he had been insidious and revengeful, and Raymond believed it needed only a bold and loud-spoken accusation against him to fill the mind of the public with his guilt. In this spirit he wrote a stinging reply. "With the generosity which belongs to his nature, and which a feeling not unlike remorse may have stimulated into unwonted activity," said this American Junius, "Mr. Greeley awards to others the credit which belongs transcendently to himself. The main work of the Chicago convention was the defeat of Governor Seward, and in that endeavour Mr. Greeley laboured harder, and did tenfold more, than the whole family of Blairs, together with all the gubernatorial candidates, to whom he modestly hands over the honours of the effective campaign. Mr. Greeley had special qualifications, as well as a special love, for this task. For twenty years he had been sustaining the political principles and vindicating the political conduct of Mr. Seward through the columns of the most influential political newspaper in the country. His voice was potential precisely where Governor Seward was strongest, because it was supposed to be that of a friend, strong in his personal attachment and devotion, and driven into opposition on this occasion solely by the despairing conviction that the welfare of the country and the triumph of the Republican cause demanded the sacrifice. For more than six months Mr. Greeley had been preparing the way for this consummation. He was in Chicago several days before the meeting of the convention and he devoted every hour of the interval to the most steady and relentless prosecution of the main business which took him thither.

"While it was known to some that nearly six years ago he had privately, but distinctly, repudiated all further political friendship for and alliance with Governor Seward, for the avowed reason that Governor Seward had never aided or advised his elevation to office, no use was made of this knowledge in quarters where it would have disarmed the deadly effect of his pretended friendship for the man upon whom he was thus deliberately wreaking the long hoarded revenge of a disappointed office-seeker.... Being thus stimulated by a hatred he had secretly cherished for years, protected by the forbearance of those whom he assailed, and strong in the confidence of

those upon whom he sought to operate, it is not strange that Mr. Greeley's efforts should have been crowned with success. But it is perfectly safe to say that no other man—certainly no one occupying a position less favourable for such an assault—could possibly have accomplished that result."[\[289\]](#)

Raymond's letter produced a profound impression. It excited the astonishment and incredulity of every one. He had made a distinct charge that Greeley's opposition was the revenge of a disappointed office-seeker, and the public, resenting the imputation, demanded the evidence. Greeley himself echoed the prayer by a blast from his silver trumpet which added to the interest as well as to the excitement. "This carefully drawn indictment," he said, "contains a very artful mixture of truth and misrepresentation. No intelligent reader of the *Tribune* has for months been left in doubt of the fact that I deemed the nomination of Governor Seward for President at this time unwise and unsafe; and none can fail to understand that I did my best at Chicago to prevent that nomination. My account of 'Last Week at Chicago' is explicit on that point. True, I do not believe my influence was so controlling as the defeated are disposed to represent it, but this is not material to the issue. It is agreed that I did what I could.

"It is not true—it is grossly untrue—that at Chicago I commended myself to the confidence of delegates 'by professions of regard and the most zealous friendship for Governor Seward, but presented defeat, *even in New York*, as the inevitable result of his nomination.' The very reverse of this is the truth. I made no professions before the nomination, as I have uttered no lamentations since. It was the simple duty of each delegate to do just whatever was best for the Republican cause, regardless of personal considerations. And this is exactly what I did.... As to New York, I think I was at least a hundred times asked whether Governor Seward could carry this State;[\[290\]](#) and I am sure I uniformly responded affirmatively, urging delegates to consider the New York delegation the highest authority on that point as I was strenuously urging that the delegations from Pennsylvania, New Jersey, Indiana, and Illinois must be regarded as authority as to who could and who could not carry their respective States.

"Mr. Raymond proceeds to state that I had, 'in November, 1854, privately but distinctly repudiated all further political friendship for and alliance with

Governor Seward, and menaced him with hostility wherever it could be made most effective; for the avowed reason that Governor Seward had never advised my elevation to office,' &c. This is a very grave charge, and, being dated 'Auburn, Tuesday, May 22, 1860,' and written by one who was there expressly and avowedly to console with Governor Seward on his defeat and denounce me as its author, it is impossible not to see that Governor Seward is its responsible source. I, therefore, call on him for the private letter which I did write him in November, 1854, that I may print it verbatim in the *Tribune*, and let every reader judge how far it sustains the charges which his mouthpiece bases thereon. I maintain that it does not sustain them; but I have no copy of the letter, and I cannot discuss its contents while it remains in the hands of my adversaries, to be used at their discretion. I leave to others all judgment as to the unauthorised use which has already been made of this private and confidential letter, only remarking that this is by no means the first time it has been employed to like purpose. I have heard of its contents being dispensed to members of Congress from Governor Seward's dinner-table; I have seen articles based on it paraded in the columns of such devoted champions of Governor Seward's principles and aims as the *Boston Courier*. It is fit that the *New York Times* should follow in their footsteps; but I, who am thus fired on from an ambush, demand that the letter shall no longer be thus employed. Let me have the letter and it shall appear verbatim in every edition of the *Tribune*. Meantime, I only say that, when I fully decided that I would no longer be devoted to Governor Seward's personal fortunes, it seemed due to candour and fair dealing that I should privately but in all frankness apprise him of the fact. It was not possible that I could in any way be profited by writing that letter; I well understood that it involved an abdication of all hopes of political advancement; yet it seemed due to my own character that the letter should be written. Of course I never dreamed that it could be published, or used as it already has been; but no matter—let us have the letter in print, and let the public judge between its writer and his open and covert assailants. At all events I ask no favour and fear no open hostility.

"There are those who will at all events believe that my opposition to Governor Seward's nomination was impelled by personal considerations; and among these I should expect to find the Hon. Henry J. Raymond. With these I have no time for controversy; in their eyes I desire no vindication.

But there is another and far larger class who will realise that the obstacles to Governor Seward's election were in no degree of my creation, and that their removal was utterly beyond my powers. The whole course of the *Tribune* has tended to facilitate the elevation to the Presidency of a statesman cherishing the pronounced anti-slavery views of Governor Seward; it is only on questions of finance and public economy that there has been any perceptible divergence between us. Those anti-democratic voters of Pennsylvania, New Jersey, Indiana, and Illinois, who could not be induced to vote for Governor Seward, have derived their notions of him in some measure from the *Times*, but in no measure from the *Tribune*. The delegations from those States, with the candidates for governor in Pennsylvania and Indiana, whose representations and remonstrances rendered the nomination of Governor Seward, in the eyes of all intelligent, impartial observers, a clear act of political suicide, were nowise instructed or impelled by me. They acted on views deliberately formed long before they came to Chicago. It is not my part to vindicate them; but whoever says they were influenced by me, other than I was by them, does them the grossest injustice.

"I wished first of all to succeed; next, to strengthen and establish our struggling brethren in the border slave States. If it had seemed to me possible to obtain one more vote in the doubtful States for Governor Seward than for any one else, I should have struggled for him as ardently as I did against him, even though I had known that the Raymonds who hang about our party were to be his trusted counsellors and I inflexibly shut out from his confidence and favour. If there be any who do not believe this, I neither desire their friendship nor deprecate their hostility."[\[291\]](#)

Greeley's demand for his letter did not meet with swift response. It was made on June 2. When Seward passed through New York on his way to Washington on the 8th, a friend of Greeley waited upon him, but he had nothing for the *Tribune*. Days multiplied into a week, and still nothing came. Finally, on June 13, Greeley received it through the hands of Thurlow Weed and published it on the 14th. It bore date "New York, Saturday evening, November 11, 1854," and was addressed simply to "Governor Seward." Its great length consigned it to nonpareil in strange contrast to the long primer type of the editorial page, but its publication became the

sensation of the hour. To this day its fine thought-shading is regarded the best illustration of Greeley's matchless prose.

"The election is over," he says, "and its results sufficiently ascertained. It seems to me a fitting time to announce to you the dissolution of the political firm of Seward, Weed & Greeley, by the withdrawal of the junior partner—said withdrawal to take effect on the morning after the first Tuesday in February next. And, as it may seem a great presumption in me to assume that any such firm exists, especially since the public was advised, rather more than a year ago, by an editorial rescript in the *Evening Journal*, formally reading me out of the Whig party, that I was esteemed no longer either useful or ornamental in the concern, you will, I am sure, indulge me in some reminiscences which seem to befit the occasion.

"I was a poor young printer and editor of a literary journal—a very active and bitter Whig in a small way, but not seeking to be known out of my own ward committee—when, after the great political revulsion of 1837, I was one day called to the City Hotel, where two strangers introduced themselves as Thurlow Weed and Lewis Benedict, of Albany. They told me that a cheap campaign paper of a peculiar stamp at Albany had been resolved on, and that I had been selected to edit it. The announcement might well be deemed flattering by one who had never even sought the notice of the great, and who was not known as a partisan writer, and I eagerly embraced their proposals. They asked me to fix my salary for the year; I named \$1,000, which they agreed to; and I did the work required to the best of my ability. It was work that made no figure and created no sensation; but I loved it and did it well. When it was done you were Governor, dispensing offices worth \$3000 to \$20,000 per year to your friends and compatriots, and I returned to my garret and my crust, and my desperate battle with pecuniary obligations heaped upon me by bad partners in business and the disastrous events of 1837. I believe it did not then occur to me that some of these abundant places might have been offered to me without injustice; I now think it should have occurred to you. If it did occur to me, I was not the man to ask you for it; I think that should not have been necessary. I only remember that no friend at Albany inquired as to my pecuniary circumstances; that your friend (but not mine), Robert C. Wetmore, was one of the chief dispensers of your patronage here; and that such devoted compatriots as A.H. Wells and John Hooks were lifted by you out of pauperism into independence, as I

am glad I was not; and yet an inquiry from you as to my needs and means at that time would have been timely, and held ever in grateful remembrance.

"In the Harrison campaign of 1840 I was again designated to edit a campaign paper. I published it as well, and ought to have made something by it, in spite of its extremely low price; my extreme poverty was the main reason why I did not. It compelled me to hire presswork, mailing, etc., done by the job, and high charges for extra work nearly ate me up. At the close I was still without property and in debt, but this paper had rather improved my position.

"Now came the great scramble of the swell mob of coon minstrels and cider suckers at Washington—I not being counted in. Several regiments of them went on from this city; but no one of the whole crowd—though I say it who should not—had done so much toward General Harrison's nomination and election as yours respectfully. I asked nothing, expected nothing; *but you*, Governor Seward, *ought to have asked that I be postmaster of New York*. Your asking would have been in vain; but it would have been an act of grace neither wasted nor undeserved.

"I soon after started the *Tribune*, because I was urged to do so by certain of your friends, and because such a paper was needed here. I was promised certain pecuniary aid in so doing; it might have been given me without cost or risk to any one. All I ever had was a loan by piecemeal of \$1000, from James Coggeshall. God bless his honoured memory! I did not ask for this, and I think it is the one sole case in which I ever received a pecuniary favour from a political associate. I am very thankful that he did not die till it was fully repaid.

"And let me here honour one grateful recollection. When the Whig party under your rule had offices to give, my name was never thought of; but when in '42-'43, we were hopelessly out of power, I was honoured with the nomination for state printer. When we came again to have a state printer to elect, as well as nominate, the place went to Weed, as it ought. Yet it was worth something to know that there was once a time when it was not deemed too great a sacrifice to recognise me as belonging to your household. If a new office had not since been created on purpose to give its valuable patronage to H.J. Raymond and enable St. John to show forth his

Times as the organ of the Whig state administration, I should have been still more grateful.

"In 1848 your star again rose, and my warmest hopes were realised in your election to the Senate. I was no longer needy, and had no more claim than desire to be recognised by General Taylor. I think I had some claim to forbearance from you. What I received thereupon was a most humiliating lecture in the shape of a decision in the libel case of Redfield and Pringle, and an obligation to publish it in my own and the other journal of our supposed firm. I thought and still think this lecture needlessly cruel and mortifying. The plaintiffs, after using my columns to the extent of their needs or desires, stopped writing and called on me for the name of their assailant. I proffered it to them—a thoroughly responsible man. They refused to accept it unless it should prove to be one of the four or five first men in Batavia!—when they had known from the first who it was, and that it was neither of them. They would not accept that which they had demanded; they sued me instead for money, and money you were at liberty to give them to their heart's content. I do not think you *were* at liberty to humiliate me in the eyes of my own and your public as you did. I think you exalted your own judicial sternness and fearlessness unduly at my expense. I think you had a better occasion for the display of these qualities when Webb threw himself entirely upon you for a pardon which he had done all a man could do to merit. His paper is paying you for it now.

"I have publicly set forth my view of your and our duty with respect to fusion, Nebraska, and party designations. I will not repeat any of that. I have referred also to Weed's reading me out of the Whig party—my crime being, in this as in some other things, that of doing to-day what more politic persons will not be ready to do till to-morrow.

"Let me speak of the late canvass. I was once sent to Congress for ninety days merely to enable Jim Brooks to secure a seat therein for four years. *I think I never hinted to any human being that I would have liked to be put forward for any place.* But James W. White (you hardly know how good and true a man he is) started my name for Congress, and Brooks' packed delegation thought I could help him through; so I was put on behind him. But this last spring, after the Nebraska question had created a new state of things at the North, one or two personal friends, of no political

consideration, suggested my name as a candidate for governor, and I did not discourage them. Soon, the persons who were afterward mainly instrumental in nominating Clark came about me, and asked if I could secure the Know-Nothing vote. I told them I neither could nor would touch it; on the contrary, I loathed and repelled it. Thereupon they turned upon Clark.

"I said nothing, did nothing. A hundred people asked me who should be run for governor. I sometimes indicated Patterson; I never hinted at my own name. But by and by Weed came down, and called me to him, to tell me why he could not support me for governor. I had never asked nor counted on his support.

"I am sure Weed did not mean to humiliate me; but he did it. The upshot of his discourse (very cautiously stated) was this: If I were a candidate for governor, I should beat not myself only, but you. Perhaps that was true. But as I had in no manner solicited his or your support, I thought this might have been said to my friends rather than to me. I suspect it is true that I could not have been elected governor as a Whig. But had he and you been favourable, there would have been a party in the State ere this which could and would have elected me to *any* post, without injuring itself or endangering your re-election.

"It was in vain that I urged that I had in no manner asked a nomination. At length I was nettled by his language—well intended, but *very* cutting as addressed by him to me—to say, in substance, 'Well, then, make Patterson governor, and try my name for lieutenant. To lose this place is a matter of no importance; and we can see whether I am really so odious.'

"I should have hated to serve as lieutenant-governor, but I should have gloried in running for the post. I want to have my enemies all upon me at once; am tired of fighting them piecemeal. And, though I should have been beaten in the canvass, I know that my running would have helped the ticket, and helped my paper.

"It was thought best to let the matter take another course. No other name could have been put on the ticket so bitterly humbling to me as that which was selected. The nomination was given to Raymond; the fight left to me. And, Governor Seward, *I have made it*, though it be conceited in me to say

so. Even Weed has not been (I speak of his paper) hearty in this contest, while the journal of the Whig lieutenant-governor has taken care of its own interests and let the canvass take care of itself, as it early declared it would do. That journal has (because of its milk-and-water course) some twenty thousand subscribers in this city and its suburbs, and of these twenty thousand, I venture to say more voted for Ullman and Scroggs than for Clark and Raymond; the *Tribune* (also because of its character) has but eight thousand subscribers within the same radius, and I venture to say that of its habitual readers, nine-tenths voted for Clark and Raymond—very few for Ullman and Scroggs. I had to bear the brunt of the contest....

"Governor Seward, I know that some of your most cherished friends think me a great obstacle to your advancement; that John Schoolcraft, for one, insists that you and Weed should not be identified with me. I trust, after a time, you will not be. I trust I shall never be found in opposition to you; I have no further wish than to glide out of the newspaper world as quietly and as speedily as possible, join my family in Europe, and, if possible, stay there quite a time—long enough to cool my fevered brain and renovate my over-tasked energies. All I ask is that we shall be counted even on the morning after the first Tuesday in February, as aforesaid, and that I may thereafter take such course as seems best without reference to the past.

"You have done me acts of valued kindness in the line of your profession; let me close with the assurance that these will ever be gratefully remembered by Yours, Horace Greeley."[\[292\]](#)

At the time Seward received this letter he regarded it as only a passing cloud-shadow. "To-day I have a long letter from Greeley, full of sharp, pricking thorns," he wrote Weed. "I judge, as we might indeed well know from his nobleness of disposition, that he has no idea of saying or doing anything wrong or unkind; but it is sad to see him so unhappy. Will there be a vacancy in the Board of Regents this winter? Could one be made at the close of the session? Could he have it? Raymond's nomination and election is hard for him to bear."[\[293\]](#) Two or three weeks later, after a call at the *Tribune* office, Seward again wrote Weed, suggesting that "Greeley's despondency is overwhelming, and seems to be aggravated by the loss of subscribers. But below this is chagrin at the failure to obtain official

position."^[294] With such inquiries and comments Seward put the famous letter away.^[295]

Its publication did not accomplish all that Raymond expected. People were amazed, and deep in their hearts many persons felt that Greeley had been treated unfairly. The inquiry as to a vacancy in the Board of Regents showed that Seward himself shared this opinion at the time. But the question that most interested the public in 1860 was, why, if Greeley had declared war upon Seward in 1854, did not Weed make it known in time to destroy the influence of the man who had "deliberately wreaked the long-hoarded revenge of a disappointed office-seeker?" This question reflected upon Weed's management of Seward's campaign, and to avoid the criticism he claimed to have been "in blissful ignorance of its contents." This seems almost impossible. But in explaining the groundlessness of Greeley's complaints, Weed wrote an editorial, the dignity and patriotism of which contrasted favourably with Greeley's self-seeking.

"There are some things in this letter," wrote the editor of the *Evening Journal*, "requiring explanation—all things in it, indeed, are susceptible of explanations consistent with Governor Seward's full appreciation of Mr. Greeley's friendship and services. The letter was evidently written under a morbid state of feeling, and it is less a matter of surprise that such a letter was thus written, than that its writer should not only cherish the ill-will that prompted it for six years, but allow it to influence his action upon a question which concerns his party and his country.

"Mr. Greeley's first complaint is that this journal, in an 'editorial rescript formally read him out of the Whig party.' Now, here is the 'editorial rescript formally reading' Mr. Greeley out of the Whig party, taken from the *Evening Journal* of September 6, 1853:

"The *Tribune* defines its position in reference to the approaching election. Regarding the "Maine law" as a question of paramount importance, it will support members of the legislature friendly to its passage, irrespective of party. For state officers it will support such men as it deems competent and trustworthy, irrespective also of party, and without regard to the "Maine law." In a word, it avows itself,

for the present, if not forever, an independent journal (it was pretty much so always), discarding party usages, mandates, and platforms.

"We regret to lose, in the *Tribune*, an old, able, and efficient co-labourer in the Whig vineyard. But when carried away by its convictions of duty to other, and, in its judgment, higher and more beneficent objects, we have as little right as inclination to complain. The *Tribune* takes with it, wherever it goes, an indomitable and powerful pen, a devoted, a noble, and an unselfish zeal. Its senior editor evidently supposes himself permanently divorced from the Whig party, but we shall be disappointed if, after a year or two's sturdy pulling at the oar of reform, he does not return to his long-cherished belief that great and beneficent aims must continue, as they commenced, to be wrought out through Whig instrumentalities.

"But we only intended to say that the *Tribune* openly and frankly avows its intention and policy; and that in things about which we cannot agree, we can and will disagree as friends.'

"Pray read this article again, if its purpose and import be not clearly understood! At the time it appeared, the *Tribune* was under high pressure 'Maine law' speed. That question, in Mr. Greeley's view, was paramount to all others. It was the *Tribune's* 'higher law.' Mr. Greeley had given warning in his paper that he should support 'Maine law' candidates for the legislature, and for state offices, regardless of their political or party principles and character. And this, too, when senators to be elected had to choose a senator in Congress. But instead of 'reading' Mr. Greeley 'out of the Whig party,' it will be seen that after Mr. Greeley had read himself out of the party by discarding 'party usages, mandates, and platforms,' the *Evening Journal*, in the language and spirit of friendship, predicted just what happened, namely, that, in due time, Mr. Greeley would 'return to his long-cherished belief that great and beneficent aims must continue, as they commenced, to be wrought out through Whig instrumentalities.'

"We submit, even to Mr. Greeley himself, whether there is one word or thought in the article to which he referred justifying his accusation that he had been 'read out of the Whig party' by the *Evening Journal*.

"In December, 1837, when we sought the acquaintance and co-operation of Mr. Greeley, we were, like him, a 'poor printer,' working as hard as he worked. We had then been sole editor, reporter, news collector, 'remarkable accident,' 'horrid murder,' 'items' man, etc., etc., for seven years, at a salary of \$750, \$1000, \$1250, and \$1500. We had also been working hard, for poor pay, as an editor and politician, for the twelve years preceding 1830. We stood, therefore, on the same footing with Mr. Greeley when the partnership was formed. We knew that Mr. Greeley was much abler, more indomitably industrious, and, as we believed, a better man in all respects. We foresaw for him a brilliant future; and, if we had not started with utterly erroneous views of his objects, we do not believe that our relations would have jarred. We believed him indifferent alike to the temptations of money and office, desiring only to become both 'useful' and 'ornamental,' as the editor of a patriotic, enlightened, leading, and influential public journal. For years, therefore, we placed Horace Greeley far above the 'swell mob' of office-seekers, for whom, in his letter, he expresses so much contempt. Had Governor Seward known, in 1838, that Mr. Greeley coveted an inspectorship, he certainly would have received it. Indeed, if our memory be not at fault, Mr. Greeley was offered the clerkship of the Assembly in 1838. It was certainly pressed upon us, and, though at that time, like Mr. Greeley, desperately poor, it was declined.

"We cannot think that Mr. Greeley's political friends, after the *Tribune* was under way, knew that he needed the 'pecuniary aid' which had been promised. When, about that period, we suggested to him (after consulting some of the board) that the printing of the common council, might be obtained, he refused to have anything to do with it.

"In relation to the state printing, Mr. Greeley knows that there never was a day when, if he had chosen to come to Albany, he might not have taken whatever interest he pleased in the *Journal* and its state printing. But he wisely regarded his position in New York, and the future of the *Tribune*, as far more desirable.

"For the 'creation of the new office for the *Times*,' Mr. Greeley knows perfectly well that Governor Seward was in no manner responsible.

"That Mr. Greeley should make the adjustment of the libel suit of Messrs. Redfield and Pringle against the *Tribune* a ground of accusation against Governor Seward is a matter of astonishment. Governor Seward undertook the settlement of that suit as the friend of Mr. Greeley, at a time when a systematic effort was being made to destroy both the *Tribune* and *Journal* by prosecutions for libel. We were literally plastered over with writs, declarations, etc. There were at least two judges of the Supreme Court in the State, on whom plaintiffs were at liberty to count for verdicts. Governor Seward tendered his professional services to Mr. Greeley, and in the case referred to, as in others, foiled the adversary. For such service this seems a strange requital. Less fortunate than the *Tribune*, it cost the *Journal* over \$8000 to reach a point in legal proceedings that enabled a defendant in a libel suit to give the truth in evidence.

"It was by no fault or neglect or wish of Governor Seward that Mr. Greeley served but 'ninety days in Congress.' Nor will we say what others have said, that his congressional *début* was a failure. There were no other reasons, and this seems a fitting occasion to state them. Mr. Greeley's 'isms' were in his way at conventions. The sharp points and rough edges of the *Tribune* rendered him unacceptable to those who nominate candidates. This was more so formerly than at present, for most of the rampant reforms to which the *Tribune* was devoted have subsided. We had no sympathy with, and little respect for, a constituency that preferred 'Jim' Brooks to Horace Greeley.

"Nearly forty years of experience leaves us in some doubt whether, with political friends, an open, frank, and truthful, or a cautious, calculating, non-committal course is not the right, but the easiest and most politic. The former, which we have chosen, has made us much trouble and many enemies. Few candidates are able to bear the truth, or to believe that the friend who utters it is truly one.

"In 1854, the *Tribune*, through years of earnest effort, had educated the people up to the point of demanding a 'Maine law' candidate for governor. But its followers would not accept their chief reformer! It was evident that

the state convention was to be largely influenced by 'Maine law' and 'Choctaw' Know-Nothing delegates. It was equally evident that Mr. Greeley could neither be nominated nor elected. Hence the conference to which he refers. We found, as on two other occasions during thirty years, our state convention impracticable. We submitted the names of Lieutenant-Governor Patterson and Judge Harris (both temperance men in faith and practice) as candidates for governor, coupled with that of Mr. Greeley for lieutenant-governor. But the 'Maine law' men would have none of these, preferring Myron H. Clark (who used up the raw material of temperance), qualified by H.J. Raymond for lieutenant-governor.

"What Mr. Greeley says of the relative zeal and efficiency of the *Tribune* and *Times*, and of our own feelings in that contest, is true. We did our duty, but with less of enthusiasm than when we were supporting either Granger, Seward, Bradish, Hunt, Fish, King, or Morgan for governor.

"One word in relation to the supposed 'political firm.' Mr. Greeley brought into it his full quota of capital. But were there no beneficial results, no accruing advantages, to himself? Did he not attain, in the sixteen years, a high position, world-wide reputation, and an ample fortune? Admit, as we do, that he is not as wealthy as we wish he was, it is not because the *Tribune* has not made his fortune, but because he did not keep it—because it went, as other people's money goes, to friends, to pay indorsements, and in bad investments.

"We had both been liberally, nay, generously, sustained by our party. Mr. Greeley differs with us in regarding patrons of newspapers as conferring favours. In giving them the worth of their money, he holds that the account is balanced. We, on the other hand, have ever held the relation of newspaper editor and subscriber as one of fraternity. Viewed in this aspect, the editors of the *Tribune* and *Evening Journal* have manifold reasons for cherishing grateful recollections of the liberal and abiding confidence and patronage of their party and friends.

"In conclusion, we cannot withhold an expression of sincere regret that this letter has been called out. After remaining six years in 'blissful ignorance' of its contents, we should have preferred to have ever remained so. It jars harshly upon cherished memories. It destroys ideals of disinterestedness

and generosity which relieved political life from so much that is selfish, sordid, and rapacious."

Henry B. Stanton once asked Seward, directly, if he did not think it would have been better to let Greeley have office. "Mr. Seward looked at me intently, rolled out a cloud of tobacco smoke, and then slowly responded: 'I don't know but it would.'"[296] It is doubtful, however, if Seward ever forgave a New Yorker who contributed to his defeat. Lincoln spoke of him as "without gall," but Stanton declared him a good hater who lay in wait to punish his foes. Greeley, James S. Wadsworth, William Cullen Bryant, and David Dudley Field, conspicuously led the opposition, and if he failed to annihilate them all it is because some of them did not give him a chance to strike back. Greeley caught the first knockout blow in February, 1861; and in 1862, says Stanton, "he doubtless defeated James S. Wadsworth for governor of New York. Wadsworth, who was then military commander of Washington, told me that Seward was 'dead against him' all through the campaign." [297]

CHAPTER XXIV

THE FIGHT OF THE FUSIONISTS

1860

AFTER the return of the Softs from Baltimore the condition of the Democratic party became a subject of much anxiety. Dean Richmond's persistent use of the unit rule had driven the Hards into open rebellion, and at a great mass-meeting, held at Cooper Institute and addressed by Daniel S. Dickinson, it was agreed to hold a Breckenridge and Lane state convention at Syracuse on August 8. At the appointed time three hundred delegates appeared, representing every county, but with the notable exception of the chairman, Henry S. Randall, the biographer of Thomas Jefferson, who had advocated the Wilmot Proviso in 1847, written the Buffalo platform in 1848, and opposed the fugitive slave law in 1850, practically all of them had steadily opposed the Free-soil influences of their party. To many it seemed strange, if not absolutely ludicrous, to hoist a pro-slavery flag in the Empire State. But Republicans welcomed the division of their opponents, and the Hards were terribly in earnest. They organised with due formality; spent two days in conference; adopted the pro-slavery platform of the seceders' convention amidst loud cheering; selected candidates for a state and electoral ticket with the care that precedes certain election; angrily denounced the leadership of Dean Richmond at Charleston and Baltimore; appointed a new state committee, and, with the usual assurance of determined men, claimed a large following.

The indomitable Dickinson, in a speech not unlike his Cooper Institute address, declared that Breckenridge, the regularly nominated candidate of seventeen States and portions of other States, would secure one hundred and twenty-seven electoral votes in the South and on the Pacific coast. This made the election, he argued, depend upon New York, and since Douglas

would start without the hope of getting a single vote, it became the duty of every national Democrat to insist that the Illinoisan be withdrawn. People might scoff at this movement as "a cloud no bigger than a man's hand," he said, but it would grow in size and send forth a deluge that would refresh and purify the arid soil of politics. The applause that greeted this prophecy indicated faith in a principle that most people knew had outlived its day in the State; and, although Dickinson was always altogether on one side, it is scarcely credible that he could sincerely believe that New York would support Breckenridge, even if Douglas withdrew.

The Hards conjured with a few distinguished names which still gave them prestige. Charles O'Connor, Greene C. Bronson, and John A. Dix, as conservative, moderate leaders, undoubtedly had the confidence of many people, and their ticket, headed by James T. Brady, the brilliant lawyer, looked formidable. Personally, Brady was perhaps the most popular man in New York City; and had he stood upon other than a pro-slavery platform his support must have been generous. But the fact that he advocated the protection of slave property in the territories, although opposed to Buchanan's Lecompton policy, was destined to subject him to humiliating defeat.

The Softs met in convention on August 15. In numbers and noisy enthusiasm they did not seem to represent a larger following than the Hards, but their principles expressed the real sentiment of whatever was left of the rank and file of the Democratic party of the State. Horatio Seymour was the pivotal personage. Around him they rallied. The resolution indorsing Stephen A. Douglas and his doctrine of non-intervention very adroitly avoided quarrels. It accepted Fernando Wood's delegation on equal terms with Tammany; refused to notice the Hards' attack upon Dean Richmond and the majority of the Charleston delegation; and nominated William Kelley of Hudson for governor by acclamation. Kelley was a large farmer of respectable character and talents, who had served with credit in the State Senate and supported Van Buren in 1848 with the warmth of a sincere Free-soiler. He was evidently a man without guile, and, although modest and plain-spoken, he knew what the farmer and workingman most wanted, and addressed himself to their best thought. It was generally conceded that he would poll the full strength of his party.

But the cleverest act of the convention was its fusion with the Constitutional Union party. In the preceding May, the old-line Whigs and Know-Nothings had met at Baltimore and nominated John Bell of Tennessee for President and Edward Everett of Massachusetts for Vice President, on the simple platform: "The Constitution of the country, the union of the States, and the enforcement of the laws." Washington Hunt, the former governor of New York, had become the convention's president, and, in company with James Brooks and William Duer, he had arranged with the Softs to place on the Douglas electoral ticket ten representatives of the Union party, with William Kent, the popular son of the distinguished Chancellor, at their head.

Hunt had become a thorn in the side of his old friends, now the leading Republican managers. He had joined them as a Whig in the thirties. After sending him to Congress for three terms and making him comptroller of state in 1848, they had elected him governor in 1850; but, in the division of the party, he joined the Silver-Grays, failed of re-election in 1852, dropped into the American party in 1854, and supported Fillmore in 1856. Thurlow Weed thought he ought to have aided them in the formation of the Republican party, and Horace Greeley occasionally reminded him that a decent regard for consistency should impel him to act in accordance with his anti-slavery record; but when, in 1860, Hunt began the crusade that successfully fused the Douglas and Bell tickets in New York, thus seriously endangering the election of Abraham Lincoln, the Republican editors opened their batteries upon him with well-directed aim. In his one attempt to face these attacks, Hunt taunted Greeley with being "more dangerous to friend than to foe." To this the editor of the *Tribune* retorted: "When I was your friend, you were six times before the people as a candidate for most desirable offices, and in five of those six were successful, while you were repeatedly a candidate before and have been since, and always defeated. Possibly some have found me a dangerous friend, but you never did." [298]

Hunt's coalition movement, called the "Syracuse juggle" and the "confusion ticket," did not work as smoothly as he expected. It gave rise to a bitter controversy which at once impaired its value. The Bell negotiators declared that the ten electors, if chosen, would be free to vote for their own candidate, while the Douglas mediators stated with emphasis that each elector was not only pledged by the resolution of the convention to support

Douglas, but was required to give his consent to do so or allow another to fill his place. "We cannot tell which answer is right," said the *New York Sun*, "but it looks as if there were deception practised." The *Tribune* presented the ridiculous phase of it when it declared that the Bell electors were put up to catch the Know-Nothings, while the others would trap the Irish and Germans. "Is this the way," it asked, referring to William Kent and his associates, "in which honourable men who have characters to support, conduct political contests?"^[299] To dissipate the confusion, Hunt explained that the defeat of Lincoln would probably throw the election into Congress, in which event Bell would become President. "But we declare, with the same frankness, that if Douglas, and not Bell, shall become President, we will welcome that result as greatly preferable to the success of sectional candidates."^[300]

The Republican state convention which met at Syracuse on August 22, did not muffle its enthusiasm over the schism in the Democratic party. Seward and his friends had regained their composure. A midsummer trip to New England, chiefly for recreation, had brought great crowds about the Auburn statesmen wherever he appeared, and, encouraged by their enthusiastic devotion, he returned satisfied with the place he held in the hearts of Republicans. His followers, too, indicated their disappointment by no public word or sign. To the end of the convention its proceedings were marked by harmony and unanimity. Edwin D. Morgan was renominated for governor by acclamation; the platform of Chicago principles was adopted amidst prolonged cheers, and the selection of electors approved without dissent. The happy combination of the two electors-at-large, William Cullen Bryant and James O. Putnam, evidenced the spirit of loyalty to Abraham Lincoln that inspired all participants. Bryant had been an oracle of the radical democracy for more than twenty years, and had stubbornly opposed Seward; Putnam, a Whig of the school of Clay and Webster, had, until recently, zealously supported Millard Fillmore and the American party. In its eagerness to unite every phase of anti-slavery sentiment the convention buried the past in its desire to know, in the words of Seward, "whether this is a constitutional government under which we live."

During the campaign, Republican demonstrations glorified Lincoln's early occupation of rail-splitting, while the Wide-awakes, composed largely of young men who had studied the slavery question since 1852 solely as a

moral issue, illuminated the night and aroused enthusiasm with their torches and expert marching. As early as in September, the New York *Herald* estimated that over four hundred thousand were already uniformed and drilled. In every town and village these organisations, unique then, although common enough nowadays, were conscious appeals for sympathy and favour, and undoubtedly contributed much to the result by enlisting the hearty support of first voters. Indeed, on the Republican side, it was largely a campaign of young men. "The Republican party," said Seward at Cleveland, "is a party chiefly of young men. Each successive year brings into its ranks an increasing proportion of the young men of this country."

[301]

Aside from the torch-light processions of the Wide-awakes, the almost numberless speeches were the feature of the canvass of 1860. There had, perhaps, been more exciting and enthusiastic campaigns, but the number of meetings was without precedent. The *Tribune* estimated that ten thousand set addresses were made in New York alone, and that the number in the country equalled all that had been made in previous presidential canvasses since 1789. It is likewise true that at no time in the history of the State did so many distinguished men take part in a campaign. Though the clergy were not so obtrusive as in 1856, Henry Ward Beecher and Edwin H. Chapin, the eminent Universalist, did not hesitate to deliver political sermons from their pulpits, closing their campaign on the Sunday evening before election.

But the New Yorker whom the Republican masses most desired to hear and see was William H. Seward. Accordingly, in the latter part of August he started on a five weeks' tour through the Western States, beginning at Detroit and closing at Cleveland. At every point where train or steamboat stopped, if only for fifteen minutes, thousands of people awaited his coming. The day he spoke in Chicago, it was estimated that two hundred thousand visitors came to that city. Rhodes suggests that "it was then he reached the climax of his career." [302]

Seward's speeches contained nothing new, and in substance they resembled one another. But in freshness of thought and kaleidoscopic phraseology, they were attractive, full of eloquence, and of statesmanlike comment, lifting the campaign, then just opening, upon a high plane of political and moral patriotism. He avoided all personalities; he indicated no

disappointment;^[303] his praise of Lincoln was in excellent taste; and without evasion or concealment, but with a ripeness of experience that had mellowed and enlightened him, he talked of "higher law" and the "irrepressible conflict" in terms that made men welcome rather than fear their discussion. "Let this battle be decided in favour of freedom in the territories," he declared, "and not one slave will ever be carried into the territories of the United States, and that will end the irrepressible conflict."

^[304]

The growth and resources of the great Northwest, whose development he attributed to the exclusion of slave labour, seemed to inspire him with the hope and faith of youth, and he spoke of its reservation for freedom and its settlement and upbuilding in the critical moment of the country's history as providential, since it must rally the free States of the Atlantic coast to call back the ancient principles which had been abandoned by the government to slavery. "We resign to you," he said, "the banner of human rights and human liberty on this continent, and we bid you be firm, bold, and onward, and then you may hope that we will be able to follow you." It was in one of these moments of exaltation when he seemed to be lifted into the higher domain of prophecy that he made the prediction afterward realised by the Alaska treaty. "Standing here and looking far off into the Northwest," he said, "I see the Russian as he busily occupies himself in establishing seaports and towns and fortifications on the verge of this continent as the outposts of St. Petersburg, and I can say, 'Go on, and build up your outposts all along the coast, up even to the Arctic Ocean, for they will yet become the outposts of my own country—monuments of the civilisation of the United States in the Northwest.'"^[305]

At the beginning of the canvass, Republican confidence and enthusiasm contrasted strangely with the apathy of the Democratic party, caused by its two tickets, two organisations, and two incompatible platforms. It was recognised early in the campaign that Douglas could carry no slave State unless it be Missouri; and, although the Douglas and Bell fusion awakened some hope, it was not until the fusion electoral ticket included supporters of Breckenridge that the struggle became vehement and energetic. New York's thirty-five votes were essential to the election of Lincoln, and early in September a determined effort began to unite the three parties against him. The Hards resisted the movement, but many merchants and capitalists of

New York City, apprehensive of the dissolution of the Union if Lincoln were elected, and promising large sums of money to the campaign, forced the substitution of seven Breckenridge electors in place of as many Douglas supporters, giving Bell ten, Breckenridge seven, and Douglas eighteen. "It is understood," said the *Tribune*, "that four nabobs have already subscribed twenty-five thousand dollars each, and that one million is to be raised."[\[306\]](#)

All this disturbed Lincoln. "I think there will be the most extraordinary effort ever made to carry New York for Douglas," he wrote Weed on August 17. "You and all others who write me from your State think the effort cannot succeed, and I hope you are right. Still, it will require close watching and great efforts on the other side."[\[307\]](#) After fusion did succeed, the Republican managers found encouragement in the fact that a majority of the Americans in the western part of the State,[\[308\]](#) following the lead of Putnam, belonged to the party of Lincoln, while the Germans gave comforting evidence of their support. On his return from the West Seward assured Lincoln "that this State will redeem all the pledges we have made."[\[309\]](#) Then came the October verdict from Pennsylvania and Indiana. "Emancipation or revolution is now upon us," said the *Charleston Mercury*.[\[310\]](#) Yet the hope of the New York fusionists, encouraged by a stock panic in Wall Street and by the unconcealed statement of Howell Cobb of Georgia, then secretary of the treasury, that Lincoln's election would be followed by disunion and a serious derangement of the financial interests of the country, kept the Empire State violently excited. It was reported in Southern newspapers that William B. Astor had contributed one million of dollars in aid of the fusion ticket.[\[311\]](#) It was a formidable combination of elements. Heretofore the Republican party had defeated them separately—now it met them as a united whole, when antagonisms, ceasing to be those of rational debate, had become those of fierce and furious passion. Greeley pronounced it "a struggle as intense, as vehement, and as energetic, as had ever been known," in New York.[\[312\]](#) Yet Thurlow Weed's confidence never wavered. "The fusion leaders have largely increased their fund," he wrote Lincoln, three days before the election, "and they are now using money lavishly. This stimulates and to some extent inspires confidence, and all the confederates are at work. Some of our friends are nervous. But I have no fear of the result in this State."[\[313\]](#)

After the election, returns came in rapidly. Before midnight they foreshadowed Lincoln's success, and the next morning's *Tribune* estimated that the Republicans had carried the electoral and state tickets by 30,000 to 50,000, with both branches of the Legislature and twenty-three out of thirty-three congressmen. The official figures did not change this prophecy, except to fix Lincoln's majority at 50,136 and Morgan's plurality at 63,460. Lincoln received 4374 votes more than Morgan, but Kelley ran 27,698 behind the fusion electoral ticket, showing that the Bell and Everett men declined to vote for the Softs' candidate for governor. Brady's total vote, 19,841, marked the pro-slavery candidate's small support, leaving Morgan a clear majority of 43,619.[314] "Mr. Dickinson and myself," said James T. Brady, six years later, in his tribute to the former's memory, "belonged to the small, despairing band in this State who carried into the political contest of the North, for the last time, the flag of the South, contending that the South should enjoy to the utmost, and with liberal recognition, all the rights she could fairly claim under the Constitution of the United States. How small that band was all familiar with the political history of this State can tell." [315]

CHAPTER XXV

GREELEY, WEED, AND SECESSION

1860-1861

UPON the election of Lincoln in November, 1860, South Carolina almost immediately gave evidence of its purpose to secede from the Union. Democrats generally, and many supporters of Bell and Everett, had deemed secession probable in the event of Republican success—a belief so fully shared by the authorities at Washington, who understood the Southern people, that General Scott, then at the head of the army, wrote to President Buchanan before the end of October, advising that forts in all important Southern seaports be strengthened to avoid capture by surprise. On the other hand, the Republicans had regarded Southern threats as largely buncombe. They had been heard in 1820, in 1850, and so frequently in debate leading up to the contest in 1860, that William H. Seward, the most powerful leader of opinion in his party, had declared: "These hasty threats of disunion are so unnatural that they will find no hand to execute them."

[\[316\]](#)

Nevertheless, when, on November 16, the South Carolina Legislature passed an act calling a convention to meet on December 17, the Republicans, still enthusiastic over their success, began seriously to consider the question of disunion. "Do you think the South will secede?" became as common a salutation as "Good-morning;" and, although a few New Yorkers, perhaps, gave the indifferent reply of Henry Ward Beecher—"I don't believe they will; and I don't care if they do"[\[317\]](#)—the gloom and uncertainty which hung over business circles made all anxious to hear from the leaders of their party. Heretofore, Horace Greeley, Thurlow Weed, and William H. Seward, backed by Henry J. Raymond of the *New York Times*

and James Watson Webb of the *Courier*, had been quick to meet any emergency, and their followers now looked to them for direction.

Horace Greeley was admittedly the most influential Republican journalist. He had not always agreed with the leaders, and just now an open break existed in the relations of himself and the powerful triumvirate headed by Thurlow Weed; but Greeley had voiced the sentiment of the rank and file of his party more often than he had misstated it, and the *Tribune* readers naturally turned to their prophet for a solution of the pending trouble. As usual, he had an opinion. The election occurred on November 6, and on the 9th he declared that "if the cotton States shall decide that they can do better out of the Union than in it, we insist on letting them go in peace. The right to secede may be a revolutionary one, but it exists nevertheless.... Whenever a considerable section of our Union shall deliberately resolve to go out, we shall resist all coercive measures designed to keep it in. We hope never to live in a republic, whereof one section is pinned to the residue by bayonets."[\[318\]](#) Two weeks later, on November 26, he practically repeated these views. "If the cotton States unitedly and earnestly wish to withdraw peacefully from the Union, we think they should and would be allowed to go. Any attempt to compel them by force to remain would be contrary to the principles enunciated in the immortal Declaration of Independence, contrary to the fundamental ideas on which human liberty is based."[\[319\]](#) As late as December 17, when South Carolina and other Southern States were on the threshold of secession, Greeley declared that "if the Declaration of Independence justified the secession from the British Empire of three millions of colonists in 1776, we do not see why it should not justify the secession of five millions of Southrons from the Union in 1861."[\[320\]](#) In January, he recanted in a measure. Yet, on February 23, he announced that "Whenever it shall be clear that the great body of the Southern people have become conclusively alienated from the Union, and anxious to escape from it, we will do our best to forward their views."[\[321\]](#)

Henry Ward Beecher[\[322\]](#) and the Garrison Abolitionists[\[323\]](#) also inclined to this view; and, in November and December, a few Republicans, because of a general repugnance to the coercion of a State, did not despise it. Naturally, however, the Greeley policy did not please the great bulk of Lincoln's intelligent supporters. The belief obtained that, the election having been fair and constitutional, the South ought to submit to the decision as readily as

Northern Democrats acquiesced in it. Besides, a spontaneous feeling existed that the United States was a nation, that secession was treason, and seceders were traitors. Such people sighed for "an hour of Andrew Jackson;" and, to supply the popular demand, Jackson's proclamation against the nullifiers, written by Edward Livingston, a native of New York, then secretary of state, was published in a cheap and convenient edition. To the readers of such literature Greeley's peaceable secession seemed like the erratic policy of an eccentric thinker, and its promulgation, especially when it began giving comfort and encouragement to the South, contributed not a little to the defeat of its author for the United States Senate in the following February.

Thurlow Weed also had a plan, which quickly attracted the attention of people in the South as well as in the North. He held that suggestions of compromise which the South could accept might be proposed without dishonour to the victors in the last election, and, in several carefully written editorials in the *Evening Journal*, he argued in favour of restoring the old line of the Missouri Compromise, and of substituting for the fugitive slave act, payment for rescued slaves by the counties in which the violation of law occurred. "When we refer, as we often do, triumphantly to the example of England," he said, "we are prone to forget that emancipation and compensation were provisions of the same act of Parliament."[\[324\]](#)

Weed was now sixty-three years of age—not an old man, and of little less energy than in 1824, when he drove about the State in his first encounter with Martin Van Buren. The success of the views he had fearlessly maintained, in defiance of menacing opponents, had been achieved in full measure, and he had reason to be proud of his conspicuous part in the result; but now, in the presence of secession which threatened the country because of that success, he seemed suddenly to revolt against the policy he himself had fostered. As his biographer expressed it, "he cast aside the weapons which none could wield so well,"[\[325\]](#) and, betraying the influences of his early training under the great Whig leaders, began to show his love for the Union after the manner of Clay and Webster.

Weed outlined his policy with rare skill, hoping that the discussion provoked by it might result in working out some plan to avoid disunion.[\[326\]](#) Raymond, in the *Times*, and Webb in the *Courier*, gave it cordial support;

the leading New York business men of all parties expressed themselves favourable to conciliation and compromise. "I can assure you," wrote August Belmont to Governor Sprague of Rhode Island, on December 13, "that all the leaders of the Republican party in our State and city, with a few exceptions of the ultra radicals, are in favour of concessions, and that the popular mind of the North is ripe for them." On December 19 he wrote again: "Last evening I was present at an informal meeting of about thirty gentlemen, comprising our leading men, Republicans, Union men, and Democrats, composed of such names as Astor, Aspinwall, Moses H. Grinnell, Hamilton Fish, R.M. Blatchford, &c. They were unanimous in their voice for reconciliation, and that the first steps have to be taken by the North."[\[327\]](#)

Belmont undoubtedly voiced the New York supporters of Douglas, Breckenridge, and Bell, and many conservative Republicans, representing the business interests of the great metropolis; but the bulk of the Republicans did not like a plan that overthrew the corner-stone of their party, which had won on its opposition to the extension of slavery into free territory. To go back to the line of 36° 30', permitting slavery to the south of it, meant the loss of all that had been gained, and a renewal of old issues and hostilities in the near future. Republican congressmen from the State, almost without exception, yielded to this view, voicing the sentiment that it was vain to temporise longer with compromises. With fluent invective, James B. McKean of Saratoga assailed the South in a speech that recalled the eloquence of John W. Taylor, his distinguished predecessor, who, in 1820, led the forces of freedom against the Missouri Compromise. "The slave-holders," he said, "have been fairly defeated in a presidential election. They now demand that the victors shall concede to the vanquished all that the latter have ever claimed, and vastly more than they could secure when they themselves were victors. They take their principles in one hand, and the sword in the other, and reaching out the former they say to us, 'Take these for your own, or we will strike.'"[\[328\]](#)

Nevertheless, Weed kept at work. In an elaborate article, he suggested a "Convention of the people consisting of delegates appointed by the States, to which North and South might bring their respective griefs, claims, and reforms to a common arbitrament, to meet, discuss, and determine upon a future. It will be said that we have done nothing wrong, and have nothing to

offer. This is precisely why we should both purpose and offer whatever may, by possibility, avert the evils of civil war and prevent the destruction of our hitherto unexampled blessings of Union."[\[329\]](#)

Preston King, the junior United States senator from New York, clearly voicing the sentiment of the majority of his party in Congress and out of it, bitterly opposed such a policy. "It cannot be done," he wrote Weed, on December 7. "You must abandon your position. It will prove distasteful to the majority of those whom you have hitherto led. You and Seward should be among the foremost to brandish the lance and shout for joy."[\[330\]](#) To this the famous editor, giving a succinct view of his policy, replied with his usual directness. "I have not dreamed of anything inconsistent with Republican duty. We owe our existence as a party to the repeal of the Missouri Compromise. But for the ever blind spirit of slavery, Buchanan would have taken away our ammunition and spiked our guns. The continued blindness of Democracy and the continued madness of slavery enabled us to elect Lincoln. That success ends our mission so far as Kansas and the encroachments of slavery into free territory are concerned. We have no territory that invites slavery for any other than political objects, and with the power of territorial organisation in the hands of Lincoln, there is no political temptation in all the territory belonging to us. The fight is over. Practically, the issues of the late campaign are obsolete. If the Republican members of Congress stand still, we shall have a divided North and a united South. If they move promptly, there will be a divided South and a united North."[\[331\]](#)

It is not, perhaps, surprising that Weed found so much to say in favour of his proposition, since the same compromise and the same arguments were made use of a few weeks later by no less a person than the venerable John J. Crittenden of Kentucky, the Nestor of the United States Senate. Crittenden was ten years older than Weed, and, like him, was actuated by sincere patriotism. Although his compromise contained six proposed amendments to the Constitution, it was believed that all differences between the sections could easily be adjusted after the acceptance of the first article, which recognised slavery as existing south of latitude 36° 30', and pledged it protection "as property by all the departments of the territorial government during its continuance." The article also provided that States should be admitted from territory either north or south of that line, with or without

slavery, as their constitutions might declare.[332] This part of the compromise was not new to Congress or to the country. It had been made, on behalf of the South, in 1847, and defeated by a vote of 114 to 82, only four Northern Democrats sustaining it. It was again defeated more decisively in 1848, when proposed by Douglas. "Thus the North," wrote Greeley, "under the lead of the Republicans, was required, in 1860, to make, on pain of civil war, concessions to slavery which it had utterly refused when divided only between the conservative parties of a few years before."
[333]

Nevertheless, the Crittenden proposition invoked the same influences that supported the Weed plan. "I would most cheerfully accept it," wrote John A. Dix. "I feel a strong confidence that we could carry three-fourths of the States in favour of it as an amendment to the Constitution." [334] August Belmont said he had "yet to meet the first conservative Union-loving man, in or out of politics, who does not approve of your compromise propositions.... In our own city and State some of the most prominent men are ready to follow the lead of Weed. Restoration of the Missouri line finds favour with most of the conservative Republicans, and their number is increasing daily." [335] Belmont, now more than earlier in the month, undoubtedly expressed a ripening sentiment that was fostered by the gloomy state of trade, creating feverish conditions in the stock market, forcing New York banks to issue clearing-house certificates, and causing a marked decline in the Republican vote at the municipal election in Hudson. [336] Indeed, there is abundant evidence that the Crittenden proposition, if promptly carried out in December, might have resulted in peace. The Senate committee of thirteen to whom it was referred—consisting of two senators from the cotton States, three from the border States, three Northern Democrats, and five Republicans—decided that no report should be adopted unless it had the assent of a majority of the Republicans, and also a majority of the eight other members. Six of the eight voted for it. All the Republicans, and Jefferson Davis and Robert Toombs, representing the cotton States, voted against it. The evidence however, is almost convincing that Davis and Toombs would have supported it in December if the Republicans had voted for it. In speeches in the open Senate, Douglas declared it, [337] Toombs admitted it, [338] and Davis implied it. [339] Seward sounds the only note of their insincerity. "I think," he said, in a letter to the

President-elect, "that Georgia, Alabama, Mississippi, and Louisiana could not be arrested, even if we should offer all you suggest, and with it the restoration of the Missouri Compromise line. But persons acting for those States intimate that they might be so arrested, because they think that the Republicans are not going to concede the restoration of that line."^[340] It is likely Seward hesitated to believe that his vote against the compromise, for whatever reason it was given, helped to inaugurate hostilities; and yet nothing is clearer, in spite of his letter to Lincoln, than that in December the Republicans defeated the Crittenden compromise, the adoption of which would have prevented civil war.^[341]

In deference to the wishes of Lincoln and of his friends, who were grooming him for United States senator, Greeley, before the end of December, had, in a measure, given up his damaging doctrine of peaceable secession, and accepted the "no compromise" policy, laid down by Benjamin F. Wade, as "the only true, the only honest, the only safe doctrine."^[342] It was necessary to Greeley's position just then, and to the stage of development which his candidacy had reached, that he should oppose Weed's compromise. On the 22d of December, therefore, he wrote the President-elect: "I fear nothing, care for nothing, but another disgraceful backdown of the free States. That is the only real danger. Let the Union slide—it may be reconstructed; let Presidents be assassinated—we can elect more; let the Republicans be defeated and crushed—we shall rise again. But another nasty compromise, whereby everything is conceded and nothing secured, will so thoroughly disgrace and humiliate us that we can never raise our heads, and this country becomes a second edition of the Barbary States, as they were sixty years ago. 'Take any form but that.'"^[343] On the same day the *Tribune* announced that "Mr. Lincoln is utterly opposed to any concession or compromise that shall yield one iota of the position occupied by the Republican party on the subject of slavery in the territories, and that he stands now, as he stood in May last, when he accepted the nomination for the Presidency, square upon the Chicago platform."^[344] Thus Lincoln had reassured Greeley's shrinking faith, and thenceforward his powerful journal took a more healthy and hopeful tone.^[345]

Meantime, Weed laboured for the Crittenden compromise. He went to Washington, interviewed Republican members of Congress, and finally visited Lincoln at Springfield. Tickling the ear with a pleasing sentiment

and alliteration, he wanted Republicans, he said, "to meet secession as patriots and not as partisans."^[346] He especially urged forbearance and concession out of consideration for Union men in Southern States. "Apprehending that we should be called upon to test the strength of the Government," he wrote, on January 9, 1861, "we saw, what is even more apparent now, that the effort would tax all its faculties and strain all its energies. Hence our desire before the trial came to make up a record that would challenge the approval of the world. This was due not less to ourselves than to the Union men of Southern States, who, with equal patriotism and more of sacrifice, amidst the pitiless peltings of the disunion storm, sought, like the dove sent out from the ark, a dry spot on which to set their feet."^[347]

Weed's sincerity remained unquestioned, and his opinion, so ardently supported outside his party, would probably have had weight within his party under other conditions; but the President-elect, with his mind inflexibly made up on the question of extending slavery into the territories, refused to yield the cardinal principle of the Chicago platform. "Entertain no proposition for a compromise in regard to the extension of slavery," he wrote, December 11, to William Kellogg, a member of Congress from Illinois. "The instant you do, they have us under again; all our labour is lost, and sooner or later must be done over.... The tug has to come, and better now than later. You know I think the fugitive slave clause of the Constitution ought to be enforced—to put it in its mildest form, ought not to be resisted."^[348] Two days later, in a letter to E.B. Washburne, also an Illinois member of Congress, he objected to the scheme for restoring the Missouri Compromise line. "Let that be done and immediately filibustering and extending slavery recommences. On that point hold firm as a chain of steel."^[349] To Weed himself, on December 17, he repeated the same idea in almost the identical language.^[350]

Thurlow Weed was a journalist of pre-eminent ability, and, although a strenuous, hard hitter, who gave everybody as much sport as he wanted, he was a fair fighter, whom the bitterest critics of the radical Republican press united in praising for his consistency; but his epigrams and incisive arguments, sending a vibrating note of earnestness across the Alleghanies, could not move the modest and, as yet, unknown man of the West, who, unswayed by the fears of Wall Street, and the teachings of the great Whig

compromisers, saw with a statesman's clearness the principle that explained the reason for his party's existence.

CHAPTER XXVI

SEYMOUR AND THE PEACE DEMOCRATS

1860-1861

WHILE the contest over secession was raising its crop of disturbance and disorder at Washington, newspapers and politicians in the North continued to discuss public questions from their party standpoints. Republicans inveighed against the madness of pro-slavery leaders, Democrats berated Republicans as the responsible authors of the perils darkening the national skies, and Bell men sought for a compromise. Four days after the election of Lincoln, the Albany *Argus* clearly and temperately expressed the view generally taken of the secession movement by Democratic journals of New York. "We are not at all surprised at the manifestations of feeling at the South," it said. "We expected and predicted it; and for so doing were charged by the Republican press with favouring disunion; while, in fact, we simply correctly appreciated the feeling of that section of the Union. We sympathise with and justify the South, as far as this—their rights have been invaded to the extreme limit possible within the forms of the Constitution; and, if we deemed it certain that the real animus of the Republican party could become the permanent policy of the nation, we should think that all the instincts of self-preservation and of manhood rightfully impelled them to resort to revolution and a separation from the Union, and we would applaud them and wish them God-speed in the adoption of such a remedy."

[\[351\]](#)

This was published in the heat of party conflict and Democratic defeat, when writers assumed that a compromise, if any adjustment was needed, would, of course, be forthcoming as in 1850. A little later, as conditions became more threatening, the talk of peaceable secession growing out of a disinclination to accept civil war, commended itself to persons who thought

a peaceful dissolution of the Union, if the slave-holding South should seek it, preferable to such an alternative.^[352] But as the spectre of dismemberment of the nation came nearer, concessions to the South as expressed in the Weed plan, and, later, in the Crittenden compromise, commended itself to a large part of the people. A majority of the voters at the preceding election undoubtedly favoured such an adjustment. The votes cast for Douglas, Bell, and Breckenridge in the free States, with one-fourth of those cast for Lincoln, and one-fourth for Breckenridge in the slave States, making 2,848,792 out of a total of 4,662,170, said a writer in *Appleton's Cyclopædia*, "were overwhelmingly in favour of conciliation, forbearance, and compromise."^[353] Rhodes, the historian, approving this estimate, expresses the belief that the Crittenden compromise, if submitted to the people, would have commanded such a vote.^[354]

In the closing months of 1860, and the opening months of 1861, this belief dominated the Democratic party as well as a large number of conservative Republicans; but, as the winter passed without substantial progress toward an effective compromise, the cloud of trouble assumed larger proportions and an alarmist spirit spread abroad. After Major Anderson, on the night of December 27, had transferred his command from its exposed position at Fort Moultrie to the stronger one at Fort Sumter, it was not uncommon to hear upon the streets disloyal sentiments blended with those of willing sacrifice to maintain the Union. This condition was accentuated by the action of the Legislature, which convened on January 2, 1861, with twenty-three Republicans and nine Democrats in the Senate, and ninety-three Republicans and thirty-five Democrats in the House. In his message, Governor Morgan urged moderation and conciliation. "Let New York," he said, "set an example; let her oppose no barrier, but let her representatives in Congress give ready support to any just and honourable sentiment; let her stand in hostility to none, but extend the hand of friendship to all, cordially uniting with other members of the Confederacy in proclaiming and enforcing a determination that the Constitution shall be honoured and the Union of the States be preserved."

On January 7, five days after this dignified and conservative appeal, Fernando Wood, imitating the example of South Carolina, advocated the secession of the city from the State. "Why should not New York City," said the Mayor, as if playing the part of a satirist, "instead of supporting by her

contributions in revenue two-thirds of the expenses of the United States, become, also, equally independent? As a free city, with a nominal duty on imports, her local government could be supported without taxation upon her people.... Thus we could live free from taxes, and have cheap goods nearly duty free.... When disunion has become a fixed and certain fact, why may not New York disrupt the bands which bind her to a venal and corrupt master—to a people and a party that have plundered her revenues, attempted to ruin her commerce, taken away the power of self-government, and destroyed the confederacy of which she was the proud empire city." [355]

By order of a sympathising common council, this absurd message, printed in pamphlet form, was distributed among the people. Few, however, took it seriously. "Fernando Wood," said the *Tribune*, "evidently wants to be a traitor; it is lack of courage only that makes him content with being a blackguard." [356] The next day Confederate forts fired upon the *Star of the West* while endeavouring to convey troops and supplies to Fort Sumter.

The jar of the Mayor's message and the roar of hostile guns were quickly followed by the passage, through the Legislature, of a concurrent resolution, tendering the President "whatever aid in men and money may be required to enable him to enforce the laws and uphold the authority of the Federal Government; and that, in the defence of the Union, which has conferred prosperity and happiness upon the American people, renewing the pledge given and redeemed by our fathers, we are ready to devote our fortunes, our lives, and our sacred honour." [357] This resolution undoubtedly expressed the overwhelming preponderance of sentiment in the State, [358] but its defiant tone, blended with the foolish words of Wood and the menacing act of South Carolina, called forth greater efforts for compromise, to the accomplishment of which a mammoth petition, signed by the leading business men of the State, was sent to Congress, praying that "measures, either of direct legislation or of amendment of the Constitution, may be speedily adopted, which, we are assured, will restore peace to our agitated country." [359]

On January 18, a meeting of the merchants of New York City, held in the Chamber of Commerce, unanimously adopted a memorial, addressed to Congress, urging the acceptance of the Crittenden compromise. Similar action to maintain peace in an honourable way was taken in other cities of

the State, while congressmen were daily loaded with appeals favouring any compromise that would keep the peace. Among other petitions of this character, Elbridge G. Spaulding presented one from Buffalo, signed by Millard Fillmore, Henry W. Rogers, and three thousand others. On January 24, Governor Morgan received resolutions, passed by the General Assembly of Virginia, inviting the State, through its Legislature, to send commissioners to a peace conference to be held at Washington on February 4. Nothing had occurred in the intervening weeks to change the sentiment of the Legislature, expressed earlier in the session; but, after much discussion and many delays, it was resolved, in acceding to the request of Virginia, that "it is not to be understood that this Legislature approves of the propositions submitted, or concedes the propriety of their adoption by the proposed convention. But while adhering to the position she has heretofore occupied, New York will not reject an invitation to a conference, which, by bringing together the men of both sections, holds out the possibility of an honourable settlement of our national difficulties, and the restoration of peace and harmony to the country."

The balloting for commissioners resulted in the election of David Dudley Field, William Curtis Noyes, James S. Wadsworth, James C. Smith, Amariah B. James, Erastus Corning, Francis Granger, Greene C. Bronson, William E. Dodge, John A. King, and John E. Wool, with the proviso, however, that they were to take no part in the proceedings unless a majority of the non-slave-holding States were represented. The appearance of Francis Granger upon the commission was the act of Thurlow Weed. Granger, happy in his retirement at Canandaigua, had been out of office and out of politics so many years that, as he said in a letter to the editor of the *Evening Journal*, "it is with the greatest repugnance that I think of again appearing before the public."^[360] But Weed urged him, and Granger accepted "the flattering honour."^[361] Thus, after many years of estrangement, the leader of the Woolies clasped hands again with the chief of the Silver-Grays.

Though a trifling event in itself, the detention of thirty-eight boxes of muskets by the New York police kept the people conscious of the strained relations between the States. The ownership of the guns, left for shipment to Savannah, would ordinarily have been promptly settled in a local court; but the detention now became an affair of national importance, involving the

governors of two States and leading to the seizure of half a dozen merchant vessels lying peacefully at anchor in Savannah harbour. Instead of entering the courts, the consignor telegraphed the consignees of the "seizure," the consignees notified Governor Brown of Georgia, and the Governor wired Governor Morgan of New York, demanding their immediate release. Receiving no reply to his message, Brown, in retaliation, ordered the seizure of all vessels at Savannah belonging to citizens of New York. Although Governor Morgan gave the affair no attention beyond advising the vessel owners that their rights must be prosecuted in the United States courts, the shipment of the muskets and the release of the vessels soon closed the incident; but Brown's indecent zeal to give the episode an international character by forcing into notice the offensive assumption of an independent sovereignty, had much influence in hardening the "no compromise" attitude of many Northern people.

Nevertheless, the men of New York who desired peace on any honourable terms, seemed to grow more earnest as the alarm in the public mind became more intense. South Carolina, Georgia, Florida, Alabama, Louisiana, and Mississippi had now seceded, and, as a last appeal to them, a monster and notable Union meeting, held at Cooper Institute on January 28 and addressed by eminent men of all parties, designated James T. Brady, Cornelius K. Garrison, and Appleton Oaksmith, as commissioners to confer with delegates to the conventions of these seceding States "in regard to measures best calculated to restore the peace and integrity of this Union." [362] Scarcely had the meeting adjourned, however, before John A. Dix, as secretary of the treasury, thrilled the country by his fearless and historic dispatch, "If any one attempts to haul down the American flag, shoot him on the spot."

Dix had brought to the Cabinet the training of a soldier and of a wise, prudent, sagacious statesman of undaunted courage and integrity. With the exception of his connection with the Barnburners in 1848, he had been an exponent of the old Democratic traditions, and, next to Horatio Seymour, did more, probably, than any other man to bring about a reunion of his party in 1852. Nevertheless, the Southern politicians never forgave him. President Pierce offered him the position of secretary of state, and then withdrew it with the promise of sending him as minister to France; but the South again defeated him. From that time until his appointment as postmaster of New

York, following the discovery, in May, 1860, of Isaac V. Fowler's colossal defalcation,[363] Dix had taken little part in politics. If the President, however, needed a man of his ability and honesty in the crisis precipitated by Fowler's embezzlement, such characteristics were more in demand, in January, 1861, at the treasury, when the government was compelled to pay twelve per cent. for a loan of five millions, while New York State sevens were taken at an average of 101¼.[364] Bankers refused longer to furnish money until the Cabinet contained men upon whom the friends of the government and the Union could rely, and Buchanan, yielding to the inevitable, appointed the man clearly indicated by the financiers.[365]

Although now sixty-three years old, with the energy and pluck of his soldier days, Dix had no ambition to be in advance of his party. He favoured the Crittenden compromise, advocated Southern rights under the limits of the Constitution, and wrote to leaders in the South with the familiarity of an old friend. "I recall occasions," wrote his son, "when my father spoke to me on the questions of the day, disclosing the grave trouble that possessed his thoughts. On one such occasion he referred to the possibility that New York might become a free city, entirely independent, in case of a general breakup; [366] not that he advocated the idea, but he placed it in the category of possibilities. It was his opinion that a separation, if sought by the South through peaceful means alone, must be conceded by the North, as an evil less than that of war.... Above all else, however, next to God, he loved the country and the flag. He did everything in his power to avert the final catastrophe. But when the question was reduced to that simple, lucid proposition presented by the leaders of secession, he had but one answer, and gave it with an emphasis and in words which were as lightning coming out of the east and shining even unto the west." [367]

From the day of his appointment to the Treasury to the end of the Administration, Dix resided at the White House as the guest of the President, and under his influence, coupled with that of Black, Holt, and Stanton, Buchanan assumed a more positive tone in dealing with secession. Heretofore, with the exception of Major Anderson's movements at Fort Sumter, and Lieutenant Slemmer's daring act at Fort Pickens, the seizure of federal property had gone on without opposition or much noise; but now, at last, a prominent New Yorker, well known to every public man in the State,

had flashed a patriotic order into the heart of the Southern Confederacy, startling the country into a realising sense of the likelihood of civil war.

In the midst of this excitement, a state convention, called by the Democratic state committee and composed of four delegates from each assembly district, representing the party of Douglas, of Breckenridge, and of Bell and Everett, assembled at Albany on January 31. Tweddle Hall was scarcely large enough to contain those who longed to be present at this peace conference. Of the prominent public men of the Commonwealth belonging to the three parties, the major part seemed to make up the assemblage, which Greeley pronounced "the strongest and most imposing ever convened within the State."[\[368\]](#) On the platform sat Horatio Seymour, Amasa J. Parker, and William Kelley, the Softs' recent candidate for governor, while half a hundred men flanked them on either side, who had been chosen to seats in Congress, in the Legislature, and to other places of honour. "No convention which had nominations to make, or patronage to dispose of, was ever so influentially constituted."[\[369\]](#)

Sanford E. Church of Albion became temporary chairman, and Amasa J. Parker, president. Parker had passed his day of running for office, but, still in the prime of life, only fifty-four years old, his abilities ran with swiftness along many channels of industry. In stating the object of the convention, the vociferous applause which greeted his declaration that the people of the State, demanding a peaceful settlement of the questions leading to disunion, have a right to insist upon conciliation and compromise, disclosed the almost unanimous sentiment of the meeting; but the after-discussion developed differences that anticipated the disruption that was to come to the Democratic party three months later. One speaker justified Southern secession by urgent considerations of necessity and safety; another scouted the idea of coercing a seceding State; to a third, peaceful separation, though painful and humiliating, seemed the only safe and honourable way. Reuben H. Walworth, the venerable ex-chancellor, declared that civil war, instead of restoring the Union, would forever defeat its reconstruction. "It would be as brutal," he said, "to send men to butcher our own brethren of the Southern States, as it would be to massacre them in the Northern States."

Horatio Seymour received the heartiest greeting. Whether for good or evil, according to the standards by which his critics may judge him, he swayed

the minds of his party to a degree that was unequalled among his contemporaries. For ten years his name had been the most intimately associated with party policies, and his influence the most potent. The exciting events of the past three months, with six States out of the Union and revolution already begun, had profoundly stirred him. He had followed the proceedings of Congress, he had studied the disposition of the South, he understood the sentiment in the North, and his appeal for a compromise, without committing himself to some of the extravagances which were poured forth in absolute good faith by Walworth, earned him enthusiastic commendation from friends and admirers. "The question is simply this," he said; "Shall we have compromise *after* war, or compromise *without* war?" He eulogised the valour of the South, he declared a blockade of its extended sea coast nearly impossible, he hinted that successful coercion by the North might not be less revolutionary than successful secession by the South, he predicted the ruin of Northern industries, and he scolded Congress, urging upon it a compromise—not to pacify seceding States, but to save border States. "The cry of 'No compromise' is false in morals," he declared; "it is treason to the spirit of the Constitution; it is infidelity in religion; the cross itself is a compromise, and is pleaded by many who refuse all charity to their fellow-citizens. It is the vital principle of social existence; it unites the family circle; it sustains the church, and upholds nationalities.... But the Republicans complain that, having won a victory, we ask them to surrender its fruits. We do not wish them to give up any political advantage. We urge measures which are demanded by the hour and the safety of our Union. Are they making sacrifices, when they do that which is required by the common welfare?"^[370]

It remained for George W. Clinton of Buffalo, the son of the illustrious DeWitt Clinton, to lift the meeting to the higher plane of genuine loyalty to the Union. Clinton was a Hard in politics. He had stood with John A. Dix and Daniel S. Dickinson, had been defeated for lieutenant-governor on their ticket, and had supported Breckenridge; but when the fateful moment arrived at which a decision had to be made for or against the country, his genius, like the prescience of Dix, guided him rightly. "Let us conciliate our erring brethren," he said, "who, under a strange delusion, have, as they say, seceded from us; but, for God's sake, do not let us humble the glorious government under which we have been so happy and which will yet do so

much for the happiness of mankind. Gentlemen, I hate to use a word that will offend my Southern brother, but we have reached a time when, as a man—if you please, as a Democrat—I must use plain terms. There is no such thing as legal secession. The Constitution of these United States was intended to form a firm and perpetual Union. If secession be not lawful, then, what is it? I use the term reluctantly but truly—it is rebellion! rebellion against the noblest government man ever framed for his own benefit and for the benefit of the world. What is it—this secession? I am not speaking of the men. I love the men, but I hate treason. What is it but nullification by the wholesale? I have venerated Andrew Jackson, and my blood boiled, in old time, when that brave patriot and soldier of Democracy said—'the Union, it must and shall be preserved.' (Loud applause.) Preserve it? Why should we preserve it, if it would be the thing these gentlemen would make it? Why should we love a government that has no dignity and no power? Look at it for a moment. Congress, for just cause, declares war, but one State says, 'War is not for me—I secede.' And so another and another, and the government is rendered powerless. I am not prepared to humble the general government at the feet of the seceding States. I am unwilling to say to the government, 'You must abandon your property, you must cease to collect the revenues, because you are threatened.' In other words, gentlemen, it seems to me—and I know I speak the wishes of my constituents—that, while I abhor coercion, in one sense, as war, I wish to preserve the dignity of the government of these United States as well."[\[371\]](#)

The applause that greeted these loyal sentences disclosed a patriotic sentiment, which, until then, had found no opportunity for expression; yet the convention, in adopting a series of resolutions, was of one mind on the question of submitting the Crittenden compromise to a direct vote of the people. "Their voice," said the chairman, "will be omnipresent here, and if it be raised in time it may be effectual elsewhere."

There is something almost pathetic in the history of these efforts which were made during the progress of secession, to avert, if possible, the coming shock. The great peace conference, assembled by the action of Virginia, belongs to these painful and wasted endeavours. On February 4, the day that delegates from six cotton States assembled at Montgomery to form a Southern confederacy, one hundred and thirty-three commissioners, representing twenty-one States, of which fourteen were non-slave-holding,

met at Washington and continued in session, sitting with closed doors, until the 27th. It was a body of great dignity—a "fossil convention," the *Tribune* called it—whose proceedings, because of the desire in the public mind to avoid civil war, attracted wide attention. David Dudley Field represented New York on the committee on resolutions, which proposed an amendment of seven sections to the Constitution. On February 26, these were taken up in their order for passage. The first section provided for the restoration of the Missouri Compromise line under the then existing conditions, provided that whenever a new State was formed north or south of that line it should be admitted with or without slavery, as its constitution might declare. This was the important concession; but, though it was less favourable to the South than the Crittenden compromise, it failed to satisfy the radical Republicans, who had from the first opposed the convention. Accordingly, the vote, taken by States, stood eight to eleven against it, New York being included among the noes. The next morning, however, after agreeing to a reconsideration of the question, the convention passed the section by a vote of nine to eight, New York, divided by the absence of David Dudley Field, being without a voice in its determination. Field never fully recovered from this apparent breach of trust.^[372] In committee, he had earnestly opposed the proposed amendment, talking almost incessantly for three weeks, but, at the supreme moment, when the report came up for passage, he withdrew from the convention, without explanation, thus depriving his State of a vote upon all the sections save one, because of an evenly divided delegation.

The convention, however, was doomed to failure before Field left it. Very early in its life the eloquent New Yorker, assisting to rob it of any power for good, declared his opposition to any amendment to the Constitution. "The Union," he said, "is indissoluble, and no State can secede. I will lay down my life for it.... We must have the arbitration of reason, or the arbitrament of the sword." Amariah B. James, another New Yorker, possessed the same plainness of speech. "The North will not enter upon war until the South forces it to do so," he said, mildly. "But when you begin it, the government will carry it on until the Union is restored and its enemies put down."^[373] If any stronger Union sentiment were needed, the remarks of Salmon P. Chase of Ohio, in disclosing the attitude of his party, supplied it. "The election of Lincoln," he said, "must be regarded as the triumph of principles cherished in the hearts of the people of the free States. Chief among these principles is

the restriction of slavery within State limits; not war upon slavery within those limits, but fixed opposition to its extension beyond them. By a fair and unquestionable majority we have secured that triumph. Do you think we, who represent this majority, will throw it away? Do you think the people would sustain us if we undertook to throw it away?"[\[374\]](#)

After three weeks of such talk, even Virginia, whose share in forming the Union exceeded that of any other State, manifested its discouragement by repudiating the proposed amendment as an insufficient guarantee for bringing back the cotton States or holding the border States. When, finally, on March 4, the result of the conference was offered in the United States Senate, only seven votes were cast in its favour. So faded and died the last great effort for compromise and peace. For months it must have been apparent to every one that the party of Lincoln would not yield the cornerstone of its principles. It desired peace, was quick to co-operate, and ready to conciliate, but its purpose to preserve free territory for free labour remained fixed and unalterable.

CHAPTER XXVII

WEED'S REVENGE UPON GREELEY

1861

IN THE winter of 1860-61, while the country was drifting into civil war, a desperate struggle was going on at Albany to elect a United States senator in place of William H. Seward, whose term expired on the fourth of March. After the defeat of the Senator at Chicago, sentiment settled upon his return to Washington; but when Lincoln offered him the position of secretary of state, Thurlow Weed announced William M. Evarts as his candidate for the United States Senate. Evarts was now forty-three years of age. Born in Boston, a graduate of Yale, and of the Harvard law school, he had been a successful lawyer at the New York bar for twenty years. Union College had conferred upon him, in 1857, the degree of Doctor of Laws, and the rare ability and marvellous persistence manifested in the Lemmon slave case, in which he was opposed by Charles O'Connor, had given abundant evidence of the great intellectual powers that subsequently distinguished him. He had, also, other claims to recognition. The wit and great learning that made him the most charming of conversationalists increased his popularity, while his love of books, his excellent taste, and good manners made him welcome in the club and the social circle. Indeed, he seems to have possessed almost every gift and grace that nature and fortune could bestow, giving him high place among his contemporaries.

Evarts had not then held office. The places that O'Connor and Brady had accepted presented no attractions for him; nor did he seem to desire the varied political careers that had distinguished other brilliant young members of the New York bar. But he had taken pleasure in bringing to his party a wisdom in council which was only equalled by his power in debate. If this service were insufficient to establish his right to the exalted preferment he

now sought, his recent valuable work at the Chicago convention was enough to satisfy Thurlow Weed, at least, that generous assistance of such surpassing value should be richly rewarded.

Up to this time, Weed's authority in his party in the State had been supreme. He failed to have his way in 1846 when John Young seized the nomination for governor, and some confusion existed as to his influence in the convention that selected Myron Clark in 1854; but for all practical purposes Weed had controlled the Whig and Republican parties since their formation, almost without dissent. Circumstances sometimes favoured him. The hard times of 1837 made possible Seward's election as governor; the split in the Democratic party over the canal, and later over the Wilmot Proviso, secured Seward a seat in the United States Senate; and the sudden and wholly unexpected repeal of the Missouri Compromise defeated the Silver-Grays and aided in rapidly reducing the strength of the Know-Nothings; but these changes in the political situation, although letting Weed's party into power, burdened his leadership with serious problems. It required a master hand safely to guide a party between the Radical and Abolition factions on one side and the Conservatives on the other, and his signal success commended him to President Lincoln, who frequently counselled with him, often inviting him to Washington by telegram during the darkest days of civil war.

But the defection of Greeley, supplemented by William Cullen Bryant and the union of radical leaders who came from the Democratic party, finally blossomed into successful rebellion at Chicago. This encouraged Greeley to lead one at Albany. The Legislature had one hundred and sixteen Republican members, requiring fifty-nine to nominate in caucus. Evarts could count on forty-two and Greeley upon about as many. In his effort to secure the remaining seventeen, Weed discovered that Ira Harris had a considerable following, who were indisposed to affiliate with Evarts, while several assemblymen indicated a preference for other candidates. This precipitated a battle royal. Greeley did not personally appear in Albany, but he scorned none of the ordinary crafts of party management. Charles A. Dana, then of the *Tribune*, represented him, and local leaders from various parts of the State rallied to his standard and industriously prosecuted his canvass. Their slogan was "down with the Dictator." It mattered not that they had approved Weed's management in the past, their fight now proposed to end the one-man power, and every place-hunter who could not secure

patronage under Lincoln's administration if Evarts went to the Senate, ranged himself against Weed. On the side of the *Tribune's* editor, also, stood the independent, whose dislike of a party boss always encourages him to strike whenever the way is open to deal an effective blow. This was Greeley's great strength. It marshalled itself.

Weed summoned all his hosts. Moses H. Grinnell, Simeon Draper, and A. Oakey Hall led the charge, flanked by a cloud of state and county officials, and an army of politicians who filled the hotels and crowded the lobbies of the capitol. The *Tribune* estimated Evarts' backers at not less than one thousand.^[375] For two weeks the battle raged with all the characteristics of an intense personal conflict. Greeley declared it "a conflict which was to determine whether a dynasty was to stand and give law to its subjects, or be overthrown and annihilated. Fully appreciating this, not Richmond at Bosworth Field, Charles at Naseby, nor Napoleon at Waterloo made a more desperate fight for empire than did the one-man power at Albany to retain the sceptre it has wielded for so many years over the politics and placemen of this State."^[376] In their desperation both sides appealed to the President-elect, who refused to be drawn into the struggle. "Justice to all" was his answer to Weed. "I have said nothing more particular to any one."^[377]

As the canvass grew older, it became known that several of Harris' supporters would go to Greeley whenever their assistance would nominate him. This sacrifice, however, was not to be made so long as Harris held the balance of power; and since Weed's desire to defeat Greeley was well understood, Harris counted with some degree of certainty upon Evarts' supporters whenever a serious break threatened. Weed's relations with Harris were not cordial. For years they had lived in Albany, and as early as 1846 their ways began to diverge; but Harris' character for wisdom, learning, and integrity compelled respect. He had been an assemblyman in 1844 and 1845, a state senator in 1846, a delegate to the constitutional convention of 1846, and a justice of the Supreme Court from 1847 to 1859. His name was familiar throughout the State. From the time he took up the cause of the Anti-Renters in 1846 he had possessed the confidence of the common people, and his great fairness and courtesy upon the bench had added largely to his reputation. He was without any pretence to oratory. The gifts that made Evarts a leader of the New York bar for three decades did

not belong to him; but everybody knew that in the United States Senate he would do as much as Evarts to uphold President Lincoln.

The caucus convened on the evening of February 4. Only one member was absent. Weed and Evarts sat with Governor Morgan in the executive chamber—Harris in the rooms of Lieutenant-Governor Campbell at Congress Hall. The first ballot gave Evarts 42, Greeley 40, Harris 20, with 13 scattering. Bets had been made that Evarts would get 50, and some oversanguine ones fixed it at 60. What Weed expected does not appear; but the second ballot, which reduced Evarts to 39 and raised Greeley to 42, did not please Speaker Littlejohn, who carried orders between the executive and assembly chambers. It seemed to doom Evarts to ultimate defeat. The chamber grew dark with the gloomy frowns of men who had failed to move their stubborn representatives. The next four ballots, quickly taken, showed little progress, but the seventh raised Greeley to 47 and dropped Harris to 19, while Evarts held on at 39. An assurance that the object of their labours would be reached with the assistance of some of Harris' votes on the next ballot, made the friends of Greeley jubilant. It was equally apparent to the astonished followers of the grim manager who was smoking vehemently in the executive chamber, that Evarts would be unable to weather another ballot. A crisis, therefore, was inevitable, but it was the crisis for which Weed had been waiting and watching, and without hesitation he sent word to elect Harris.^[378] This settled it. Greeley received 49, Harris 60, with 6 scattering. Weed did not get all he wanted, but he got revenge.

There were reasons other than revenge, however, that induced men vigorously opposed to secession to resent the candidacy of Horace Greeley.^[379] The editor of the *Tribune* certainly did not want the Southern States to secede, nor did he favour secession, as has often been charged, but his peculiar treatment of the question immediately after the November election gave the would-be secessionists comfort, if it did not absolutely invite and encourage the South to believe in the possibility of peaceable secession.

Greeley seems to have taken failure with apparent serenity. He professed to regard it as the downfall of Weed rather than the defeat of himself. His friends who knew of the antagonistic relations long existing between Harris and Weed, said the *Tribune*, exultingly, were willing to see Harris nominated, since "he would become an agent for the accomplishment of

their main purpose—the overthrow of the dictatorship, and the establishment upon its ruins of the principle of political independence in thought and action."[\[380\]](#) But whatever its influence upon Weed, the nomination of Harris was a bitter disappointment to Greeley. He was extraordinarily ambitious for public preferment. The character or duties of the office seemed to make little difference to him. Congressman, senator, governor, lieutenant-governor, comptroller of state, and President of the United States, at one time or another greatly attracted him, and to gain any one of them he willingly lent his name or gave up his time; but never did he come so near reaching the goal of his ambition as in February, 1861. The promise of Harris' supporters to transfer their votes encouraged a confidence that was not misplaced. The Greeley men were elated, the more ardent entertaining no doubt that the eighth ballot would bring victory; and, had Weed delayed a moment longer, Greeley must have been a United States senator. But Weed did not delay, and Greeley closed his life with an office-holding record of ninety days in Congress. Like George Borrow, he seemed never to realise that his simple, clear, vigorous English was to be the crown of an undying fame.[\[381\]](#)

CHAPTER XXVIII

LINCOLN, SEWARD, AND THE UNION

1860-1861

AS THE day approached for the opening of Congress on Monday, December 3, 1860, William H. Seward left Auburn for Washington. At this time he possessed the most powerful influence of any one in the Republican party. While other leaders, his rivals in eloquence and his peers in ability, exercised great authority, the wisdom of no one was more widely appreciated, or more frequently drawn upon. "Sumner, Trumbull, and Wade," says McClure, speaking from personal acquaintance, "had intellectual force, but Trumbull was a judge rather than a politician, Wade was oppressively blunt, and Sumner cultivated an ideal statesmanship that placed him outside the line of practical politics. Fessenden was more nearly a copy of Seward in temperament and discretion, but readily conceded the masterly ability of his colleague. Seward was not magnetic like Clay or Blaine, but he knew how to make all welcome who came within range of his presence."[\[382\]](#)

Thus far, since the election, Seward had remained silent upon the issues that now began to disturb the nation. Writing to Thurlow Weed on November 18, 1860, he declared he was "without schemes or plans, hopes, desires, or fears for the future, that need trouble anybody so far as I am concerned."[\[383\]](#) Nevertheless, he had scarcely reached the capital before he discovered that he was charged with being the author of Weed's compromise policy. "Here's a muss," he wrote, on December 3. "Republican members stopped at the *Tribune* office on their way, and when they all lamented your articles, Dana told them they were not yours but mine; that I 'wanted to make a great compromise like Clay and Webster.'" [\[384\]](#)

To Republicans it did not seem possible that Weed's plan of conciliation, so carefully and ably presented, could be published without the assistance, or, at least, the approval of his warm personal and political friend,—an impression that gained readier credence because of the prompt acquiescence of the *New York Times* and the *Courier*. Seward, however, quickly punctured Charles A. Dana's misinformation, and continued to keep his own counsels. "I talk very little, and nothing in detail," he wrote his wife, on December 2; "but I am engaged busily in studying and gathering my thoughts for the Union."[\[385\]](#) To Weed, on the same day, he gave the political situation. "South Carolina is committed. Georgia will debate, but she probably follows South Carolina. Mississippi and Alabama likely to follow.... Members are coming in, all in confusion. Nothing can be agreed on in advance, but silence for the present, which I have insisted must not be *sullen*, as last year, but respectful and fraternal."[\[386\]](#)

Seward, who had now been in Washington several days, had not broken silence even to his Republican colleagues in the Senate, and "to smoke him out," as one of them expressed it, a caucus was called. But it failed of its purpose. "Its real object," he wrote Weed, "was to find out whether I authorised the *Evening Journal*, *Times*, and *Courier* articles. I told them they would know what I think and what I propose when I do myself. The Republican party to-day is as uncompromising as the secessionists in South Carolina. A month hence each may come to think that moderation is wiser."[\[387\]](#)

It is not easy to determine from his correspondence just what was in Seward's mind from the first to the thirteenth of December, but it is plain that he was greatly disturbed. Nothing seemed to please him. Weed's articles perplexed[\[388\]](#) him; his colleagues distrusted[\[389\]](#) him; the debates in the Senate were hasty and feeble;[\[390\]](#) few had any courage or confidence in the Union;[\[391\]](#) and the action of the Sumner radicals annoyed him.[\[392\]](#) Rhodes, the historian, says he was wavering.[\[393\]](#) He was certainly waiting,—probably to hear from Lincoln; but while he waited his epigrammatic criticism of Buchanan's message, which he wrote his wife on December 5, got into the newspapers and struck a popular note. "The message shows conclusively," he said, "that it is the duty of the President to execute the laws—unless somebody opposes him; and that no State has a right to go out of the Union—unless it wants to."[\[394\]](#)

On December 13 Seward received the desired letter from the President-elect, formally tendering him the office of secretary of state. The proffer was not unexpected. Press and politicians had predicted it and conceded its propriety. "From the day of my nomination at Chicago," Lincoln said, in an informal and confidential letter of the same day, "it has been my purpose to assign you, by your leave, this place in the Administration. I have delayed so long to communicate that purpose, in deference to what appeared to me a proper caution in the case. Nothing has been developed to change my view in the premises; and I now offer you the place in the hope that you will accept it, and with the belief that your position in the public eye, your integrity, ability, learning, and great experience all combine to render it an appointment pre-eminently fit to be made."[\[395\]](#)

In the recent campaign Seward had attracted such attention and aroused such enthusiasm, that James Russell Lowell thought his magnanimity, since the result of the convention was known, "a greater ornament to him and a greater honour to his party than his election to the Presidency would have been."[\[396\]](#) Seward's friends had followed his example. "We all feel that New York and the friends of Seward have acted nobly," wrote Leonard Swett to Weed.[\[397\]](#) A month after the offer of the portfolio had been made, Lincoln wrote Seward that "your selection for the state department having become public, I am happy to find scarcely any objection to it. I shall have trouble with every other cabinet appointment—so much so, that I shall have to defer them as long as possible, to avoid being teased into insanity, to make changes."[\[398\]](#)

In 1849, Seward had thought the post of minister, or even secretary of state, without temptations for him, but, in 1860, amidst the gathering clouds of a grave crisis, the championship of the Union in a great political arena seemed to appeal, in an exceptional degree, to his desire to help guide the destinies of his country; and, after counselling with Weed at Albany, and with his wife at Auburn, he wrote the President-elect that he thought it his duty to accept the appointment.[\[399\]](#) Between the time of its tender and of its acceptance Seward had gained a clear understanding of Lincoln's views; for, after his conference with Weed, the latter visited Springfield and obtained a written statement from the President-elect. This statement has never appeared in print, but it practically embodied the sentiment written

Kellogg and Washburn, and which was received by them after Seward left Washington for Auburn.

With this information the Senator returned to the capital, stopping over night at the Astor House in New York, where he unexpectedly found the New England Society celebrating Forefathers' Day. The knowledge of his arrival quickly reached the banqueters. They knew that Weed had seen Lincoln, and that, to hear the tidings from Springfield, Seward had travelled with his friend from Syracuse to Albany. Eagerly, therefore, they pressed him for a speech, for words spoken by the man who would occupy the first place in Lincoln's Cabinet, meant to the business men of the great metropolis, distracted by the disturbed conditions growing out of the disunion movement, words of national salvation. Seward never spoke from impulse. He understood the value of silence and the necessity of thought before utterance. All of his many great speeches were prepared in a most painstaking manner. But, as many members of the society were personal or political friends, he consented to address them, talking briefly and with characteristic optimism, though without disclosing Lincoln's position or his own on the question of compromise. "I know that the necessities which created this Union," he said, in closing, "are stronger to-day than they were when the Union was cemented; and that these necessities are as enduring as the passions of men are short-lived and effervescent. I believe that the cause of secession was as strong, on the night of November 6, when the President and Vice President were elected, as it has been at any time. Some fifty days have now passed; and I believe that every day the sun has set since that time, it has set upon mollified passions and prejudices; and if you will only await the time, sixty more suns will shed a light and illuminate a more cheerful atmosphere."[\[400\]](#)

This speech has been severely criticised for its unseemly jest, its exuberant optimism, and its lack of directness. It probably discloses, in the copy published the next morning, more levity than it seemed to possess when spoken, with its inflections and intonations, while its optimism, made up of hopeful generalities which were not true, and of rhetorical phrases that could easily be misapprehended, appeared to sustain the suggestion that he did not realise the critical juncture of affairs. But the assertion that he predicted the "war will be over in sixty days" was a ridiculous perversion of his words. No war existed at that time, and his "sixty suns" plainly referred

to the sixty days that must elapse before Lincoln's inauguration. Nevertheless, the "sixty days prediction," as it was called, was repeated and believed for many years.

The feature of the speech that makes it peculiarly interesting, however, is its strength in the advocacy of the Union. Seward believed that he had a difficult role to play. Had he so desired he could not support the restoration of the Missouri Compromise line, for the President-elect had ruled inflexibly against it; neither could he openly oppose it, lest it hurry the South into some overt act of treason before Lincoln's inauguration. So he began exalting the Union, skilfully creating the impression, at least by inference, that he would not support the compromise, although his hearers and readers held to the belief that he would have favoured it had he not submitted to Lincoln's leadership by accepting the state department.

During Seward's absence from Washington he was placed upon the Senate committee of thirteen to consider the Crittenden compromise. It was admitted that the restoration of the Missouri line was the nub of the controversy; that, unless it could be accepted, compromise would fail; and that failure meant certain secession. "War of a most bitter and sanguinary character will be sure to follow," wrote Senator Grimes of Iowa.^[401] "The heavens are, indeed, black," said Dawes of Massachusetts, "and an awful storm is gathering. I am well-nigh appalled at its awful and inevitable consequences."^[402] Seward did not use words of such alarming significance, but he appreciated the likelihood of secession. On December 26 he wrote Lincoln that "sedition will be growing weaker and loyalty stronger every day from the acts of secession as they occur;" but, in the same letter, he added: "South Carolina has already taken the attitude of defiance. Georgia, Alabama, Mississippi, and Louisiana have pushed on to the same attitude. I think that they could not be arrested, even if we should offer all you suggest, and with it the restoration of the Missouri Compromise line."^[403] To his wife, also, to whom alone he confided his secret thoughts, he wrote, on the same day: "The South will force on the country the issue that the free States shall admit that slaves are property, and treat them as such, or else there will be a secession."^[404]

Nevertheless, the Republican senators of the committee of thirteen, inspired by the firm attitude of Lincoln, voted against the first resolution of the

Crittenden compromise. They consented that Congress should have no power either to abolish slavery in the District of Columbia without compensation and the consent of its inhabitants, or to prohibit the transportation of slaves between slave-holding States and territories; but they refused to protect slavery south of the Missouri line, especially since such an amendment, by including future acquisitions of territory, would, as Lincoln declared, popularise filibustering for all south of us. "A year will not pass till we shall have to take Cuba as a condition upon which they will stay in the Union."[\[405\]](#)

Upon the failure of the Crittenden compromise, Seward, on the part of the Republicans, offered five propositions, declaring (1) that the Constitution should never be altered so as to authorise Congress to abolish or interfere with slavery in the States; (2) that the fugitive slave law should be amended by granting a jury trial to the fugitive; (3) that Congress recommend the repeal by the States of personal liberty acts which contravene the Constitution or the laws; (4) that Congress pass an efficient law for the punishment of all persons engaged in the armed invasion of any State from another; and (5) to admit into the Union the remaining territory belonging to the United States as two States, one north and one south of the parallel of $36^{\circ} 30'$, with the provision that these States might be subdivided and new ones erected therefrom whenever there should be sufficient population for one representative in Congress upon sixty thousand square miles.[\[406\]](#) Only the first of these articles was adopted. Southern Democrats objected to the second on principle, and to the third on the ground that it would affect their laws imprisoning coloured seamen, while they defeated the fourth by amending it into Douglas' suggestion for the revival of the sedition law of John Adams' administration.[\[407\]](#) This made it unacceptable to the Republicans. The fifth failed because it gave the South no opportunity of acquiring additional slave lands. On December 28, therefore, the committee, after adopting a resolution that it could not agree, closed its labours.

This seemed to Jefferson Davis, who, in 1860, had assumed the leadership laid down by John C. Calhoun in 1850, to end all effort at compromise, and, on January 10, 1861, in a carefully prepared speech, he argued the right of secession. Finally, turning to the Republicans, he said: "Your platform on which you elected your candidate denies us equality. Your votes refuse to

recognise our domestic institutions which pre-existed the formation of the Union, our property which was guarded by the Constitution. You refuse us that equality without which we should be degraded if we remained in the Union. You elect a candidate upon the basis of sectional hostility; one who, in his speeches, now thrown broadcast over the country, made a distinct declaration of war upon our institutions.... What boots it to tell me that no direct act of aggression will be made? I prefer direct to indirect hostile measures which will produce the same result. I prefer it, as I prefer an open to a secret foe. Is there a senator upon the other side who to-day will agree that we shall have equal enjoyment of the territories of the United States? Is there one who will deny that we have equally paid in their purchases, and equally bled in their acquisition in war? Then, is this the observance of your contract? Whose is the fault if the Union be dissolved?"[408]

The country looked to Seward to make answer to these direct questions. Southern States were hurrying out of the Union. South Carolina had seceded on December 20, Mississippi on January 9, Florida on the 10th, and Alabama on the 11th. Georgia, Louisiana, and Texas were preparing to follow. The people felt that if a settlement was to come it must be made quickly. "Your propositions would have been most welcome if they had been made before any question of coercion, and before any vain boastings of powers," Davis had said. "But you did not make them when they would have been effective. I presume you will not make them now."[409]

If the position of the New York senator had been an embarrassing one at the Astor House on December 22, it was much more difficult on January 12. He had refused to vote for the Crittenden compromise. Moreover, the only proposition he had to make stood rejected by the South. What could he say, therefore, that would settle anything? Yet the desire to hear him was intense. An eye-witness described the scene as almost unparalleled in the Senate. "By ten o'clock," wrote this observer, "every seat in the gallery was filled, and by eleven the cloak-rooms and all the passages were choked up, and a thousand men and women stood outside the doors, although the speech was not to begin until one o'clock. Several hundred visitors came on from Baltimore. It was the fullest house of the session, and by far the most respectful one."[410] Such was the faith of the South in Seward's unbounded influence with Northern senators and Northern people that the Richmond

Whig asserted that his vote for the Crittenden compromise "would give peace at once to the country."[\[411\]](#)

Seward was not unmindful of this influence. "My own party trusts me," he wrote, "but not without reservation. All the other parties, North and South, cast themselves upon me."[\[412\]](#) Judged by his letters at this period, it is suggested that he had an overweening sense of his own importance; he thought that he held in his hands the destinies of his country.[\[413\]](#) However this may be, it is certain that he wanted to embarrass Lincoln by no obstacles of his making. "I must gain time," he said, "for the new Administration to organise and for the frenzy of passion to subside. I am doing this, without making any compromise whatever, by forbearance, conciliation, magnanimity. What I say and do is said and done, not in view of personal objects, and I am leaving to posterity to decide upon my action and conduct."[\[414\]](#)

In this spirit Seward made his speech of January 12. He discussed the fallacies of secession, showing that it had no grounds, or even excuse, and declaring that disunion must lead to civil war. Then he avowed his adherence to the Union in its integrity and in every event, "whether of peace or of war, with every consequence of honour or dishonour, of life or death." Referring to the disorder, he said: "I know not to what extent it may go. Still my faith in the Constitution and in the Union abides. Whatever dangers there shall be, there will be the determination to meet them. Whatever sacrifices, private or public, shall be needful for the Union, they will be made. I feel sure that the hour has not come for this great nation to fall."

In blazing the new line of thought which characterised his speech at the Astor House, Seward rose to the plane of higher patriotism, and he now broadened and enlarged the idea. During the presidential campaign, he said, the struggle had been for and against slavery. That contest having ended by the success of the Republicans in the election, the struggle was now for and against the Union. "Union is not more the body than liberty is the soul of the nation. Freedom can be saved with the Union, and cannot be saved without it." He deprecated mutual criminations and recriminations, a continuance of the debate over slavery in the territories, the effort to prove secession illegal, and the right of the federal government to coerce seceding States. He wanted the Union glorified, its blessings exploited, the necessity

of its existence made manifest, and the love of country substituted for the prejudice of faction and the pride of party. When this millennial day had come, when secession movements had ended and the public mind had resumed its wonted calm, then a national convention might be called—say, in one, two, or three years hence, to consider the matter of amending the Constitution.[415]

This speech was listened to with deep attention. "During the delivery of portions of it," said one correspondent, "senators were in tears. When the sad picture of the country, divided into confederacies, was given, Mr. Crittenden, who sat immediately before the orator, was completely overcome by his emotions, and bowed his white head to weep." [416] The *Tribune* considered it "rhetorically and as a literary performance unsurpassed by any words of Seward's earlier productions," [417] and Whittier, charmed with its conciliatory tone, paid its author a noble tribute in one of his choicest poems.[418] But the country was disappointed. The Richmond *Enquirer*, representing the Virginia secessionists, maintained that it destroyed the last hope of compromise, because he gave up nothing, not even prejudices, to save peace in the Union. For the same reason, Union men of Kentucky and other border States turned from it with profound grief. On the other hand, the radical Republicans, disappointed that it did not contain more powder and shot, charged him with surrendering his principles and those of his party, to avert civil war and dissolution of the Union. But the later-day historian, however, readily admits that the rhetorical words of this admirable speech had an effectual influence in making fidelity to the Union, irrespective of previous party affiliations, a rallying point for Northern men.

As the recognised representative of the President-elect, Seward now came into frequent conference with loyal men of both sections and of all parties, including General Scott and the new members of Buchanan's Cabinet. John A. Dix had become secretary of the treasury, Edwin Stanton attorney-general, and Jeremiah S. Black secretary of state. Seward knew them intimately, and with Black he conferred publicly. With Stanton, however, it seemed advisable to select midnight as the hour and a basement as the place of conference. "At length," he wrote Lincoln, "I have gotten a position in which I can see what is going on in the councils of the President." [419] To his wife, he adds: "The revolution gathers apace. It has its abettors in the

White House, the treasury, the interior. I have assumed a sort of dictatorship for defence."[\[420\]](#) He advised the President-elect to reach Washington somewhat earlier than usual, and suggested having his secretaries of war and navy designated that they might co-operate in measures for the public safety. Under his advice, on the theory that the national emblem would strengthen wavering minds and develop Union sentiment, flags began to appear on stores and private residences. Seward was ablaze with zeal. "Before I spoke," he wrote Weed, "not one utterance made for the Union elicited a response. Since I spoke, every word for the Union brings forth a cheering response."[\[421\]](#)

But, amidst it all, Seward's enemies persistently charged him with inclining to the support of the Crittenden compromise. "We have positive information from Washington," declared the *Tribune*, "that a compromise on the basis of Mr. Crittenden's is sure to be carried through Congress either this week or the next, provided a very few more Republicans can be got to enlist in the enterprise.... Weed goes with the Breckenridge Democrats.... The same is true, though less decidedly, of Seward."[\[422\]](#) It is probable that in the good-fellowship of after-dinner conversations Seward's optimistic words and "mysterious allusions,"[\[423\]](#) implied more than he intended them to convey, but there is not a private letter or public utterance on which to base the *Tribune's* statements. Greeley's attacks, however, became frequent now. Having at last swung round to the "no compromise" policy of the radical wing of his party, he found it easy to condemn the attitude of Weed and the Unionism of Seward, against whom his lieutenants at Albany were waging a fierce battle for his election as United States senator.

On January 31, Seward had occasion to present a petition, with thirty-eight thousand signatures, which William E. Dodge and other business men of New York had brought to Washington, praying for "the exercise of the best wisdom of Congress in finding some plan for the adjustment of the troubles which endanger the safety of the nation," and in laying it before the Senate he took occasion to make another plea for the Union. "I have asked them," he said, "that at home they act in the same spirit, and manifest their devotion to the Union, above all other interests, by speaking for the Union, by voting for the Union, by lending and giving their money for the Union, and, in the last resort, fighting for the Union—taking care, always, that speaking goes before voting, voting goes before giving money, and all go

before a battle. This is the spirit in which I have determined for myself to come up to this great question, and to pass through it."

Senator Mason of Virginia, declaring that "a maze of generalities masked the speech," pressed Seward as to what he meant by "contributing money for the Union." Seward replied: "I have recommended to them in this crisis, that they sustain the government of this country with the credit to which it is entitled at their hands." To this Mason said: "I took it for granted that the money was to sustain the army which was to conduct the fight that he recommends to his people." Seward responded: "If, then, this Union is to stand or fall by the force of arms, I have advised my people to do, as I shall be ready to do myself—stand with it or perish with it." To which the Virginia Senator retorted: "The honourable senator proposes but one remedy to restore this Union, and that is the *ultima ratio regna*." Seward answered quickly, "Not to restore—preserve!"

Mason then referred to Seward's position as one of battle and bloodshed, to be fought on Southern soil, for the purpose of reducing the South to colonies. To Seward, who was still cultivating the attitude of "forbearance, conciliation, and magnanimity," this sounded like a harsh conclusion of the position he had sought to sugar-coat with much rhetoric, and, in reply, he pushed bloodshed into the far-off future by restating what he had already declared in fine phrases, closing as follows: "Does not the honourable senator know that when all these [suggestions for compromise] have failed, then the States of this Union, according to the forms of the Constitution, shall take up this controversy about twenty-four negro slaves scattered over a territory of one million and fifty thousand square miles, and say whether they are willing to sacrifice all this liberty, all this greatness, and all this hope, because they have not intelligence, wisdom, and virtue enough to adjust a controversy so frivolous and contemptible."[\[424\]](#)

Seward's speech plainly indicated a purpose to fight for the preservation of the Union, and his talk of first exhausting conciliatory methods was accepted in the South simply as a "resort to the gentle powers of seduction," [\[425\]](#) but his argument of the few slaves in the great expanse of territory sounded so much like Weed, who was advocating with renewed strength the Crittenden plan along similar lines of devotion to the Union, that it kept alive in the North the impression that the Senator would yet favour

compromise, and gave Greeley further opportunity to assail him. "Seward, in his speech on Thursday last," says the *Tribune*, "declares his readiness to renounce Republican principles for the sake of the Union."[\[426\]](#) The next day his strictures were more pronounced. "The Republican party ... is to be divided and sacrificed if the thing can be done. We are boldly told it must be suppressed, and a Union party rise upon its ruins."[\[427\]](#) Yet, in spite of such criticism, Seward bore himself with indomitable courage and with unfailing skill. Never during his whole career did he prove more brilliant and resourceful as a leader in what might be called an utterly hopeless parliamentary struggle for the preservation of the Union, and the highest tributes[\[428\]](#) paid to his never-failing tact and temper during some of the most vivid and fascinating passages of congressional history, attest his success. It was easy to say, with Senator Chandler of Michigan, that "without a little blood-letting this Union will not be worth a rush,"[\[429\]](#) but it required great skill to speak for the preservation of the Union and the retention of the corner-stone of the Republican party, without grieving the Unionists of the border States, or painfully affecting the radical Republicans of the Northern States. Seward knew that the latter censured him, and in a letter to the *Independent* he explains the cause of it. "Twelve years ago," he wrote, "freedom was in danger and the Union was not. I spoke then so singly for freedom that short-sighted men inferred that I was disloyal to the Union. To-day, practically, freedom is not in danger, and Union is. With the attempt to maintain Union by civil war, *wantonly* brought on, there would be danger of reaction against the Administration charged with the preservation of both freedom and Union. Now, therefore, I speak singly for Union, striving, if possible, to save it peaceably; if not possible, then to cast the responsibility upon the party of slavery. For this singleness of speech I am now suspected of infidelity to freedom."[\[430\]](#)

Lincoln, after his arrival in Washington, asked Seward to suggest such changes in his inaugural address as he thought advisable, and in the performance of this delicate duty the New York Senator continued his policy of conciliation. "I have suggested," he wrote, in returning the manuscript, "many changes of little importance, severally, but in their general effect, tending to soothe the public mind. Of course the concessions are, as they ought to be, if they are to be of avail, at the cost of the winning, the triumphant party. I do not fear their displeasure. They will be loyal

whatever is said. Not so the defeated, irritated, angered, frenzied party.... Your case is quite like that of Jefferson. He brought the first Republican party into power against and over a party ready to resist and dismember the government. Partisan as he was, he sank the partisan in the patriot, in his inaugural address; and propitiated his adversaries by declaring, 'We are all Federalists; all Republicans.' I could wish that you would think it wise to follow this example, in this crisis. Be sure that while all your administrative conduct will be in harmony with Republican principles and policy, you cannot lose the Republican party by practising, in your advent to office, the magnanimity of a victor."[\[431\]](#)

Of thirty-four changes suggested by Seward, the President-elect adopted twenty-three outright, and based modifications on eight others. Three were ignored. Upon only one change did the Senator really insist. He thought the two paragraphs relating to the Republican platform adopted at Chicago should be omitted, and, in obedience to his judgment, Lincoln left them out. Seward declared the argument of the address strong and conclusive, and ought not in any way be changed or modified, "but something besides, or in addition to argument, is needful," he wrote in a postscript, "to meet and remove *prejudice* and *passion* in the South, and *despondency* and *fear* in the East. Some words of affection. Some of calm and cheerful confidence."[\[432\]](#) In line with this suggestion, he submitted the draft of two concluding paragraphs. The first, "made up of phrases which had become extremely commonplace by iteration in the six years' slavery discussion," was clearly inadmissible.[\[433\]](#) The second was as follows: "I close. We are not, we must not be, aliens or enemies, but fellow countrymen and brethren. Although passion has strained our bonds of affection too hardly, they must not, I am sure they will not, be broken. The mystic chords which, proceeding from so many battle-fields and so many patriot graves, pass through all the hearts and all the hearths in this broad continent of ours, will yet again harmonise in their ancient music when breathed upon by the guardian angel of the nation."

This was the germ of a fine poetic thought, says John Hay, that "Mr. Lincoln took, and, in a new development and perfect form, gave to it the life and spirit and beauty which have made it celebrated." As it appears in the President-elect's clear, firm handwriting, it reads as follows: "I am loth to close. We are not enemies but friends. We must not be enemies. Though

passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battle-field, and patriot grave, to every living heart and hearthstone, all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature."[\[434\]](#)

The spirit that softened Lincoln's inaugural into an appeal that touched every heart, had breathed into the debates of Congress the conciliation and forbearance that marked the divide between the conservative and radical Republican. This difference, at the last moment, occasioned Lincoln much solicitude. He had come to Washington with his Cabinet completed except as to a secretary of the treasury and a secretary of war. For the latter place Seward preferred Simon Cameron, and, in forcing the appointment by his powerful advocacy, he dealt a retributive blow to Governor Curtin of Pennsylvania, who had vigorously opposed him at Chicago and was now the most conspicuous of Cameron's foes.[\[435\]](#) But Senator Chase of Ohio, to whom Seward strenuously objected because of his uncompromising attitude, was given the treasury. The shock of this defeat led the New York Senator to decline entering the Cabinet. "Circumstances which have occurred since I expressed my willingness to accept the office of secretary of state," he wrote, on March 2, "seem to me to render it my duty to ask leave to withdraw that consent."[\[436\]](#)

The reception of the unexpected note sent a shiver through Lincoln's stalwart form. This was the man of men with whom for weeks he had confidentially conferred, and upon whose judgment and information he had absolutely relied and acted, "I cannot afford to let Seward take the first trick," he said to his secretary,[\[437\]](#) after pondering the matter during Sunday, and on Monday morning, while the inauguration procession was forming, he penned a reply. "Your note," he said, "is the subject of the most painful solicitude with me; and I feel constrained to beg that you will countermand the withdrawal. The public interest, I think, demands that you should; and my personal feelings are deeply enlisted in the same direction. Please consider and answer by nine o'clock a.m. to-morrow." That night, after the day's pageant and the evening's reception had ended, the President and Seward talked long and confidentially, resulting in the latter's withdrawal of his letter and his nomination and confirmation as secretary of state. "The President is determined that he will have a compound Cabinet,"

Seward wrote his wife, a few days after the unhappy incident; "and that it shall be peaceful, and even permanent. I was at one time on the point of refusing—nay, I did refuse, for a time, to hazard myself in the experiment. But a distracted country appeared before me, and I withdrew from that position. I believe I can endure as much as any one; and may be that I can endure enough to make the experiment successful."[\[438\]](#)

CHAPTER XXIX

THE WEED MACHINE CRIPPLED

1861

THE story of the first forty days of Lincoln's administration is one of indecent zeal to obtain office. A new party had come into power, and, in the absence of any suggestion of civil service, patronage was conceded to the political victors. Office-seekers in large numbers had visited Washington in 1841 after the election of President Harrison, and, in the change that followed the triumph of Taylor in 1848, Seward, then a new senator, complained of their pernicious activity. Marcy as secretary of state found them no less numerous and insistent in 1853 when the Whigs again gave way to the Democrats. But never in the history of the country had such a cloud of applicants settled down upon the capital of the nation as appeared in 1861. McClure, an eye-witness of the scene, speaks of the "mobs of office-seekers,"^[439] and Edwin M. Stanton, who still remained in Washington, wrote Buchanan that "the scramble for office is terrific. Every department is overrun, and by the time all the patronage is distributed the Republican party will be dissolved."^[440] Schuyler Colfax declared to his mother that "it makes me heart-sick. All over the country our party is by the ears, fighting for offices."^[441] Seward, writing to his wife on March 16, speaks of the affliction. "My duties call me to the White House one, two, or three times a day. The grounds, halls, stairways, closets, are filled with applicants, who render ingress and egress difficult."^[442] Lincoln himself said: "I seem like one sitting in a palace, assigning apartments to importunate applicants, while the structure is on fire and likely soon to perish in ashes."^[443] Stanton is authority for the statement "that Lincoln takes the precaution of seeing no stranger alone."^[444]

In this bewildering mass of humanity New York had its share. Seward sought protection behind his son, Frederick W. Seward, whom the President had appointed assistant secretary of state. "I have placed him where he must meet the whole army of friends seeking office," he wrote his wife on March 8—"an hundred taking tickets when only one can draw a prize."^[445] Roscoe Conkling, then beginning his second term in Congress, needed no barrier of this kind. "Early in the year 1861," says his biographer, "a triumvirate of Republicans assumed to designate candidates for the offices which President Lincoln was about to fill in the Oneida district. To accomplish this end they went to Washington and called upon their representative, handing him a list of candidates to endorse for appointment. Mr. Conkling read it carefully, and, seeing that it contained undesirable names, he replied: 'Gentlemen, when I need your assistance in making the appointments in our district, I shall let you know.' This retort, regarded by some of his friends as indiscreet, was the seed that years afterward ripened into an unfortunate division of the Republican party."^[446]

If Seward was more tactful than Conkling in the dispensation of patronage, he was not less vigilant and tenacious. Almost immediately after inauguration it became apparent that differences relative to local appointments existed between him and Ira Harris, the newly elected New York senator. Harris' tall and powerful form, distinguished by a broad and benevolent face, was not more marked than the reputation that preceded him as a profound and fearless judge. At the Albany bar he had been the associate of Marcus T. Reynolds, Samuel Stevens, Nicholas Hill, and the venerable Daniel Cady, and if he did not possess the wit of Reynolds or the eloquence of Cady, the indomitable energy of Stevens and the mental vigour of Nicholas Hill were his, making conspicuous his achievements in the pursuit of truth and justice. His transfer to the Senate at the age of fifty-eight and his appointment upon the judiciary and foreign relations committees, presented a new opportunity to exhibit his deep and fruitful interest in public affairs, and, as the friend of Senators Collamer of Vermont and Sumner of Massachusetts, he was destined to have an influential share in the vital legislation of the war period.

Harris took little interest in the distribution of patronage, or in questions of party politics that quicken local strife, but he insisted upon a fair recognition of his friends, and to adjust their differences Seward arranged

an evening conference to which the President was invited. At this meeting the discussion took a broad range. The secretary of state had prepared a list covering the important offices in New York, but before he could present it, Lincoln, with the ready intuitions of a shrewd politician, remarked that he reserved to himself the privilege of appointing Hiram Barney collector of the port of New York. This announcement did not surprise Seward, for, at the conclusion of Weed's visit to Springfield in the preceding December, Lincoln reminded the journalist that he had said nothing about appointments. "Some gentlemen who have been quite nervous about the object of your visit here," said the President-elect, "would be surprised, if not incredulous, were I to tell them that during the two days we have passed together you have made no application, suggestion, or allusion to political appointments."

To this the shrewd manager, willing to wait until Seward's appointment and confirmation as secretary of state had placed him in a position to direct rather than to beg patronage, replied that nothing of that nature had been upon his mind, since he was much more concerned about the welfare of the country. "This," said Lincoln, "is undoubtedly a proper view of the question, and yet so much were you misunderstood that I have received telegrams from prominent Republicans warning me against your efforts to forestall important appointments in your State. Other gentlemen who have visited me since the election have expressed similar apprehensions." The President, thus cunningly leading up to what was on his mind, said further that it was particularly pleasant to him to reflect that he was coming into office unembarrassed by promises. "I have not," said he, "promised an office to any man, nor have I, but in a single instance, mentally committed myself to an appointment; and as that relates to an important office in your State, I have concluded to mention it to you—under strict injunctions of secrecy, however. If I am not induced by public considerations to change my purpose, Hiram Barney will be collector of the port of New York."^[447]

To Weed, Barney's name aroused no agreeable memories. At the formation of the Republican party he had found it easier to affiliate with Lucius Robinson and David Dudley Field than to act in accord with the Whig leader, and the result at Chicago had emphasised this independence. Too politic, however, to antagonise the appointment, and too wary to indorse it, Weed replied that prior to the Chicago convention he had known Barney

very slightly, but that, if what he had learned of him since was true, Barney was entitled to any office he asked for. "He has not asked for this or any other office," said Lincoln, quickly; "nor does he know of my intention."

[448]

If the President-elect failed to draw out the adroit New Yorker, he had tactfully given notice of his intention not to be controlled by him. A political boss, outside his own State, usually bears the reputation that home opponents give him, and, although Weed was never so bad as painted by his adversaries, he had long been a chief with an odious notoriety. Apparently disinterested, and always refusing to seek or to accept office himself, he loved power, and for years, whenever Whig or Republican party was ascendant in New York, his ambition to prescribe its policy, direct its movements, and dictate the men who might hold office, had been discreetly but imperiously exercised, until his influence was viewed with abhorrence by many and with distrust by the country.[449] It is doubtful if Lincoln's opinion corresponded with the accepted one,[450] but his desire to have some avenue of information respecting New York affairs opened to him other than through the Weed machine, made the President bold to declare his independence at the outset.

The immediate influence that led to the announcement of Barney's selection, however, is not entirely clear. At the Cooper Institute meeting in February, 1860, at which Lincoln spoke, Barney occupied a seat on the stage, and was among the few gentlemen having opportunity to pay the distinguished Illinoisan those courtesies which especially please one who felt, as Lincoln did "by reason of his own modest estimate of himself,"[451] that he was under obligation to any person showing him marked attention. But neither this fact nor Barney's subsequent support at Chicago sufficiently accounts for the strong preference indicated by such an important and far-reaching appointment. Among the few indorsements on file in the treasury department at Washington, one letter, dated March 8, 1861, and addressed to Salmon P. Chase, speaks of Barney as "a personal friend of yours." Six days later a New York newspaper announced that "the appointment of Barney has been a fixed fact ever since Chase went into the Cabinet. It was this influence that persuaded Chase to accept the position." [452] The biographer of Thurlow Weed, probably basing the statement upon the belief of Weed himself, states, without qualification, that "Barney was appointed

through the influence of Secretary Chase."^[453] This may, in part, account for Weed's and Seward's bitter hostility to the Ohioan's becoming a member of the Cabinet; for, if Chase, before his appointment as secretary of the treasury, had sufficient influence to control the principal federal office in New York, what, might they not have asked, would be the measure of this influence after the development of his great ability as a financier has made him necessary to the President as well as to the country?

Inquiry, however, as to the one first suggesting Barney's name to Lincoln does not lead to the open. Chase's entrance into the Cabinet being settled, his influence firmly sustained Barney, but, before that, very early after the election, between November 7 and Weed's visit to Springfield on December 17, some one spoke the word in Barney's behalf which left such a deep and lasting impression upon the President's mind that he determined to advise Weed, before Seward could accept the state portfolio, of his intention to appoint Barney collector of the port of New York. The name of the person exerting such an influence, however, is now unknown. During this period Chase neither saw the President-elect, nor, so far as the records show, wrote him more than a formal note of congratulations. Another possible avenue of communication may have been Bryant or Greeley, but the latter distinctly denied that he asked, or wanted, or manipulated the appointment of any one.^[454] Bryant, who had great influence with Lincoln,^[455] and who strongly opposed Seward's going into the Cabinet,^[456] had presided at the Cooper Institute meeting and sat beside Hiram Barney. He knew that such a man, placed at the head of the custom-house and wielding its vast patronage, could be a potent factor in breaking Weed's control, but the editor's only published letter to Lincoln during this period was confined to reasons for making Chase secretary of state. In it he did not deprecate the strengthening of the Weed machine which would probably ignore the original New York supporters of Lincoln, or in any wise refer to local matters. Bryant had been partial to Chase for President until after Lincoln's Cooper Institute speech, and now, after election, he thought Chase, as secretary of state, would be best for the country. Lincoln's reply of "a few lines," convincing his correspondent "that whatever selection you make it will be made conscientiously," contained no word about Barney. Other letters, or parties personally interested in Barney, may have passed between the President-elect and Bryant, or Chase. Indeed, Lincoln confessed to

Weed that he had received telegrams and visits from prominent Republicans, warning him against the Albany editor's efforts to forestall important state appointments, but no clue is left to identify them. The mystery deepens, too, since, whatever was done, came without Barney's suggestion or knowledge.[457]

Hiram Barney, a native of Jefferson County, a graduate of Union College in 1834, and the head of a well-known law firm, was a lawyer of high character and a Republican of Democratic antecedents, who had stood with Greeley and Bryant in opposing Seward at Chicago, and whose appointment to the most important federal office in the State meant mischief for Weed.[458] In its effect it was not unlike President Garfield's selection of William H. Robertson for the same place; and, although it did not at once result so disastrously to Weed as Robertson's appointment did to Conkling twenty years later, it gave the editor's adversaries vantage ground, which so seriously crippled the Weed machine, that, in the succeeding November, George Opdyke, a personal enemy of Thurlow Weed,[459] was nominated and elected mayor of New York City.

At the conference of the President and New York senators, Seward, accepting the inevitable, received Lincoln's announcement of Barney's appointment in chilling silence. Without openly disclosing itself, the proposed step had been the cause of much friction, and was yet to be opposed with coolness and candour,[460] but Lincoln's firmness in declaring that Barney was a man of integrity who had his confidence, and that he had made the appointment on his own responsibility and from personal knowledge,[461] impressed his hearers with the belief that, with whatever disfavour Seward listened, he had practically surrendered to the will of his superior. Another scene occurred, as the interview proceeded, which also indicated the master spirit. After reviewing the extended list of names presented for collectors and other officers, Seward expressed the wish that the nominations might be sent forthwith to the Senate. The embarrassed senators, unprepared for such haste, found in the secretary of the navy, who had accompanied the President on the latter's invitation, a ready opponent to such a plan because other members of the Cabinet had been wholly ignored. Welles inquired if the secretary of the treasury and attorney-general had been consulted, insisting that a proper administration of the departments made their concurrence in the selection of competent subordinates upon

whom they must rely, not only proper but absolutely necessary. Seward objected to this as unnecessary, for these were New York appointments, he said, and he knew better than Chase and Bates what was best in that State for the party and the Administration. The President, however, agreed with the secretary of the navy, declaring that nothing conclusive would be done until he had advised with interested heads of departments. "With this," says Welles, "the meeting soon and somewhat abruptly terminated."^[462] So far as it related to the distribution of patronage, this conference, held early in March, settled nothing beyond Barney's appointment; as to the question whether Seward was President or Premier, however, the New Yorker soon learned that he was to have influence with his chief only by reason of his assiduous attention to the public business and his dexterity and tact in promoting the views of the President.^[463]

To the outsider, the appointment of Barney looked, for the moment, like a substantial defeat for Seward. "The mighty struggle," said the *Herald*, "is for the possession of the New York appointments, and the strife is deadly and bitter."^[464] The anti-Weed forces, reinforced by the arrival of Greeley,^[465] the coming of Barney,^[466] and the persistence of Harris,^[467] were elated over reported changes in the Weed slate, believing the fruit of their long labours was about to come at last, but from the sum-total of the nominations, made day by day, it appeared that while several attachés of the *Tribune's* staff had been recognised,^[468] Seward had secured all the important offices save collector of the port.^[469] During this turmoil the Secretary's unfailing calmness was not disturbed, nor his uniform courtesy ruffled.

Seward never forgot a real friend. Out of thirty-five diplomatic posts carrying a salary of five thousand dollars and upward, the Empire State was credited with nine; and, of these, one, a minister plenipotentiary, received twelve thousand dollars, and seven ministers resident, seventy-five hundred each. Seward, with the advice of Thurlow Weed, filled them all with tried and true supporters. Greeley, who, for some time, had been murmuring about the Secretary's appointments, let fly, at last, a sarcastic paragraph or two about the appointment of Andrew B. Dickinson, the farmer statesman of Steuben, which betrayed something of the bitterness existing between the Secretary of State and the editor of the *Tribune*. For more than a year no such thing had existed as personal relations. Before the spring of 1860 they

met frequently with a show of cordiality, and, although the former understood that the latter boasted an independence of control whenever they differed in opinion, the *Tribune* co-operated and its editor freely conferred with the New York senator during the long struggle in Congress for Kansas and free labour; but after Seward's defeat at Chicago they never met,[470] dislike displaced regard, and the *Tribune*, with eye and ear open to catch whatever would make its adversary wince, indulged in bitter sarcasm. William B. Taylor's reappointment as postmaster at New York City gave it opportunity to praise Taylor and criticise Seward, claiming that the former, who had held office under Buchanan, though an excellent official, was not a Republican. This proved so deep a thrust, arraying office-seekers and their friends against the Secretary and Thurlow Weed, that Greeley kept it up, finding some appointees inefficient, and the Republicanism of others insufficient.

To the former class belonged the minister resident to Nicaragua. Dickinson had wearied of a farmer's life,[471] and Seward, who often benefited by his ardent and influential friendship, bade him make his own selection from the good things he had to offer. More than ordinary reasons existed why the Secretary desired to assist the Steuben farmer. Dickinson served in the State Senate throughout Seward's two terms as governor, and during these four years he had fearlessly and faithfully explained and defended Seward's recommendation of a division of the school fund, which proved so offensive to many thousand voters in New York. Indeed, it may be said with truth, that Seward's record on that one question did more to defeat him at Chicago than all his "irrepressible conflict" and "higher-law" declarations. It became the fulcrum of Curtin's and Lane's aggressive resistance, who claimed that, in the event of his nomination, the American or Know-Nothing element in Pennsylvania and Indiana would not only maintain its organisation, but largely increase its strength, because of its strong prejudices against a division of the school fund.

Dickinson met this issue squarely. He followed the powerful Pennsylvanian and Indianian from delegation to delegation, explaining that Seward had sought simply to turn the children of poor foreigners into the path of moral and intellectual cultivation pursued by the American born,—a policy, he declared, in which all Republicans and Christian citizens should concur. He pictured school conditions in New York City in 1840, the date of Seward's

historic message; he showed how prejudices arising from differences of language and religion kept schoolhouses empty and slum children ignorant, while reform schools and prisons were full. Under these circumstances, thundered the Steuben farmer, Seward did right in recommending the establishment of schools in which such children might be instructed by teachers speaking the same language with themselves, and professing the same faith.

This was the sort of defence Seward appreciated. His recommendation had not been the result of carelessness or inadvertence, and, although well-meaning friends sought to excuse it as such, he resented the insinuation. "I am only determined the more," he wrote, "to do what may be in my power to render our system of education as comprehensive as the interests involved, and to provide for the support of the glorious superstructure of universal suffrage,—the basis of universal education."[\[472\]](#) In his defence, Dickinson maintained the excellence of Seward's suggestion, and it deeply angered the Steuben farmer that the *Tribune's* editor, who knew the facts as well as he, did not also attempt to silence the arguments of the two most influential Lincoln delegates, who boldly based their opposition, not upon personal hostility or his advanced position in Republican faith, but upon what Greeley had known for twenty years to be a perversion of Seward's language and Seward's motives.

In the Secretary's opinion Dickinson's bold defiance of the rules of grammar and spelling did not weaken his natural intellectual strength; but Greeley, whom the would-be diplomat, with profane vituperation, had charged at Chicago with the basest ingratitude,[\[473\]](#) protested against such an appointment to such an important post. "We have long known him," said the *Tribune*, "as a skilful farmer, a cunning politician, and a hearty admirer of Mr. Seward, but never suspected him of that intimate knowledge of the Spanish language which is almost indispensable to that country, which, just at this moment, from the peculiar designs of the Southern rebels, is one of the most important that the secretary of state has to fill."[\[474\]](#) Dickinson recognised the odium that would attach to Seward because of the appointment, and in a characteristic letter he assured the Secretary of State that, whatever Greeley might say, he need have no fear of his ability to represent the government efficiently at the court of Nicaragua.[\[475\]](#)

James S. Pike's selection for minister resident to The Hague seemed to contradict Greeley's declaration that he neither asked nor desired the appointment of any one. For years Pike, "a skilful maligner of Mr. Seward," [476] had been the Washington representative of the *Tribune*, and the belief generally obtained that, although Pike belonged to Maine and was supported by its delegation in Congress, the real power behind the throne lived in New York. Nevertheless, the *Tribune's* editor, drifting in thought and speech in the inevitable direction of his genius, soon indicated that he had had no personal favours to ask.

Seward's appointment as secretary of state chilled Greeley's love for the new Administration.[477] The *Tribune's* editor seems never to have shown an exalted appreciation of Abraham Lincoln. Although they served together in Congress, and, for twenty years, had held to the same political faith, Greeley, apparently indifferent to his colleague's success, advocated, in 1858, the return of Stephen A. Douglas to the United States Senate, because of his hostility to the Lecompton policy of the Buchanan administration, and it was intimated that this support, backed by his powerful journal, may have resulted in Douglas' carrying the Legislature against Lincoln. In 1860, Greeley favoured Bates for President. He was not displeased to have Lincoln nominated, but his battle had been to defeat Seward, and when Lincoln turned to Seward for secretary of state, which meant, as Greeley believed, the domination of the Weed machine to punish his revolt against Seward, Greeley became irretrievably embittered against the President.

It is doubtful if Lincoln and Greeley, under any circumstances, could have had close personal relations. Lack of sympathy because they did not see things alike must have kept them apart; but Seward's presence in the Cabinet undoubtedly limited Greeley's intercourse with the President at a time when frequent conferences might have avoided grave embarrassments. His virile and brilliant talents, which turned him into an independent and acute thinker on a wide range of subjects, always interested his readers, giving expression to the thoughts of many earnest men who aided in forming public opinion in their neighbourhoods, so that it may be said with truth, that, in 1860 and 1861, everything he wrote was eagerly read and discussed in the North. "Notwithstanding the loyal support given Lincoln throughout the country," says McClure, "Greeley was in closer touch with the active, loyal sentiment of the people than even the President himself." [478] His art of saying things on paper seemed to thrill people as much as the nervous, spirited rhetoric of an intense talker. With the air of lofty detachment from sordid interests, his sentences, clear and rapid, read like the clarion notes of a peroration, and impressed his great audiences with an earnestness that often carried conviction even to unwilling listeners.

Nevertheless, the *Tribune's* columns did not manifest toward the Administration a fine exhibition of the love of fair play. In the hottest moment of excitement growing out of hostilities, it patriotically supported the most vigorous prosecution of the war, and mercilessly criticised its opponents; but Greeley would neither conform to nor silently endure Lincoln's judgment, and, as every step in the war created new issues, his constant criticism, made through the columns of a great newspaper, kept the party more or less seriously divided, until, by untimely forcing emancipation, he inspired, despite the patient and conciliatory methods of Lincoln, a factious hostility to the President which embarrassed his efforts to marshal a solid North in support of his war policy. Greeley was a man of clean hands and pure heart, and, at the outset, it is probable that his attempted direction of Lincoln's policy existed without ill-feeling; yet he was a good hater, and, as the contest went on, he drifted into an opposition which gradually increased in bitterness, and, finally, led to a temporary and foolish rebellion against the President's renomination. Meantime, the great-hearted Lincoln, conning the lesson taught by the voice of history, continued to practise the precept,

"Saying, What is excellent,
As God lives, is permanent."

FOOTNOTES TO VOLUME II

[1] *Autobiography of Thurlow Weed*, p. 103.

[2] *Autobiography of Thurlow Weed*, p. 31.

[3] "Many years ago I was riding with Gerrit Smith in northern New York. He suddenly stopped the carriage, and, looking around for a few minutes, said: 'We are now on some of my poor land, familiarly known as the John Brown tract;' and he then added, 'I own eight hundred thousand acres, of which this is a part, and all in one piece.' Everybody knows that his father purchased the most of it at sales by the comptrollers of state for unpaid taxes. He said he owned land in fifty-six of the sixty counties in New York. He was also a landlord in other States."—H.B. Stanton, *Random Recollections*, p. 189.

[4] Horace Greeley, *The American Conflict*, Vol. 1, p. 122, *note*.

[5] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 319.

[6] *Governors' Messages*, January 5, 1836.

[7] "When the bill came to a vote in the Senate, although there was really a substantial majority against it, a tie was skilfully arranged to compel Van Buren, as Vice President, to give the casting vote. White, the Southern Democratic candidate so seriously menacing him, was in the Senate, and voted for the bill. Van Buren must, it was supposed, offend the pro-slavery men by voting against the bill, or offend the North and perhaps bruise his conscience by voting for it. When the roll was being called, Van Buren, so Benton tells us, was out of the chair, walking behind the colonnade at the rear of the Vice President's seat. Calhoun, fearful lest he

might escape the ordeal, eagerly asked where he was, and told the sergeant-at-arms to look for him. But Van Buren was ready, and at once stepped to his chair and voted for the bill. His close friend, Silas Wright of New York, also voted for it. Benton says he deemed both the votes to be political and given from policy. So they probably were.... Van Buren never deserved to be called a 'Northern man with Southern principles.' But this vote came nearer to an excuse for the epithet than did any other act of his career."—Edward M. Shepard, *Life of Martin Van Buren*, p. 277.

[8] William L. Marcy, 166,122; Jesse Buel, 136,648—*Civil List, State of New York* (1887), p. 166.

[9] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 366.

[10] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 373.

[11] *Ibid.*, p. 374.

[12] "Apart from politics, I liked Seward, though not blind to his faults. His natural instincts were humane and progressive. He hated slavery and all its belongings, though a seeming necessity constrained him to write, in 1838, to this intensely pro-slavery city, a pro-slavery letter, which was at war with his real, or at least with his subsequent convictions. Though of Democratic parentage, he had been an Adams man, an anti-Mason, and was now thoroughly a Whig. The policy of more extensive and vigorous internal improvement had no more zealous champion. By nature, genial and averse to pomp, ceremony, and formality, few public men of his early prime were better calculated to attract and fascinate young men of his own party, and holding views accordant on most points with his.... Weed was of coarser mould and fibre than Seward—tall, robust, dark-featured, shrewd, resolute, and not over-scrupulous—keen-sighted, though not far-seeing."—Horace Greeley, *Recollections of a Busy Life*, pp. 311, 312.

- [13] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 60.
- [14] *Ibid.*, p. 61.
- [15] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 61.
- [16] *Autobiography of Thurlow Weed*, p. 466.
- [17] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 97.
- [18] William H. Seward, 192,882; William L. Marcy, 182,461.—*Civil List, State of New York* (1887), p. 166.
- [19] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 379.
- [20] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 61.
- [21] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 63. F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 381.
- [22] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 72.
- [23] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 1, p. 423.
- [24] *Ibid.*, Vol. 2, p. 97.
- [25] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 642.
- [26] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 100.
- [27] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 395.
- [28] *Autobiography of Thurlow Weed*, p. 459.
- [29] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 73.

[30] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 1, p. 461.

[31] *Ibid.*, Vol. 2, p. 86.

[32] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 483.

[33] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 77.

[34] William H. Seward, 222,011; William C. Bouck, 216,808.—*Civil List, State of New York* (1887), p. 166.

[35] "Seward had faults, which his accession to power soon displayed in bold relief. His natural tendencies were toward a government not merely paternal, but prodigal—one which, in its multiform endeavours to make every one prosperous, if not rich, was very likely to overwhelm all in general embarrassment, if not in general bankruptcy. Few governors have favoured, few senators voted for more unwisely lavish expenditures than he. Above the suspicion of voting money into his own pocket, he has a rooted dislike to opposing a project or bill whereby any of his attached friends are to profit. And, conceited as we all are, I think most men exceed him in the art of concealing from others their overweening faith in their own sagacity and discernment."—Horace Greeley, *Recollections of a Busy Life*, p. 312.

[36] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 547.

[37] "For four days the debate on a bill for the enlargement of the canals shed darkness rather than light over the subject, and the chamber grew murky. One morning a tallish man, past middle age, with iron-gray locks drooping on his shoulders, and wearing a mixed suit of plain clothes, took the floor. I noticed that pens, newspapers, and all else were laid down, and every eye fixed on the speaker. I supposed he was some quaint old joker from the backwoods, who was going to afford the House a little fun. The first sentences arrested my attention. A beam of light shot through the

darkness, and I began to get glimpses of the question at issue. Soon a broad belt of sunshine spread over the chamber. 'Who is he?' I asked a member. 'Michael Hoffman,' was the reply. He spoke for an hour, and though his manner was quiet and his diction simple, he was so methodical and lucid in his argument that, where all had appeared confused before, everything now seemed clear."—H.B. Stanton, *Random Recollections*, p. 173.

[38] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 1, p. 34.

[39] William C. Bouck, 208,072; Luther Bradish, 186,091. —*Civil List, State of New York* (1887), p. 166.

[40] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 96.

[41] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 627.

[42] Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 412.

[43] Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 412.

[44] "One morning Hoffman rose to reply to Seymour, but on learning that he was ill he refused to deliver his speech for two or three days, till Seymour was able to be in his seat."—H.B. Stanton, *Random Recollections*, p. 175.

[45] Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 441.

[46] Edward M. Shepard, *Life of Martin Van Buren*, p. 407.

[47] "Judge Fine, Mr. Butler, and other members of the New York delegation, reposed great confidence in the opinions and statements of Mr. Cave Johnson, of Tennessee. He frequently met with the delegation, and expressed himself in the strongest terms of personal and political friendship

towards Mr. Van Buren and Mr. Wright. He said he regretted that the Democratic convention in Tennessee had not named Mr. Van Buren as the candidate. So strong was the confidence in Mr. Johnson as a friend of Mr. Van Buren, that he was apprised of all our plans in regard to the organisation of the convention, and was requested to nominate Gov. Hubbard of New Hampshire, as temporary chairman. But when the convention assembled Gen. Saunders of North Carolina called the convention to order and nominated Hendrick B. Wright, of Pennsylvania, a friend of Mr. Buchanan, as temporary president. Messrs. Walker, Saunders, and Cave Johnson were the principal managers for the delegates from the southern section of the Union."—Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 447.

[48] "The danger of Van Buren's difference with Jackson it was sought to avert. Butler visited Jackson at the Hermitage, and doubtless showed him for what sinister end he had been used. Jackson did not withdraw his approval of annexation; but publicly declared his regard for Van Buren to be so great, his confidence in Van Buren's love of country to be so strengthened by long intimacy, that no difference about Texas could change his opinion. But the work of Calhoun and Robert J. Walker had been too well done."—Edward M. Shepard, *Life of Martin Van Buren*, p. 407.

[49] Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 444.

[50] Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 450.

"The real contest took place over the adoption of the rule requiring a two-thirds vote for the nomination. For it was through this rule that enough Southern members, chosen before Van Buren's letter, were to escape obedience to their instructions to vote for him. Robert J. Walker, then a senator

from Mississippi, a man of interesting history and large ability, led the Southerners. He quoted the precedent of 1832 when Van Buren had been nominated for the Vice Presidency under the two-thirds rule, and that of 1835, when he had been nominated for the Presidency. These nominations had led to victory. In 1840 the rule had not been adopted. Without this rule, he said amid angry excitement, the party would yield to those whose motto seemed to be 'rule or ruin.' Butler, Daniel S. Dickinson, and Marcus Morton led the Northern ranks.... Morton said that under the majority rule Jefferson had been nominated; that rule had governed state, county, and township conventions. Butler admitted that under the rule Van Buren would not be nominated, although a majority of the convention was known to be for him. In 1832 and 1835 the two-thirds rule had prevailed because it was certainly known who would be nominated; and the rule operated to aid not to defeat the majority. If the rule were adopted, it would be by the votes of States which were not Democratic, and would bring 'dismemberment and final breaking up of the party.' Walker laughed at Butler's 'tall vaulting' from the floor; and, refusing to shrink from the Van Buren issue, he protested against New York dictation, and warningly said that, if Van Buren were nominated, Clay would be elected."—Edward M. Shepard, *Life of Martin Van Buren*, p. 408.

[51] "Next to the Presidency no place was so much desired, in the times we are now reviewing, as that of senator of the United States. The body was illustrious through the fame of its members, who generally exhibited the very flower and highest outcome of American political life; dignified, powerful, respected, it was the pride of the nation, and one of its main bulwarks. The height of ordinary ambition was satisfied by attainment to that place; and men once securely seated there would have been content to hold it on and on, asking no more. One cannot doubt the sincerity of the expressions in which Mr. Wright announced his distress at

being thrown from that delightful eminence into the whirlpools and quicksands at Albany."—Morgan Dix, *Memoirs of John Dix*, Vol. 1, pp. 194, 195.

[52] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 723.

"Wright was a strong man the day before his nomination for governor. He fell far, and if left alone will be not, what he might have been, George I. to William of Orange, lineal heir to Jackson, through Van Buren. The wiseacres in New York speak of him with compliment, 'this distinguished statesman;' yet they bring all their small artillery to bear upon him, and give notice that he is demolished. The praise they bestow is very ill concealed, but less injurious to us than their warfare, conducted in their mode."—Letter of W.H. Seward to Thurlow Weed, *Ibid.*, Vol. 1, p. 725.

[53] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 121.

[54] H.B. Stanton, *Random Recollections*, p. 135.

[55] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 699.

[56] Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 441, *note*.

[57] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 723.

[58] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 719.

"I think you cannot leave the *Journal* without giving up the whole army to dissension and overthrow. I agree that if, by remaining, you save it, you only draw down double denunciation upon yourself and me. Nor do I see the way through and beyond that. But there will be some way through. I grant, then, that, for yourself and me, it is wise and profitable that you leave. I must be left without the possibility of restoration, without a defender, without an organ. Nothing else will satisfy those who think they are

shaded. Then, and not until then, shall I have passed through the not unreasonable punishment for too much success. But the party—the country? They cannot bear your withdrawal. I think I am not mistaken in this. Let us adhere, then. Stand fast. It is neither wise nor reasonable that we should bear the censure of defeat, when we have been deprived of not merely command, but of a voice in council."—W.H. Seward to Thurlow Weed, *Ibid.*, Vol. 1, p. 720.

[59] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 718.

[60] *Ibid.*, p. 723.

[61] *Ibid.*, p. 727.

[62] Private letter, Henry Clay to Stephen Miller, Tuscaloosa, Ala., July 1, 1844.

[63] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 123.

[64] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 724.

[65] Silas Wright, 241,090; Millard Fillmore, 231,057; Alvan Stewart, 15,136.—*Civil List, State of New York* (1887), p. 166.

[66] In 1840 Gerrit Smith received 2662; in 1842 Alvan Stewart polled 7263.—*Ibid.*, p. 166.

[67] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 1, p. 572.

[68] "On that occasion the feud between the two sections of the party was disclosed in all its intensity. The conflict, which was sharp and ended in the election of Daniel S. Dickinson for the six-years term, in spite of the strong opposition of the Radical members of the caucus, was a triumph for the Conservatives, and a defeat for the friends of Governor Wright. The closing years of the great statesman's life were overcast by shadows; adverse influences were

evidently in the ascendant, not only at Washington, but close about him and at home."—Morgan Dix, *Memoirs of John A. Dix*, Vol. 1, p. 194.

[69] "On the great question that loomed threateningly on the horizon, Wright and Marcy took opposite sides. Wright moved calmly along with the advancing liberal sentiment of the period, and died a firm advocate of the policy of the Wilmot Proviso. On this test measure Marcy took no step forward."—H.B. Stanton, *Random Recollections*, p. 40.

[70] Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 537.

[71] Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 544.

[72] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 33.

[73] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 791.

[74] *Autobiography of Thurlow Weed*, p. 34.

[75] Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 655.

[76] Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 756. *Appendix*.

[77] Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 762.

[78] John Young, 198,878; Silas Wright, 187,306; Henry Bradley, 12,844; Ogden Edwards, 6306.—*Civil List, State of New York* (1887), p. 166.

[79] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 34.

[80] Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 756. *Appendix*.

[81] Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 691.

[82] *Ibid.*, Vol. 3, p. 693.

"More serious than either of these [Anti-Rent disturbance and veto of canal appropriation] was the harm done by the quiet yet persistent opposition of the Hunkers. Nor can it be doubted that the influence of the Government at Washington was thrown against him in that critical hour. Governor Marcy was secretary of war; Samuel Nelson had just been appointed a justice of the Supreme Court of the United States; Governor Bouck held one of the most influential offices in the city of New York—all these were members of that section of the party with which Governor Wright was not in sympathy. It was evident that he would not be able to maintain himself against an opposition of which the elements were so numerous, so varied, and so dangerous."—Morgan Dix, *Memoirs of John A. Dix*, Vol. 1, p. 227.

[83] Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 757. *Appendix*.

[84] "Nothing can be imagined more admirable than the conduct of that great man under these trying circumstances. He returned at once to his beloved farm at Canton, and resumed, with apparent delight, the occupations of a rustic life. Visitors have related how they found him at work in his fields, in the midst of his farmhands, setting an example of industry and zeal. His house was the shrine of many a pilgrimage; and, as profound regret at the loss of such a man from the councils of the State took the place of a less honourable sentiment, his popularity began to return. Already, as the time for the nomination of a President drew near, men were looking to him, as an illustrious representative of the principles and hereditary faith of the Democratic-Republican party, in whose hands the country would be safe, no matter from what quarter the tempest

might come."—Morgan Dix, *Memoirs of John A. Dix*, Vol. 1, p. 228.

[85] Jabez D. Hammond, *Political History of New York*, Vol. 3, p. 729.

[86] "To understand the issue presented by the Wilmot Proviso it must be observed that its advocates sustained it on the distinct ground that, as slavery had been abolished throughout the Mexican Republic, the acquisition of territory without prohibiting slavery would, on the theory asserted by the Southern States, lead to its restoration where it had ceased to exist, and make the United States responsible for its extension to districts in which universal freedom had been established by the fundamental law."—Morgan Dix, *Memoirs of John A. Dix*, Vol. 1, p. 205.

[87] "In the fall of 1847 I was a spectator at the Democratic state convention, held in Syracuse. The great chiefs of both factions were on the ground, and never was there a fiercer, more bitter and relentless conflict between the Narragansetts and Pequods than this memorable contest between the Barnburners and Hunkers. Silas Wright was the idol of the Barnburners. He had died on the 27th of the preceding August—less than two weeks before. James S. Wadsworth voiced the sentiments of his followers. In the convention some one spoke of doing justice to Mr. Wright. A Hunker sneeringly responded, 'It is too late; he is dead.' Springing upon a table Wadsworth made the hall ring as he uttered the defiant reply: 'Though it may be too late to do justice to Silas Wright, it is not too late to do justice to his assassins.' The Hunkers laid the Wilmot Proviso upon the table, but the Barnburners punished them at the election."—H.B. Stanton, *Random Recollections*, p. 159.

[88] "There could hardly be a wider contrast between two men than the space that divided the Sage of Lindenwald from Prince John. In one particular, however, they were

alike. Each had that personal magnetism that binds followers to leaders with hooks of steel. The father was grave, urbane, wary, a safe counsellor, and accustomed to an argumentative and deliberate method of address that befitted the bar and the Senate. Few knew how able a lawyer the elder Van Buren was. The son was enthusiastic, frank, bold, and given to wit, repartee, and a style of oratory admirably adapted to swaying popular assemblies. The younger Van Buren, too, was a sound lawyer."—H.B. Stanton, *Random Recollections*, p. 175.

[89] *History of the Bench and Bar of New York*, Vol. 1, p. 505.

[90] Henry Wilson, *Rise and Fall of the Slave Power of the United States*, Vol. 2, p. 142.

[91] *Ibid.*, p. 142.

[92] "The Barnburners made the Monumental City lurid with their wrath, frightening the delegates from the back States almost out of their wits."—H.B. Stanton, *Random Recollections*, p. 162. "Or, as one man said in a speech, 'the regular delegates might occupy half a seat apiece, provided each of them would let a Hunker sit on his lap.'"—*Ibid.*, p. 161.

[93] "The nomination of Cass for the Presidency by the Democrats and Taylor by the Whigs led to the Buffalo convention of 1848. Pro-slavery Democrats were there to avenge the wrongs of Martin Van Buren. Free-soil Democrats were there to punish the assassins of Silas Wright. Pro-slavery Whigs were there to strike down Taylor because he had dethroned their idol, Henry Clay, in the Philadelphia convention. Anti-slavery Whigs were there, breathing the spirit of the departed John Quincy Adams. Abolitionists of all shades of opinion were present, from the darkest type to those of a milder hue, who shared the views

of Salmon P. Chase."—H.B. Stanton, *Random Recollections*, pp. 162-63.

[94] Charles Sumner, *Works*, Vol. 2, p. 144.

"It will be remembered that Van Buren, in his inaugural as President, pledged himself to veto any bill for the abolition of slavery in the District of Columbia, unless sanctioned by Maryland and Virginia. Anti-slavery men took great umbrage to this pledge, and while Butler at the Buffalo convention was graphically describing how the ex-President, now absorbed in bucolic pursuits at his Kinderhook farm, had recently leaped a fence to show his visitor a field of sprouting turnips, one of these disgusted Abolitionists abruptly exclaimed, 'Damn his turnips! What are his present opinions about the abolition of slavery in the District of Columbia?' 'I was just coming to that subject,' responded the oily Barnburner, with a suave bow towards the ruffled Whig. 'Well, you can't be a moment too quick in coming to it,' replied the captious interlocutor."—H.B. Stanton, *Random Recollections*, p. 164.

[95] "General Dix disapproved of the design to make separate nominations, thinking it unwise, and foreseeing that it would increase the difficulty of bringing about a reconciliation. But that he, a Democrat of the old school, should find himself associated with gentlemen of the Whig party, from whom he differed on almost every point, was a painful and distressing surprise. He was willing, if it must be so, to go with his own section of the Democratic party, though deeming their course not the wisest. But when it came to an alliance with Whigs and Abolitionists he lost all heart in the movement. This accounts for his strong expressions in after years to justify himself from the charge of being an Abolitionist and false to his old faith."—Morgan Dix, *Memoirs of John A. Dix*, Vol. 1, p. 239.

- [96] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 165.
- [97] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 167.
- [98] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 71.
- [99] New York *Tribune*, September 15, 1848.
- [100] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 77.
- [101] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 86.
- [102] *Ibid.*, p. 80.
- [103] Hamilton Fish, 218,776; John A. Dix, 122,811; Reuben H. Walworth, 116,811; William Goodell, 1593.—*Civil List, State of New York* (1887), p. 166.
- [104] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 87.
- [105] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 173.
- [106] New York *Herald*, December 1, 1848.
- [107] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 174.
- [108] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 56.
- [109] *Ibid.*, p. 97.
- [110] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 98.
- [111] *Ibid.*, p. 99.
- [112] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 113.
- [113] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 175.

[114] H.B. Stanton, *Random Recollections*, p. 165.

[115] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 126.

[116] *Ibid.*, p. 127.

[117] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 129.

[118] Washington Hunt, 214,614; Horatio Seymour, 214,352.—*Civil List, State of New York* (1887), p. 166.

[119] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 189.

[120] Horace Greeley, *Recollections of a Busy Life*, pp. 138, 139.

[121] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 190.

[122] "The Whigs held the Senate by only two majority, and when the day for electing a United States senator arrived, sixteen Whigs voted for Fish, and fifteen Democrats voted for as many different candidates, so that the Fish Whigs could not double over upon them. James W. Beekman, a Whig senator of New York City, who claimed that Fish had fallen too much under the control of Weed, voted for Francis Granger. Upon a motion to adjourn, Beekman voted 'yes' with the Democrats, creating a tie, which the lieutenant-governor broke by also voting in the affirmative. The Whigs then waited for a few weeks, but one morning, when two Democrats were in New York City, they sprung a resolution to go into an election, and, after an unbroken struggle of fourteen hours, Fish was elected. The exultant cannon of the victors startled the city from its slumbers, and convinced the Silver-Grays that the Woolly Heads still held the capitol."—H.B. Stanton, *Random Recollections*, p. 172.

[123] J.E. Cabot, *Life of Emerson*, p. 578. Emerson's address at Concord, May 3, 1851.

[124] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 163.

[125] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 185.

[126] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 196.

[127] "When Fillmore withdrew from the presidential office, the general sentiment proclaimed that he had filled the place with ability and honour. He was strictly temperate, industrious, orderly, and of an integrity above suspicion. If Northern people did not approve the fugitive slave law, they at least looked upon it with toleration. It is quite true, however, that after-opinion has been unkind to Fillmore. The judgment on him was made up at a time when the fugitive slave law had become detestable, and he was remembered only for his signature and vigorous execution of it."—James F. Rhodes, *History of the United States*, Vol. 1, pp. 297, 301.

[128] "It was certain that Mr. Dickinson could not carry New York.... Governor Marcy was strongly urged in many quarters, and it was thought the State might be carried by him; but many were of the opinion that his friends kept his name prominently before the public with the hope of obtaining a cabinet appointment for him and thus securing the influence of that section of the New York Democracy to which he belonged. This was precisely the result that followed."—Morgan Dix, *Memoirs of John A. Dix*, Vol. 1, p. 266.

[129] "I could not consent to a nomination here without incurring the imputation of unfaithfully executing the trust committed to me by my constituents—without turning my back on an old and valued friend. Nothing that could be offered me—not even the highest position in the Government, the office of President of the United States—could compensate me for such a desertion of my trust."—Daniel S. Dickinson, *Letters and Speeches*, Vol. 1, p. 370.

[130] H.B. Stanton, *Random Recollections*, p. 181.

[131] "Marcy held the war portfolio under Polk, but his conduct of the office had not added to his reputation, for it had galled the Administration to have the signal victories of the Mexican War won by Whig generals, and it was currently believed that the War Minister had shared in the endeavour to thwart some of the plans of Scott and Taylor."—James F. Rhodes, *History of the United States*, Vol. 1, pp. 246-7.

"The conflict became terrific, until, when the ballots had run up to within one of fifty, the Virginia nominee was announced as the choice of the convention."—Morgan Dix, *Memoirs of John A. Dix*, Vol. 1, p. 268.

[132] "Seymour was among the most effective and eloquent platform orators in New York. Less electrical than John Van Buren, he was more persuasive; less witty, he was more logical; less sarcastic, he was more candid; less denunciatory of antagonists, he was more convincing to opponents. These two remarkable men had little in common except lofty ambition and rare mental and social gifts. Their salient characteristics were widely dissimilar. Seymour was conciliatory, and cultivated peace. Van Buren was aggressive, and coveted war."—H.B. Stanton, *Random Recollections*, p. 178.

[133] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 218.

[134] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 188.

"Many thought: the voice is Jacob's voice, but the hands are the hands of Esau. Seward was the political juggler, or Mephistopheles, as some called him, and the result was regarded as his triumph."—James F. Rhodes, *History of the United States*, Vol. 1, p. 262. "Some of the prominent Whig newspapers of Georgia declined to sustain Scott, because his election would mean Free-soilism and Sewardism. An address was issued on July 3 by Alexander H. Stephens,

Robert Toombs, and five other Whig representatives, in which they flatly refused to support Scott because he was 'the favourite candidate of the Free Soil wing of the Whig party.'"—*Ibid.*, p. 262.

[135] New York *Tribune*, October, 1852.

[136] *Seward's Works*, Vol. 3, p. 416. Date of letter, June 26, 1852.

[137] "The argument of the *Post*, that the Democratic candidate and platform were really more favourable to liberty than the Whig, was somewhat strained; the editor failed to look the situation squarely in the face. He was, however, acting in perfect harmony with the prominent New York Democrats who had, four years previously, bolted the regular nomination. Salmon P. Chase, although still a Democrat, would not support Pierce, but gave his adherence to the Free-soil nominations, and tried hard, though in vain, to bring to their support his former New York associates."—James F. Rhodes, *History of the United States*, Vol. 1, pp. 264-65.

[138] John A. Dix spoke in the New England and the Middle States. From October 11 to 29 he made thirteen speeches "in the great canvass which is upon us."—Morgan Dix, *Memoirs of John A. Dix*, Vol. 1, pp. 269, 271.

[139] Horatio Seymour, 264, 121; Washington Hunt, 241, 525.—*Civil List, State of New York* (1887), p. 166.

[140] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 219.

[141] "Seymour resisted the Barnburner revolt of 1847, and supported Cass for President in 1848. But he warmly espoused the movement to reunite the party the next year. He was in advance of Marcy in that direction. Seymour pushed forward, while Marcy hung back. Seymour rather liked the Barnburners, except John Van Buren, of whom he

was quite jealous and somewhat afraid. But Marcy, after the experiences of 1847 and 1848, denounced them in hard terms, until Seymour and the Free-soil Democrats began talking of him for President in 1852, when the wily old Regency tactician mellowed toward them. Nothing was wanted to carry Marcy clear over except the hostility of Dickinson, who stood in his way to the White House. This he soon encountered, which reconciled him to the Barnburners."—H.B. Stanton, *Random Recollections*, p. 177.

[142] Morgan Dix, *Memoirs of John A. Dix*, Vol. 1, p. 271.

[143] *Ibid.*, Vol. 1, p. 272.

[144] "To satisfy the greatest number was the aim of the President, to whom this problem became the subject of serious thoughts and many councils; and although the whole Cabinet, as finally announced, was published in the newspapers one week before the inauguration, Pierce did not really decide who should be secretary of state until he had actually been one day in office, for up to the morning of March 5, that portfolio had not been offered to Marcy."—James F. Rhodes, *History of the United States*, Vol. 1, p. 389.

[145] "The President offered Dix the mission to France. The time fixed was early in the summer of that year. Meanwhile passage was taken for Havre, preparations for a four years' residence abroad were made, and every arrangement was completed which an anticipated absence from home renders necessary. But political intrigue was instantly resumed, and again with complete success. The opposition now came, or appears to have come, mainly from certain Southern politicians. Charges were made—such, for example, as this: that General Dix was an Abolitionist, and that the Administration would be untrue to the South by allowing a man of that extreme and fanatical party to represent it abroad.... But though these insinuations were repelled, the

influence was too strong to be resisted. In fact, the place was wanted for an eminent gentleman from Virginia."—Morgan Dix, *Memoirs of John A. Dix*, Vol. 1, pp. 273, 274, 275.

[146] *New York Tribune*, September 27, 1853.

[147] *New York Tribune*, September 27, 1853.

[148] *Ibid.*, September 26, 1853.

[149] *New York Tribune*, September 26, 1853.

[150] *Ibid.*, October 24, 1853.

[151] "With advancing years Mr. Conkling's temperament changed slightly. The exactions of legal life, and, to some extent, the needs of his political experience, apparently estranged him from the masses, although he was naturally one of the most approachable of men."—Alfred R. Conkling, *The Life and Letters of Roscoe Conkling*, pp. 203, 204.

[152] *New York Tribune*, October 6, 1853.

[153] *New York Tribune*, October 8, 1853.

[154] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 221.

[155] *Ibid.*, p. 222.

[156] James F. Rhodes, *History of the United States*, Vol. 1, p. 453.

[157] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 220.

[158] James F. Rhodes, *History of the United States*, Vol. 1, p. 453.

[159] Gideon Welles, *Lincoln and Seward*, p. 68.

[160] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 222.

[161] "After the passage of the Kansas-Nebraska act, it would seem as if the course of the opposition were plain. That the different elements of opposition should be fused into one complete whole seemed political wisdom. That course involved the formation of a new party and was urged warmly and persistently by many newspapers, but by none with such telling influence as by the New York *Tribune*. It had likewise the countenance of Chase, Sumner, and Wade. There were three elements that must be united—the Whigs, the Free-soilers, and the Anti-Nebraska Democrats. The Whigs were the most numerous body and as those at the North, to a man, had opposed the repeal of the Missouri Compromise they thought, with some quality of reason, that the fight might well be made under their banner and with their name. For the organisation of a party was not the work of a day. Why, then, go to all this trouble, when a complete organisation is at hand ready for use? This view of the situation was ably argued by the New York *Times*, and was supported by Senator Seward. As the New York Senator had a position of influence superior to any one who had opposed the Kansas-Nebraska bill, strenuous efforts were made to get his adhesion to a new party movement, but they were without avail. 'Seward hangs fire,' wrote Dr. Bailey. 'He agrees with Thurlow Weed.'—(Bailey to J.S. Pike, May 30, 1854, *First Blows of the Civil War*, p. 237.) 'We are not yet ready for a great national convention at Buffalo or elsewhere,' wrote Seward to Theodore Parker; 'it would bring together only the old veterans. The States are the places for activity just now.'—(*Life of Seward*, Vol. 2, p. 232.) Yet many Whigs who were not devoted to machine politics saw clearly that a new party must be formed under a new name. They differed, however, in regard to their bond of union. Some wished to go to the country with simply *Repeal of the Kansas-Nebraska act* inscribed on their banner. Others wished to plant themselves squarely on prohibition of slavery in all the territories. Still others preferred the resolve that not another slave State should be

admitted into the Union. Yet after all, the time seemed ripe for the formation of a party whose cardinal principle might be summed up as opposition to the extension of slavery."—James F. Rhodes, *History of the United States*, Vol. 2, p. 45-7.

[162] New York *Evening Post*, February 11, 1854.

[163] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 226.

"Mr. Greeley called upon me at the Astor House and asked if I did not think that the time and circumstances were favourable to his nomination. I replied that I did not think the time and circumstances favourable to his election, if nominated, but that my friends had lost control of the state convention. This answer perplexed him, but a few words of explanation made it quite clear. Admitting that he had brought the people up to the point of accepting a temperance candidate for governor, I remarked that another aspirant had 'stolen his thunder.' In other words, while he had shaken the temperance bush, Myron H. Clark would catch the bird. I informed Mr. Greeley that Know-Nothing or 'Choctaw' lodges had been secretly organised throughout the State, by means of which many delegates for Mr. Clark had been secured. Mr. Greeley saw that the 'slate' had been broken, and cheerfully relinquished the idea of being nominated. But a few days afterwards Mr. Greeley came to Albany, and said in an abrupt but not unfriendly way, 'Is there any objection to my running for lieutenant-governor?'... After a little more conversation, Mr. Greeley became entirely satisfied that a nomination for lieutenant-governor was not desirable, and left me in good spirits."—*Ibid.*, Vol. 2, p. 226.

[164] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 227.

[165] *Ibid.*, p. 280.

[166] In a letter to Charles A. Dana, dated March 2, 1856, Greeley indicates his feeling toward Raymond. "Have we got to surrender a page of the next *Weekly* to Raymond's bore of an address?" he says, referring to the Pittsburgh convention's appeal. "The man who could inflict six columns on a long-suffering public, on such an occasion, cannot possibly know enough to write an address."

[167] "I was a member of the first anti-Nebraska or Republican State Convention, which met at Saratoga Springs in September; but Messrs. Weed and Seward for a while stood aloof from the movement, preferring to be still regarded as Whigs."—Horace Greeley, *Recollections of a Busy Life*, p. 314.

[168] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 234.

[169] Myron H. Clark, 156,804; Horatio Seymour, 156,495; Daniel Ullman, 122,282; Green C. Bronson, 33,850.—*Civil List, State of New York* (1887), p. 166.

[170] H.B. Stanton, *Random Recollections*, p. 164. John W. Taylor served twenty consecutive years in Congress—a longer continuous service than any New York successor. Taylor also bears the proud distinction of being the only speaker from New York. Twice he was honoured as the successor of Henry Clay. He died at the home of his daughter in Cleveland, Ohio, in September, 1854, at the age of seventy, leaving a place in history strongly marked.

[171] *New York Times*, June 1, 1854.

[172] *New York Evening Post*, May 23, 1854.

[173] "There is about as much infidelity among Whigs at Albany as was expected; perhaps a little more. But there is also a counteracting agency in the other party, it is said, which promises to be an equilibrium."—F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 243.

[174] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 243.

[175] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 243.

[176] *Ibid.*, p. 251.

[177] *Ibid.*, p. 245.

[178] *Ibid.*, p. 246.

[179] Spring's *Kansas*, p. 44; see also, Sara Robinson, *Kansas*, p. 27.

[180] "He never became unduly excited about slavery. He had no sympathy for the religious or sentimental side of abolitionism, nor was he moved by the words of the philanthropists, preachers, or poets by whom the agitation was set ablaze and persistently fanned. He probably regarded it as an evil of less magnitude than several others that threatened the country."—Morgan Dix, *Memoirs of John A. Dix*, Vol. 1, p. 338.

[181] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 256. For full speech, see *Seward's Works*, Vol. 4, p. 225.

[182] *Diary of R.H. Dana*, C.F. Adams, *Life of Dana*, Vol. 1, p. 348.

[183] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 258.

[184] *Ibid.*, p. 259.

[185] James F. Rhodes, *History of the United States*, Vol. 2, p. 69. See also p. 68. "Seward," says the historian, "had the position, the ability and the character necessary for the leadership of a new party. He was the idol of the anti-slavery Whigs.... Perhaps his sympathies were heartily enlisted in the movement for a new party and he was held back by Thurlow Weed. Perhaps he would have felt less trammelled had not his senatorship been at stake in the fall election. The fact is, however, that the Republican movement in the West

and New England received no word of encouragement from him. He did not make a speech, even in the State of New York, during the campaign. His care and attention were engrossed in seeing that members of the Legislature were elected who would vote for him for senator." On July 27, 1854, the New York *Independent* asked: "Shall we have a new party? The leaders for such a party do not appear. Seward adheres to the Whig party." In the New York *Tribune* of November 9, Greeley asserted that "the man who should have impelled and guided the general uprising of the free States is W.H. Seward."

[186] New York *Weekly Tribune*, February 2, 1856.

[187] Parke Godwin, *Life of Bryant*, Vol. 2, p. 88.

[188] New York *Independent*, March 26, 1856.

[189] New York *Independent*, February 7, 1856.

[190] New York *Times*, February 1, 1856.

[191] Report of Committee on Territories, U.S. Senate, March 12, 1856.

[192] New York *Independent*, May 1, 1856, Letters from Washington.

[193] James F. Rhodes, *History of the United States*, Vol. 2, p. 130.

[194] New York *Times*, April 9, 1856.

[195] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 270.

[196] Statement of William H. Seward, Jr., to the Author.

[197] This speech was made on June 24, 1856.

[198] Gideon Welles, *Lincoln and Seward*, p. 23. "I am sorry to hear the remark," said the late Chief Justice Chase, "for while I would strain a point to oblige Mr. Seward, I feel

under no obligations to do anything for the special benefit of Mr. Weed. The two are not and never can be one to me."—*Ibid.*, p. 23.

[199] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 270.

[200] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 277.

[201] *Ibid.*, p. 277.

[202] *Ibid.*, p. 277.

[203] H.B. Stanton, *Random Recollections*, p. 194.

[204] Letters of April 7, 1856.

[205] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 278.

[206] Fernando Wood was a Quaker and a Philadelphian by birth. In early youth he became a cigarmaker, then a tobacco dealer, and later a grocer. At Harrisburg, his first introduction to politics resulted in a fist-fight with a state senator who was still on the floor when Wood left the bar-room. Then he went to New York, and, in 1840, was elected to Congress at the age of twenty-eight. Wood had a fascinating personality. He was tall and shapely, his handsome features and keen blue eyes were made the more attractive by an abundance of light hair which fell carelessly over a high, broad forehead. But, as a politician, he was as false as his capacity would allow him to be, having no hesitation, either from principle or fear, to say or do anything that served his purpose. He has been called the successor of Aaron Burr and the predecessor of William M. Tweed. In 1858, he organised Mozart Hall, a Democratic society opposed to Tammany.

[207] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 1, p. 153.

[208] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 140.

[209] Horatio Seymour used the same argument with great effect. "Another tie which has heretofore held our country together has been disbanded, and from its ruins has sprung a political organisation trusting for its success to sectional prejudices. It excludes from its councils the people of nearly one-half of the Union; it seeks a triumph over one-half our country. The battle-fields of Yorktown, of Camden, of New Orleans, are unrepresented in their conventions; and no delegates speak for the States where rest the remains of Washington, Jefferson, Marion, Sumter, or Morgan, or of the later hero, Jackson. They cherish more bitter hatred of their own countrymen than they have ever shown towards the enemies of our land. If the language they hold this day had been used eighty years since, we should not have thrown off the British yoke; our national constitution would not have been formed; and if their spirit of hatred continues, our Constitution and Government will cease to exist."—Seymour at Springfield, Mass., July 4, 1856. Cook and Knox, *Public Record of Horatio Seymour*, p. 2.

"John A. Dix supported the Democratic candidates in the canvass of 1856; he did not, however, take an active part in the contest."—Morgan Dix, *Memoirs of John A. Dix*, Vol. 1, p. 319.

[210] Edward Cary, *Life of George William Curtis*, p. 113; New York *Weekly Tribune*, August 16, 1856.

[211] *Ibid.*, August 16, 1856.

[212] John A. King, 264,400; Amasa J. Parker, 198,616; Erastus Brooks, 130,870.—*Civil List, State of New York* (1887), p. 166.

[213] This debate occurred December 22, 1857.

[214] Alfred R. Conkling, *Life and Letters of Roscoe Conkling*, p. 77.

[215] James S. Pike, *First Blows of the Civil War*, p. 379.

[216] Warden, *Life of Chase*, p. 343.

[217] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 351.

[218] *Lincoln-Douglas Debates*, p. 48.

[219] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 352.

[220] New York *Daily Tribune*, October 27, 1858.

"Few speeches from the stump have attracted so great attention or exerted so great an influence. The eminence of the man combined with the startling character of the doctrine to make it engross the public mind. Republicans looked upon the doctrine announced as the well-weighed conclusion of a profound thinker and of a man of wide experience, who united the political philosopher with the practical politician. It is not probable that Lincoln's 'house divided against itself' speech had any influence in bringing Seward to this position. He would at this time have scorned the notion of borrowing ideas from Lincoln; and had he studied the progress of the Illinois canvass, he must have seen that the declaration did not meet with general favour. In February of this year there had been bodied forth in Seward the politician. Now, a far-seeing statesman spoke. One was compared to Webster's 7th-of-March speech,—the other was commended by the Abolitionists."—James F. Rhodes, *History of the United States*, Vol. 2, pp. 344-5.

[221] Edwin D. Morgan, 247,953; Amasa J. Parker, 230,513; Lorenzo Burrows, 60,880; Gerrit Smith, 5470.—*Civil List, State of New York* (1887), p. 166.

[222] "'Scripture Dick,' whom we used to consider the sorriest of slow jokers, has really brightened up."—New York *Tribune*, March 17, 1859.

[223] *Congressional Globe*, 36th Cong., 1st Sess., pp. 553-4 (January 23, 1860).

- [224] James E. Cabot, *Life of Emerson*, p. 597.
- [225] Samuel Longfellow, *Life of Longfellow*, Vol. 2, p. 347.
- [226] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 441.
- [227] *Ibid.*, p. 442.
- [228] New York *Tribune*, February 28, 1860.
- [229] *Century Magazine*, July, 1891, p. 373. An address of Greeley written in 1868.
- [230] New York *Tribune*, March 1, 1860.
- [231] New York *Tribune*, March 1, 1860.
- [232] New York *Times*, March 2, 1860.
- [233] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 260.
- [234] New York *Tribune*, March 22, 1860.
- [235] *The Liberator*, March 9, 1860.
- [236] New York *Tribune*, March 2, 1860.
- [237] "The Fernando Wood movement was utterly overthrown in the preliminary stages. Several scenes in the fight were highly entertaining. Mr. Fisher of Virginia was picked out to make the onslaught, when John Cochrane of New York, who is the brains of the Cagger-Cassidy delegation, shut him off with a point of order."—M. Halstead, *National Political Conventions of 1860*, p. 20.
- [238] "Many of New York's delegates were eminent men of business, anxious for peace; others were adroit politicians, adept at a trade and eager to hold the party together by any means."—James F. Rhodes, *History of the United States*, Vol. 2, p. 474.

[239] "Though destitute of all literary furnishment, Richmond carried on his broad shoulders one of the clearest heads in the ranks of the Barnburners."—H.B. Stanton, *Random Recollections*, p. 183.

[240] M. Halstead, *National Political Conventions of 1860*, p. 20.

[241] M. Halstead, *National Political Conventions of 1860*, p. 48.

[242] M. Halstead, *National Political Conventions of 1860*, p. 50.

[243] M. Halstead, *National Political Conventions of 1860*, p. 66.

[244] *Ibid.*, p. 68.

[245] "There was a Fourth of July feeling in Charleston that night—a jubilee. The public sentiment was overwhelmingly and enthusiastically in favour of the seceders. The Douglas men looked badly, as though they had been troubled with bad dreams. The disruption is too serious for them. They find themselves in the position of a semi-Free Soil sectional party, and the poor fellows take it hard. The ultra South sectionalists accuse them of cleaving unto heresies as bad as Sewardism."—M. Halstead, *National Political Conventions of 1860*, p. 76.

[246] "Dickinson has ten votes in the New York delegation and no more."—New York *Tribune's* report from Charleston, April 24, 1860.

[247] "The drill of the New York delegation and its united vote created a murmur of applause at its steady and commanding front."—New York *Tribune*, June 19, 1860.

[248] M. Halstead, *National Political Conventions of 1860*, p. 85.

[249] "After the vote of New York had decided that it was impossible to nominate Douglas, it proceeded, the roll of States being called, to vote for him as demurely as if it meant it."—M. Halstead, *National Political Conventions of 1860*, p. 84.

[250] James F. Rhodes, *History of the United States*, Vol. 2, p. 453.

[251] *Ibid.*, p. 455.

[252] *Ibid.*, p. 453.

[253] James F. Rhodes, *History of the United States*, Vol. 2, p. 455.

[254] *Ibid.*, p. 456.

[255] *New York Tribune*, June 2, 1860.

[256] M. Halstead, *National Political Conventions of 1860*, p. 137.

[257] "Mr. Seward seemed to be certain of receiving the nomination at Chicago. He felt that it belonged to him. His flatterers had encouraged him in the error that he was the sole creator of the Republican party."—H.B. Stanton, *Random Recollections*, p. 214. "I hear of so many fickle and timid friends as almost to make me sorry that I have ever attempted to organise a party to save my country." Letter of W.H. Seward to his wife, May 2, 1860.—F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 448.

[258] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 360.

[259] *Ibid.*, p. 448.

[260] "Mr. Julius Wood of Columbus, O., an old and true friend of Mr. Weed, met Mr. Seward in Washington, and reiterated his fears in connection with the accumulation of candidates. 'Mr. Lincoln was brought to New York to divide

your strength,' he said. But Mr. Seward was not disconcerted by these warnings. Less than a fortnight afterwards Mr. Wood was at the Astor House, where he again met Mr. Weed and Mr. Seward. Sunday afternoon Mr. Greeley visited the hotel and passing through one of the corridors met Mr. Wood, with whom he began conversation. 'We shan't nominate Seward,' said Mr. Greeley, 'we'll take some more conservative man, like Pitt Fessenden or Bates.' Immediately afterwards Mr. Wood went to Mr. Seward's room. 'Greeley has just been here with Weed,' said Mr. Seward. 'Weed brought him up here. You were wrong in what you said to me at Washington about Greeley; he is all right.' 'No, I was not wrong,' insisted Mr. Wood. 'Greeley is cheating you. He will go to Chicago and work against you.' At this Mr. Seward smiled. 'My dear Wood,' said he, 'your zeal sometimes gets a little the better of your judgment.'"—Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 269.

[261] Parke Godwin, *Life of William Cullen Bryant*, Vol. 2, p. 127.

[262] Horace Greeley, *New York Tribune*, May 22, 1860.

[263] "At this time there was friendly intercourse between Mr. Greeley and Mr. Weed, nor did anybody suppose that Mr. Greeley was not on good terms with Governor Seward. He had, indeed, in 1854, written to Mr. Seward a remarkable letter, 'dissolving the firm of Seward, Weed & Greeley,' but Mr. Weed had never seen such a letter, nor did Mr. Greeley appear to remember its existence. Mr. Weed and Mr. Greeley met frequently in New York, not with all of the old cordiality, perhaps, but still they had by no means quarrelled. Mr. Greeley wrote often to Mr. Weed, in the old way, and he and his family were visitors at Mr. Weed's house. Indeed—though that seems impossible—Mr. Greeley stopped at Mr. Weed's house, in Albany, on his way West, before the Chicago convention, and made a friendly visit of a day or so, leaving the impression that he was going to support Mr.

Seward when he reached Chicago."—Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 268.

[264] "I was with my husband in Chicago, and may tell you now, as most of the actors have joined the 'silent majority,' what no living person knows, that Thurlow Weed, in his anxiety for the success of Seward, took Mr. Lane out one evening and pleaded with him to lead the Indiana delegation over to Seward, saying they would send enough money from New York to insure his election for governor, and carry the State later for the New York candidate." Letter of Mrs. Henry S. Lane, September 16, 1891.—Alex. K. McClure, *Lincoln and Men of War Times*, p. 25, note.

[265] M. Halstead, *National Political Conventions of 1860*, p. 145.

[266] James S. Pike, *First Blows of the Civil War*, p. 519.

[267] Hollister, *Life of Colfax*, p. 148.

[268] William M. Evarts' speech making Lincoln's nomination unanimous. F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 451.

[269] Alex. K. McClure, *Life of Lincoln*, p. 171.

[270] "On the day the convention was to ballot for a candidate, Cayuga County poured itself into Auburn. The streets were full, and Mr. Seward's house and grounds overflowed with his admirers. Flags were ready to be raised and a loaded cannon was placed at the gate whose pillars bore up two guardian lions. Arrangements had been perfected for the receipt of intelligence. At Mr. Seward's right hand, just within the porch, stood his trusty henchman, Christopher Morgan. The rider of a galloping steed dashed through the crowd with a telegram and handed it to Seward, who passed it to Morgan. For Seward, it read, 173½; for Lincoln, 102. Morgan repeated it to the multitude, who cheered vehemently. Then came the tidings of the second

ballot: For Seward, 184½—for Lincoln, 181. 'I shall be nominated on the next ballot,' said Seward, and the throng in the house applauded, and those on the lawn and in the street echoed the cheers. The next messenger lashed his horse into a run. The telegram read, 'Lincoln nominated. T.W.' Seward turned as pale as ashes. The sad tidings crept through the vast concourse. The flags were furled, the cannon was rolled away, and Cayuga County went home with a clouded brow. Mr. Seward retired to rest at a late hour, and the night breeze in the tall trees sighed a requiem over the blighted hopes of New York's eminent son."—H.B. Stanton, *Random Recollections*, pp. 215-16.

[271] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 453.

[272] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 453.

[273] *Ibid.*, p. 454.

[274] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 270.

[275] "There was no question that the New York delegation had the fate of the convention in its keeping; and while it was understood that the strength of Douglas in the delegation had been increased during the recess by the Fowler defalcation (Fowler's substitute being reported a Douglas man) and by the appearance of regular delegates whose alternates had been against Douglas at Charleston, it was obvious that the action of the politicians of New York could not be counted upon in any direction with confidence. Rumours circulated that a negotiation had been carried on in Washington by the New Yorkers with the South, to sell out Douglas, the Southerners and the Administration offering their whole strength to any man New York might name, provided that State would slaughter Douglas. On the other hand, it appeared that Dean Richmond, the principal manager of the New Yorkers, had pledged himself, as solemnly as a politician could do, to stand by the cause of

Douglas to the last."—M. Halstead, *National Political Conventions of 1860*, p. 159.

[276] M. Halstead, *National Political Conventions of 1860*, p. 167.

[277] M. Halstead, *National Political Conventions of 1860*, p. 168.

[278] M. Halstead, *National Political Conventions of 1860*, pp. 168-171.

[279] M. Halstead, *National Political Conventions of 1860*, p. 185.

[280] "The *real* business transacting behind the scenes has been the squelching of Douglas, which is understood to be as good as bargained for. The South is in due time to concentrate on a candidate—probably Horatio Seymour of our own State—and then New York is to desert Douglas for her own favourite son. Such is the programme as it stood up to last evening."—New York *Tribune* (editorial), June 20, 1860. "There are plenty of rumours, but nothing has really form and body unless it be a plan to have Virginia bring forward Horatio Seymour, whom New York will then diffidently accept in place of Douglas."—*Ibid.* (telegraphic report).

[281] "The Soft leaders still shiver on the brink of a decision. But a new light broke on them yesterday, when they discovered that, if they killed Douglas, his friends were able and resolved to kill Seymour in turn."—New York *Tribune* (editorial), June 21. "The action of New York is still a subject of great doubt and anxiety. As it goes so goes the party and the Union of course."—*Ibid.* (telegraphic report).

[282] "A dispatch from Douglas to Richmond was sent because a letter containing similar suggestions to Richardson had been kept in the latter's pocket. But Richmond suppressed the dispatch as Richardson had suppressed the

letter."—M. Halstead, *National Political Conventions of 1860*, p. 195. "Richardson afterward explained that the action of the Southerners had put it out of his power to use Douglas' letter."—James F. Rhodes, *History of the United States*, Vol. 2, p. 415.

[283] "It was asserted in Baltimore and believed in political circles that New York offered to reconsider her vote on the Louisiana case, and make up the convention out of the original materials, with the exception of the Alabama delegation. It could not agree to admit Yancey & Co. But the seceders and their friends would not hear to any such proposition. They scorned all compromise."—M. Halstead, *National Political Conventions of 1860*, p. 195. "Many were the expedients devised to bring about harmony; but it was to attempt the impossible. The Southerners were exacting, the delegates from the Northwest bold and defiant."—James F. Rhodes, *History of the United States*, Vol. 2, p. 474.

[284] M. Halstead, *National Political Conventions of 1860*, p. 207.

[285] *New York Tribune*, July 19, 1860.

[286] "The obduracy, the consistency of Mr. Dickinson's Democracy are of the most marked type. Ever since he changed his vote from Van Buren to Polk, with such hearty alacrity in the Baltimore convention of 1844, he has promptly yielded to every requisition which the Southern Democracy has made upon their Northern allies. All along through the stormy years when the star of the Wilmot Proviso was in the ascendant, and when Wright and Dix bowed to the gale, and even Marcy and Bronson bent before it, Dickinson, on the floor of the Senate, stood erect and immovable."—*New York Tribune*, July 4, 1860.

[287] "Mr. Weed was for a time completely unnerved by the result. He even shed tears over the defeat of his old

friend."—Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 271.

"After the joy of Lincoln's nomination had subsided," wrote Leonard Swett of Chicago, "Judge Davis and I called upon Mr. Weed. This was the first time either of us had met him. He did not talk angrily as to the result, nor did he complain of any one. Confessing with much feeling to the great disappointment of his life, he said, 'I hoped to make my friend, Mr. Seward, President, and I thought I could serve my country in so doing.' He was a larger man intellectually than I anticipated, and of finer fibre. There was in him an element of gentleness and a large humanity which won me, and I was pleased no less than surprised."—*Ibid.*, Vol. 2, p. 292.

[288] New York *Tribune*, May 22, 1860.

[289] New York *Times*, May 25, 1860.

[290] "At Chicago, Seward encountered the opposition from his own State of such powerful leaders as Greeley, Dudley Field, Bryant, and Wadsworth. The first two were on the ground and very busy. The two latter sent pungent letters that were circulated among the delegates from the various States. The main point of the attack was that Seward could not carry New York. Soon after the adjournment of the convention, William Curtis Noyes, a delegate, told me that a careful canvass of the New York delegation showed that nearly one-fourth of its members believed it was extremely doubtful if Seward could obtain a majority at the polls in that State."—H.B. Stanton, *Random Recollections*, pp. 214-15. "Perhaps the main stumbling block over which he fell in the convention was Thurlow Weed."—*Ibid.*, p. 215.

[291] New York *Tribune*, June 2, 1860.

[292] New York *Tribune*, June 14, 1860.

[293] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 239.

[294] *Ibid.*, p. 240.

[295] "My personal relations with Governor Seward were wholly unchanged by this letter. We met frequently and cordially after it was written, and we very freely conferred and co-operated during the long struggle in Congress for Kansas and Free Labour. He understood as well as I did that my position with regard to him, though more independent than it had been, was nowise hostile, and that I was as ready to support his advancement as that of any other statesman, whenever my judgment should tell me that the public good required it. I was not his adversary, but my own and my country's freeman."—Horace Greeley, *Recollections of a Busy Life*, p. 321.

[296] H.B. Stanton, *Random Recollections*, pp. 199, 200.

[297] *Ibid.*, p. 216.

[298] *New York Tribune*, July 23, 1860.

[299] *Ibid.*, July 14, 1860.

[300] *Ibid.*, July 24, 1860.

[301] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 462. *Seward's Works*, Vol. 4, p. 384.

[302] "Seward filled the minds of Republicans, attracting such attention and honour, and arousing such enthusiasm, that the closing months of the campaign were the most brilliant epoch of his life. It was then he reached the climax of his career."—James F. Rhodes, *History of the United States*, Vol. 2, p. 493.

[303] "Seward charged his defeat chiefly to Greeley. He felt toward that influential editor as much vindictiveness as was possible in a man of so amiable a nature. But he did not retire to his tent."—James F. Rhodes, *History of the United States*, Vol. 2, p. 494.

"The magnanimity of Mr. Seward, since the result of the convention was known," wrote James Russell Lowell, "has been a greater ornament to him and a greater honour to his party than his election to the Presidency would have been."—*Atlantic Monthly*, October, 1860; *Lowell's Political Essays*, p. 34.

[304] F.W. Seward, *Life of W.H. Seward*, Vol. 2, pp. 462-66.

[305] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 464.

[306] *New York Tribune*, October 19, 1860.

[307] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 297.

[308] "The names of eighty-one thousand New York men who voted for Fillmore in 1856 are inscribed on Republican poll-lists."—*New York Tribune*, September 11, 1860.

[309] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 471.

[310] October 18, 1860.

[311] *Charleston Mercury*, cited by *National Intelligencer*, November 1, 1860; *Richmond Enquirer*, November 2.

[312] Horace Greeley, *American Conflict*, Vol. 1, p. 300.

[313] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 300.

[314] Edwin D. Morgan, 358,272; William Kelley, 294,812; James T. Brady, 19,841.—*Civil List, State of New York* (1887), p. 166.

[315] Address at Bar meeting in New York City upon death of Daniel S. Dickinson.

[316] Speech of February 29, 1860: *Seward's Works*, Vol. 4, p. 619.

[317] *New York Tribune*, November 30, 1860. The quotation is from an address delivered in Boston.

[318] *New York Tribune*, November 9, 1860.

[319] *Ibid.*, November 26.

[320] *New York Tribune*, December 17.

[321] *Ibid.*, February 23.

[322] *Ibid.*, November 30. "In so far as the Free States are concerned," he said, "I hold that it will be an advantage for the South to go off."

[323] *The Liberator*, November and December.

[324] *Albany Evening Journal*, November 26, 1860.

[325] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 306.

[326] *Albany Evening Journal*, December 1, 1860.

[327] *Letters of August Belmont*, privately printed, pp. 15, 16.

[328] *Congressional Globe*, 1860-61, *Appendix*, p. 221. "Never, with my consent, shall the Constitution ordain or protect human slavery in any territory. Where it exists by law I will recognise it, but never shall it be extended over one acre of free territory." Speech of James Humphrey of Brooklyn.—*Ibid.*, p. 158. "Why should we now make any concessions to them? With our experience of the little importance attached to former compromises by the South, it is ridiculous to talk about entering into another. The restoration of the Missouri line, with the protection of slavery south of it, will not save the Union." Speech of John B. Haskin of Fordham.—*Ibid.*, p. 264. "The people of the North regard the election of Mr. Lincoln as the assurance that the day of compromise has ended; that henceforth

slavery shall have all the consideration which is constitutionally due it and no more; that freedom shall have all its rights recognised and respected." Speech of Charles L. Beale of Kinderhook.—*Ibid.*, p. 974. "We of the North are called upon to save the Union by making concessions and giving new guarantees to the South.... But I am opposed to tinkering with the Constitution, especially in these exciting times. I am satisfied with it as it is." Speech of Alfred Ely of Rochester.—*Ibid.*, *Appendix*, p. 243. "I should be opposed to any alteration of the Constitution which would extend the area of slavery." Speech of Luther C. Carter of Flushing.—*Ibid.*, p. 278. "I am opposed to all changes in the Constitution whatever." Edwin R. Reynolds of Albion.—*Ibid.*, p. 1008.

[329] Albany *Evening Journal*, November 30, 1860.

[330] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 309.

[331] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 309.

[332] The full text of the Crittenden compromise is given in the *Congressional Globe*, 1861, p. 114; also in Horace Greeley's *American Conflict*, Vol. 1, p. 376.

[333] Horace Greeley, *The American Conflict*, Vol. 1, pp. 378, 379.

[334] Coleman, *Life of John J. Crittenden*, Vol. 2, p. 237.

[335] *Letters of August Belmont*, privately printed, p. 24.

[336] Horace Greeley, *The American Conflict*, Vol. 1, p. 362.

[337] "In the committee of thirteen, a few days ago, every member from the South, including those from the cotton States, expressed their readiness to accept the proposition of my venerable friend from Kentucky as a final settlement of the controversy, if tendered and sustained by the Republican members." Douglas in the Senate, January 3, 1861.—*Congressional Globe*, Appendix, p. 41.

[338] "I said to the committee of thirteen, and I say here, that, with other satisfactory provisions, I would accept it." Toombs in the Senate, January 7, 1861.—*Globe*, p. 270. "I can confirm the Senator's declaration that Senator Davis himself, when on the committee of thirteen, was ready, at all times, to compromise on the Crittenden proposition. I will go further and say that Mr. Toombs was also." Douglas in the Senate, March 2, 1861.—*Globe*, p. 1391.

[339] See Davis's speech of January 10, 1861. *Congressional Globe*, p. 310.

[340] Nicolay and Hay, *Abraham Lincoln*, Vol. 3, p. 263. Letter to Lincoln, December 26, 1860.

[341] James F. Rhodes, *History of the United States*, Vol. 3, p. 155.

[342] *New York Tribune*, December 19, 1860.

[343] Nicolay and Hay, *Abraham Lincoln*, Vol. 3, p. 258.

[344] *New York Tribune*, December 22, 1860.

[345] Nicolay and Hay, *Abraham Lincoln*, Vol. 3, p. 258.

[346] *Ibid.*, p. 261.

[347] *Albany Evening Journal*, January 9, 1861.

[348] Nicolay and Hay, *Abraham Lincoln*, Vol. 3, p. 259.

[349] *Ibid.*, Vol. 3, p. 259.

[350] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, pp. 310, 311.

[351] *Albany Argus*, November 10, 1860. On November 12 the Rochester *Union* argued that the threatened secession of the slave States was but a counterpoise of the personal liberty bills and other measures of antagonism to slaveholding at the North. See, also, the New York *Herald*, November 9.

[352] Morgan Dix, *Memoirs of John A. Dix*, Vol. 1, p. 338.

[353] *Appleton's Cyclopædia*, 1861, p. 700.

[354] James F. Rhodes, *History of the United States*, Vol. 3, p. 261, *note*.

[355] Proceedings of the Board of Aldermen, LXXXI: p. 25, 26. New York *Herald*, January 8.

[356] *New York Tribune*, January 8, 1861.

[357] *Appleton's Cyclopædia*, 1861, p. 700.

[358] "The whole people in this part of the country are waiting with impatience for your assumption of the great office to which the suffrage of a free people has called you, and will hail you as a deliverer from treason and anarchy. In New York City all classes and parties are rapidly uniting in this sentiment, and here in Albany, where I am spending a few days in attendance upon Court, the general tone of feeling and thinking about public affairs shows little difference between Republicans and Democrats."—W.M. Evarts to Abraham Lincoln, January 15, 1861. Unpublished letter on file in Department of State at Washington.

[359] *Appleton's Cyclopædia*, 1861, p. 520.

[360] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 317.

[361] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 318.

[362] *Appleton's Cyclopædia*, 1861, p. 520.

[363] Fowler, who was appointed postmaster of New York by President Pierce, began a system of embezzlements in 1855, which amounted, at the time of his removal, to \$155,000.—Report of Postmaster-General Holt, *Senate Document*, 36th Congress, 1st Session, XI., 48. "In one year Fowler's bill at the New York Hotel, which he made the Democratic headquarters, amounted to \$25,000. His brother, John Walker Fowler, clerk to Surrogate Tucker, subsequently absconded with \$31,079, belonging to orphans and others."—Gustavus Myers, *History of Tammany Hall*, pp. 232, 233.

[364] John Jay Knox, *United States Notes*, p. 76.

[365] *New York Evening Post*, December 26, 1860.

"On Tuesday, January 8, my father received a dispatch from the President to come at once to the White House. He went immediately and was offered the War Department. This he declined, informing Mr. Buchanan, as had been agreed upon, that at that moment he could be of no service to him in any position except that of the Treasury Department, and that he would accept no other post. The President asked for time. The following day he had Mr. Philip Thomas's resignation in his hand, and sent General Dix's name to the Senate. It was instantly confirmed."—Morgan Dix, *Memoirs of John A. Dix*, Vol. 1, p. 362.

[366] The plan advocated by Fernando Wood in his annual message to the Common Council, referred to on [p. 348](#).

[367] Morgan Dix, *Memoirs of John A. Dix*, Vol. 1, pp. 336, 343.

[368] Horace Greeley, *The American Conflict*, Vol. 1, p. 388.

[369] *Ibid.*, p. 388.

[370] Albany *Argus*, February 1, 1861.

William H. Russell, correspondent of the London *Times*, who dined with Horatio Seymour, Samuel J. Tilden and George Bancroft, wrote that "the result left on my mind by their conversation and arguments was that, according to the Constitution, the government could not employ force to prevent secession, or to compel States which had seceded by the will of the people to acknowledge the federal power."—Entry March 17, *Diary*, p. 20.

[371] Horace Greeley, *The American Conflict*, Vol. 1, p. 394.

"When rebellion actually began many loyal Democrats came nobly out and planted themselves by the side of the country. But those who clung to the party organisation, what did they do? A month before Mr. Lincoln was inaugurated they held a state convention for the Democratic party of the State of

New York. It was said it was to save the country,—it was whispered it was to save the party. The state committee called it and representative men gathered to attend it.... They applauded to the echo the very blasphemy of treason, but they attempted by points of order to silence DeWitt Clinton's son because he dared to raise his voice for the Constitution of his country and to call rebellion by its proper name."—Speech of Roscoe Conkling, September 26, 1862, A.R. Conkling, *Life and Letters of Roscoe Conkling*, p. 180.

[372] See New York *Tribune*, March 23, 1861, for Field's statement in defence of his action. Also *Tribune*, March 7, for John A. King's charges.

[373] Lucius E. Chittenden, *Report of Proceedings of Peace Conference*, pp. 157, 170, 303, 428.

[374] Lucius E. Chittenden, *Report of Proceedings of Peace Conference*, p. 304.

[375] New York *Tribune*, February 5, 1861.

[376] *Ibid.*, February 5, 1861.

[377] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 324.

[378] "Pale as ashes, Weed sat smoking a cigar within earshot of the bustle in the crowded assembly room where the caucus sat. Littlejohn stalked over the heads of the spectators and reported to Weed. Unmindful of the fact that he had a cigar in his mouth, Weed lighted another and put it in, then rose in great excitement and said to Littlejohn, 'Tell the Evarts men to go right over to Harris—to *Harris*—to HARRIS!' The order was given in the caucus. They wheeled into line like Napoleon's Old Guard, and Harris was nominated."—H.B. Stanton, *Random Recollections*, p. 218.

[379] "It is quite possible that the *Tribune's* articles of November, 1860, cost Greeley the senatorship."—James F.

Rhodes, *History of the United States*, Vol. 3, p. 142.

[380] New York *Tribune*, February 5, 1861.

[381] "It is one of the curiosities of human nature that Greeley, who exceeded in influence many of our Presidents, should have hankered so constantly for office. It is strange enough that the man who wrote as a dictator of public opinion in the *Tribune* on the 9th of November could write two days later the letter to Seward, dissolving the political firm of Seward, Weed, and Greeley. In that letter the petulance of the office-seeker is shown, and the grievous disappointment that he did not get the nomination for lieutenant-governor, which went to Raymond, stands out plainly."—James F. Rhodes, *History of the United States*, Vol. 2, p. 72.

[382] Alex. K. McClure, *Recollections of Half a Century*, pp. 213, 214.

[383] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 478.

[384] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 308.

[385] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 479.

[386] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, pp. 307, 308.

[387] *Ibid.*, Vol. 2, p. 308.

[388] "Weed's articles have brought perplexities about me which he, with all his astuteness, did not foresee."—F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 480.

[389] "Our senators agree with me to practise reticence and kindness. But others fear that I will figure, and so interfere and derange all."—*Ibid.*, p. 480.

[390] "The debates in the Senate are hasty, feeble, inconclusive and unsatisfactory; presumptuous on the part of the ill-tempered South; feeble and frivolous on the part of the North."—*Ibid.*, p. 481.

[391] "All is apprehension about the Southern demonstrations. No one has any system, few any courage, or confidence in the Union, in this emergency."—*Ibid.*, p. 478.

[392] "Charles Sumner's lecture in New York brought a 'Barnburner' or Buffalo party around him. They gave nine cheers for the passage in which he describes Lafayette as rejecting all and every compromise, and the knowing ones told him those cheers laid out Thurlow Weed, and then he came and told me, of course."—Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 308.

[393] "While the evidence is not positive that Seward contemplated heading a movement of Republicans that would have resulted in the acceptance by them of a plan similar in essence to the Crittenden compromise, yet his private correspondence shows that he was wavering, and gives rise to the belief that the pressure of Weed, Raymond, and Webb would have outweighed that of his radical Republican colleagues if he had not been restrained by the unequivocal declarations of Lincoln."—James F. Rhodes, *History of the United States*, Vol. 3, p. 157.

[394] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 480.

[395] Nicolay and Hay, *Abraham Lincoln*, Vol. 3, p. 349.

[396] *Atlantic Monthly*, October, 1860; *Lowell's Political Essays*, p. 34.

[397] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 301.

[398] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 493.

[399] F.W. Seward, *Life of W.H. Seward*, Vol. 2, pp. 481, 487.

[400] *New York Times*, December 24, 1860.

[401] William Salter, *Life of James W. Grimes*, p. 132. Letter of December 16, 1860.

[402] *New York Tribune*, December 24, 1860.

[403] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 485.

[404] *Ibid.*, p. 486.

[405] Nicolay and Hay, *Abraham Lincoln*, Vol. 3, p. 288.

[406] *Journal of the Committee of Thirteen*, pp. 10, 13.

[407] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 484.

[408] *Congressional Globe*, pp. 308, 309.

[409] *Ibid.*, p. 307.

[410] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 493.

[411] *The Richmond Whig*, January 17, 1861.

[412] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 494.

[413] "I will try to save freedom and my country," Seward wrote his wife.—F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 487. "I have assumed a sort of dictatorship for defence, and am labouring night and day with the cities and States."—*Ibid.*, 491. "I am the only hopeful, calm, conciliatory person."—*Ibid.*, 497. "It seems to me that if I am absent only three days, this Administration, the Congress, and the district would fall into consternation and despair."—*Ibid.*, 497. "The present Administration and the incoming one unite in devolving upon me the responsibility of averting civil war."—*Ibid.*, 497.

[414] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 497.

[415] New York *Tribune*, January 14, 1861. *Seward's Works*, Vol. 4, p. 651.

[416] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 494.

[417] New York *Tribune* (editorial), January 14, 1861.

[418]

TO WILLIAM H. SEWARD.

"Statesman, I thank thee!—and if yet dissent
Mingles, reluctant, with my large content,
I can not censure what was nobly meant.
But while constrained to hold even Union less
Than Liberty, and Truth, and Righteousness,
I thank thee, in the sweet and holy name
Of Peace, for wise, calm words, that put to
shame
Passion and party. Courage may be shown
Not in defiance of the wrong alone;
He may be bravest, who, unweaponed, bears
The olive branch, and strong in justice spares
The rash wrong-doer, giving widest scope
To Christian charity, and generous hope.
If without damage to the sacred cause
Of Freedom, and the safeguard of its laws—
If, without yielding that for which alone
We prize the Union, thou canst save it now,
From a baptism of blood, upon thy brow
A wreath whose flowers no earthly soil has
known
Woven of the beatitudes, shall rest;
And the peace-maker be forever blest!"

[419] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 488.

[420] *Ibid.*, p. 490.

[421] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 497.

"In regard to February, 1861, I need only say that I desired to avoid giving the secession leaders the excuse and opportunity to open the civil war before the new Administration and new Congress could be in authority to subdue it. I conferred throughout with General Scott, and Mr. Stanton, then in Mr. Buchanan's Cabinet. I presume I conversed with others in a way that seemed to me best calculated to leave the inauguration of a war to the secessionists, and to delay it, in any case, until the new Administration should be in possession of the Government. On the 22d of February, in concert with Mr. Stanton, I caused the United States flag to be displayed throughout all the northern and western portions of the United States." Letters of W.H. Seward, June 13, 1867.—William Schouler, *Massachusetts in the Civil War*, Vol. 1, pp. 41, 42.

[422] *New York Tribune*, January 29 and February 6, 1861.

[423] A writer in the *North American Review* (August, 1879, p. 135) speaks of the singular confidence of Siddons of Virginia (afterwards secretary of war of the Southern Confederacy) in Mr. Seward, and the mysterious allusions to the skilful plans maturing for an adjustment of sectional difficulties.

[424] W.H. Seward, *Works of*, Vol. 4, p. 670. *Congressional Globe*, 1861, p. 657.

[425] "Oily Gammon Seward, aware that intimidation will not do, is going to resort to the gentle powers of seduction."—Washington correspondent of *Charleston Mercury*, February 19, 1861.

[426] *New York Tribune*, February 4, 1861.

[427] *New York Tribune*, February 5, 1861.

[428] "I have rejoiced, as you of New York must certainly have done, in the spirit of conciliation which has repeatedly been manifested, during the present session of Congress, by your distinguished senator, Governor Seward." Robert C. Winthrop to the Constitutional Union Committee of Troy, February 17.—*Winthrop's Addresses and Speeches*, Vol. 2, p. 701. "If Mr. Seward moves in favour of compromise, the whole Republican party sways like a field of grain before his breath." Letter of Oliver Wendell Holmes, February 16, 1861.—*Motley's Correspondence*, Vol. 1, p. 360.

[429] *Detroit Post and Tribune*; *Life of Zachariah Chandler*, p. 189.

[430] Letter to Dr. Thompson of the New York *Independent*. F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 507.

[431] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 512.

[432] F.W. Seward, *Life of W.H. Seward*, Vol. 3, p. 513.

[433] Nicolay and Hay, *Abraham Lincoln*, Vol. 3, p. 343, *note*.

[434] *Ibid.*, pp. 343, 344, and *note*.

For facsimile of the paragraph as written by Seward and rewritten by Lincoln, see *Ibid.*, Vol. 3, p. 336. For the entire address, with all suggested and adopted changes, see *Ibid.*, Vol. 3, pp. 327 to 344.

At Seward's dinner table on the evening of March 4, the peroration of the inaugural address was especially commended by A. Oakey Hall, afterward mayor of New York, who quickly put it into rhyme:

"The mystic chords of Memory
That stretch from patriot graves;
From battle-fields to living hearts,
Or hearth-stones freed from slaves,

An Union chorus shall prolong,
And grandly, proudly swell,
When by those better angels touched
Who in all natures dwell."

[435] "Seward and his friends were greatly offended at the action of Curtin at Chicago. I was chairman of the Lincoln state committee and fighting the pivotal struggle of the national battle, but not one dollar of assistance came from New York, and my letters to Thurlow Weed and to Governor Morgan, chairman of the national committee, were unanswered. Seward largely aided the appointment of a Cabinet officer in Pennsylvania, who was the most conspicuous of Curtin's foes, and on Curtin's visit to Seward as secretary of state, he gave him such a frigid reception that he never thereafter called at that department."—Alex. K. McClure, *Recollections of Half a Century*, p. 220.

[436] Nicolay and Hay, *Abraham Lincoln*, Vol. 3, p. 370.

[437] *Ibid.*, Vol. 3, p. 371.

[438] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 518.

[439] Alex. K. McClure, *Recollections of Half a Century*, p. 204.

[440] George T. Curtis, *Life of James Buchanan*, Vol. 2, p. 530.

[441] O.B. Hallister, *Life of Colfax*, p. 173.

[442] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 530.

[443] Alex. K. McClure, *Life of Lincoln*, p. 56.

[444] George T. Curtis, *Life of James Buchanan*, Vol. 2, p. 530.

A writer in the *North American Review* says, "the clamour for offices is already quite extraordinary, and these poor

people undoubtedly belong to the horde which has pressed in here seeking places under the new Administration, which neither has nor can hope to have places enough to satisfy one-twentieth the number." November, 1879, p. 488.

[445] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 518.

[446] A.R. Conkling, *Life and Letters of Roscoe Conkling*, pp. 119, 120.

[447] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 612.

[448] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, pp. 612, 613.

[449] Gideon Welles, *Lincoln and Seward*, p. 22.

"In pecuniary matters Weed was generous to a fault while poor; he is said to be less so since he became rich.... I cannot doubt, however, that if he had never seen Wall Street or Washington, had never heard of the Stock Board, and had lived in some yet undiscovered country, where legislation is never bought nor sold, his life would have been more blameless, useful, and happy. I was sitting beside him in his editorial room soon after Governor Seward's election, when he opened a letter from a brother Whig, which ran substantially thus: 'Dear Weed: I want to be a bank examiner. You know how to fix it. Do so, and draw on me for whatever sum you may see fit. Yours truly.' In an instant his face became prematurely black with mingled rage and mortification. 'My God,' said he, 'I knew that my political adversaries thought me a scoundrel, but I never till now supposed that my friends did.'"—Horace Greeley, *Recollections of a Busy Life*, pp. 312, 313.

[450] "President Lincoln looked to Mr. Weed for counsel, when, as often during the war, he met with difficulties hard to surmount. It was Mr. Lincoln's habit at such times to telegraph Mr. Weed to come to Washington from Albany or

New York, perhaps at an hour's notice. He often spent the day with the President, coming and returning by night, regardless of his age and infirmities. His services in these exigencies were often invaluable."—Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 288.

[451] Nicolay and Hay, *Abraham Lincoln*, Vol. 2, p. 217.

[452] New York *Herald*, March 14, 1861.

[453] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 613.

[454] New York *Tribune*, editorial, April 2, 1861.

[455] "'It was worth the journey to the East,' said Mr. Lincoln, 'to see such a man as Bryant.'"—John Bigelow, *Life of William Cullen Bryant*, p. 218.

[456] Nicolay and Hay, *Abraham Lincoln*, Vol. 3, p. 257.

[457] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 613.

[458] "Hiram Barney belongs to the Van Buren Democratic Buffalo Free-soil wing of the Republican party. He studied law with C.C. Cambreling and practised it with Benjamin F. Butler. For President he voted for Jackson, for Van Buren in 1840 and 1848, for Hale in 1852, and for Fremont and Lincoln. He was also a delegate to the Buffalo convention of 1848; so that as an out-and-out Van Buren Democratic Free-soil Republican, Barney is a better specimen than Van Buren himself."—New York *Herald*, March 28, 1861.

"Mr. Barney's quiet, unostentatious bearing has deprived him of the notoriety which attaches to most of our politicians of equal experience and influence. Nevertheless, he is well known to the Republican party and universally respected as one of its foremost and most intelligent supporters."—New York *Evening Post*, March 27, 1861.

[459] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 1, p. 528; *Ibid.*, Vol. 2, p. 322.

[460] "Strong protests against Barney have been received within the last twenty-four hours."—New York *Herald*, March 14, 1861.

[461] Gideon Welles, *Lincoln and Seward*, p. 72.

[462] Gideon Welles, *Lincoln and Seward*, p. 73.

[463] "Executive skill and vigour are rare qualities. The President is the best of us." Seward's letter to his wife.—F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 590.

[464] New York *Herald*, March 30, 1861.

[465] "Thurlow Weed patched up the New York appointments and left this morning. Greeley arrived about the same time and has been sponging Weed's slate at an awful rate."—*Ibid.*, March 26.

[466] "Barney arrived this morning in response to a summons from the President and the secretary of the treasury."—*Ibid.*, April 1.

[467] "Senator Harris has proved himself more than a match for Weed."—*Ibid.*, April 4.

[468] "Thus far four attachés of the *Tribune* have been appointed.... These appointments except the last were Mr. Lincoln's regardless of Mr. Seward, who bears the *Tribune* no love."—*Ibid.*, March 29.

[469] "Seward secures all the important offices save the collectorship, which was given to Greeley."—New York *Herald*, March 30, 1861.

[470] "In the spring of 1859, Governor Seward crossed the Atlantic, visiting Egypt, traversing Syria, and other portions of Asia Minor as well as much of Europe. Soon after his

return he came one evening to my seat in Dr. Chapin's church,—as he had repeatedly done during former visits to our city,—and I now recall this as the last occasion on which we ever met."—Horace Greeley, *Recollections of a Busy Life*, p. 321.

[471] "'Bray Dickinson,' as he was generally and familiarly called, whose early education was entirely neglected but whose perceptions and intuitions were clear and ready, was an enterprising farmer,—too enterprising, indeed, for he undertook more than he could accomplish. His ambition was to be the largest cattle and produce grower in his county (Steuben). If his whole time and thoughts had been given to farming, his anticipations might have been realised, but, as it was, he experienced the fate of those who keep too many irons in the fire. In 1839 he was elected to the State Senate, where for four years he was able, fearless, and inflexibly honest. On one occasion a senator from Westchester County criticised and ridiculed Dickinson's language. Dickinson immediately rejoined, saying that while his difficulty consisted in a want of suitable language with which to express his ideas, his colleague was troubled with a flood of words without any ideas to express."—Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 1, pp. 441, 442.

[472] F.W. Seward, *Life of W.H. Seward*, Vol. 1, p. 503.

[473] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 273.

[474] *New York Tribune*, March 29, 1861.

[475] "Hornby, April 3, 1861. Dear Seward: I shall have to take a Gentleman with me that can speak the Spanish language and correct bad English. That being well done I can take care of the ballance Greeley to the contrary notwithstanding.... You have much at stake in my appointment as it is charged (and I know how justly) to your account."—Unpublished letter in files of State Department.

[476] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 326.

[477] "I am charged with having opposed the selection of Governor Seward for a place in President Lincoln's Cabinet. That is utterly, absolutely false, the President himself being my witness. I might call many others, but one such is sufficient."—New York *Tribune*, signed editorial, July 25, 1861.

[478] Alex. K. McClure, *Lincoln and Men of War Times*, p. 295.

A POLITICAL HISTORY

OF THE

STATE OF NEW YORK

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VOL. III
1861-1882

[Volume III Contents](#)



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A POLITICAL HISTORY OF THE STATE OF NEW YORK

CHAPTER I

THE UPRISING OF THE NORTH

1861

WHILE politicians indecently clamoured for office, as indicated in the concluding chapter of the preceding volume, President Lincoln, whenever escape from the patronage hunters permitted, was considering the wisdom of provisioning Fort Sumter. Grave doubt obtained as to the government's physical ability to succour the fort, but, assuming it possible, was it wise as a political measure? The majority of the Cabinet, including Seward, voted in the negative, giving rise to the report that Sumter would be abandoned. Union people generally, wishing to support the brave and loyal action of Major Anderson and his little band, vigorously protested against such an exhibition of weakness, and the longer the Government hesitated the more vigorously the popular will resented such a policy. Finally, on March 29, in spite of General Scott's advice and Secretary Seward's opinion, the President, guided by public sentiment, directed a relief expedition to be ready to sail as early as April 6.

Meanwhile a Confederate constitution had been adopted, a Confederate flag raised over the capitol at Montgomery, and a Confederate Congress assembled, which had authorised the enlistment of 100,000 volunteers, the issue of \$1,000,000 in treasury notes, and the organisation of a navy. To take charge of military operations at Charleston, the Confederate government commissioned Pierre T. Beauregard a brigadier-general and placed him in command of South Carolina.

Beauregard quickly learned of Lincoln's decision to relieve Sumter, and upon the Confederate authorities devolved the grave responsibility of reducing the fort before the relief expedition arrived. In discussing this

serious question Robert Toombs, the Confederate secretary of state, did not hesitate to declare that "the firing upon it at this time is suicide, murder, and will lose us every friend at the North. You will wantonly strike a hornet's nest which extends from mountain to ocean, and legions now quiet will swarm out and sting us to death. It is unnecessary; it puts us in the wrong; it is fatal."[\[1\]](#)

Nevertheless, Jefferson Davis, already overborne by pressure from South Carolina, ordered Beauregard to demand its evacuation, and, if refused, "to reduce it."[\[2\]](#) Answering Beauregard's aides, who submitted the demand on the afternoon of April 11, Anderson refused to withdraw, adding, "if you do not batter the fort to pieces about us, we shall be starved out in a few days."[\[3\]](#) To this message the Confederate Secretary of War replied: "Do not desire needlessly to bombard Fort Sumter. If Major Anderson will state the time at which, as indicated by him, he will evacuate, and agree in the meantime he will not use his guns against us unless ours should be employed against Sumter, you are authorised thus to avoid the effusion of blood. If this or its equivalent be refused, reduce the fort as your judgment decides to be the most practicable."[\[4\]](#) Four aides submitted this proposition at a quarter before one o'clock on the morning of April 12, to which Anderson, after conferring two hours and a half with his officers, replied, "I will evacuate by noon on the 15th instant, and I will not in the meantime open fire upon your forces unless compelled to do so by some hostile act against this fort or the flag of my Government, should I not receive, prior to that time, controlling instructions from my Government or additional supplies."[\[5\]](#)

The aides refused these terms, and without further consultation with Beauregard notified Anderson that in one hour their batteries would open fire on the fort. Prompt to the minute, at 4.30 o'clock in the morning, a shell from Fort Johnson, signalling the bombardment to begin, burst directly over Sumter. At seven o'clock Anderson's force, numbering one hundred and twenty-eight officers, men, and non-combatant labourers, who had breakfasted upon half rations of pork and damaged rice, began returning the fire, which continued briskly at first and afterwards intermittently until the evacuation on Sunday afternoon, the 14th inst.[\[6\]](#)

Within twenty-four hours the prophecy of Robert Toombs was practically fulfilled, for when, on Monday, April 15, President Lincoln called for 75,000 State militia to execute the laws, the people of the North rose almost as one man to support the government. "At the darkest moment in the history of the Republic," Emerson wrote, "when it looked as if the nation would be dismembered, pulverised into its original elements, the attack on Fort Sumter crystalised the North into a unit, and the hope of mankind was saved."^[7]

Much speculation had been indulged respecting the attitude of New York City. It was the heart of the Union and the home of Southern sympathy. Men had argued coolly and philosophically about the right of secession, and journals of wide influence daily exhibited strong Southern leanings. Owing to business connections and social intercourse with the South, merchants had petitioned for concessions so offensive to Lincoln that Southern statesmen confidently relied upon their friendship as an important factor in dividing the North. On many platforms Daniel S. Dickinson, James T. Brady, John Cochrane, and others equally well known and influential, had held the North responsible for conditions that, it was claimed, were driving the South into secession. So recently as December 20, in a meeting of more than ordinary importance, held on Pine Street, at which Charles O'Connor presided, and John A. Dix, John J. Cisco, William B. Astor, and others of similar character were present, Dickinson declared that "our Southern brothers will reason with us when we will reason with them.... The South have not offended us.... But their slaves have been run off in numbers by an underground railroad, and insult and injury returned for a constitutional duty.... If we would remain a united people we must treat the Southern States as we treated them on the inauguration of the government—as political equals."^[8]

In a speech at Richmond on March 14 Cochrane promised that New York would sustain Virginia in any policy it adopted,^[9] and on April 4 a Confederate commissioner, writing from Manhattan, reported to Jefferson Davis that two hundred of the most influential and wealthy citizens were then arranging the details to declare New York a free city. Several army officers as well as leading ship-builders, said the letter, had been found responsive, through whose assistance recruits from the ranks of the conspirators were to seize the navy yard, forts, and vessels of war, and to

hold the harbor and city.[10] While nothing was known to the friends of the Union of the existence of such a conspiracy, deep anxiety prevailed as to how far the spirit of rebellion which had manifested itself in high places, extended among the population of the great metropolis.

The guns aimed at Sumter, however, quickly removed the impression that the greed of commerce was stronger than the love of country. The Stock Exchange resounded with enthusiastic cheers for Major Anderson, and generous loans showed that the weight of the financial and trade centre of the country was on the side of the national government. But more convincing proof of a solid North found expression in the spirit of the great meeting held at Union Square on Saturday, April 20. Nothing like it had ever been seen in America. Men of all ranks, professions, and creeds united in the demonstration. Around six platforms, each occupied with a corps of patriotic orators, an illustrious audience, numbering some of the most famous Democrats of the State, who had quickly discarded political prejudices, stood for hours listening to loyal utterances that were nobly illustrated by the valour of Major Anderson, whose presence increased the enthusiasm into a deafening roar of repeated cheers. If any doubt heretofore existed as to the right of coercing a State, or upon whom rested the responsibility for beginning the war, or who were the real enemies of the Union, or where prominent members of the Democratic party would stand, it had now disappeared. The partisan was lost in the patriot.

Daniel S. Dickinson travelled two hundred miles to be present at this meeting, and his attitude, assumed without qualification or reservation, especially pleased the lovers of the Union. Of all men he had retained and proclaimed his predilections for the South with the zeal and stubbornness of an unconverted Saul. Throughout the long discussion of twenty years his sympathy remained with the South, his ambitions centred in the South, and his words, whether so intended or not, encouraged the South to believe in a divided North. But the guns at Sumter changed him as quickly as a voice converted St. Paul. "It were profitless," he said, his eyes resting upon the torn flag that had waved over Sumter—"it were profitless to inquire for original or remote causes; it is no time for indecision or inaction.... I would assert the power of the government over those who owe it allegiance and attempt its overthrow, as Brutus put his signet to the death-warrant of his son, that I might exclaim with him, 'Justice is satisfied, and Rome is free.'

For myself, in our federal relations, I know but one section, one Union, one flag, one government. That section embraces every State; that Union is the Union sealed with the blood and consecrated by the tears of the revolutionary struggle; that flag is the flag known and honoured in every sea under heaven; that government is the government of Washington, and Adams, and Jefferson, and Jackson; a government which has shielded and protected not only us, but God's oppressed children, who have gathered under its wings from every portion of the globe."[\[11\]](#)

Fernando Wood, until recently planning to make New York an independent city, now declared the past buried, with its political associations and sympathies, and pledged the municipality, its money and its men, to the support of the Union. "I am with you in this contest. We know no party, now."[\[12\]](#) Of the fifty or more speeches delivered from the several platforms, perhaps the address of John Cochrane, whose ridiculous Richmond oration was scarcely a month old, proved the most impressive. Cochrane had a good presence, a clear, penetrating voice, and spoke in round, rhetorical periods. If he sometimes illustrated the passionate and often the extravagant declaimer, his style was finished, and his fervid appeals deeply stirred the emotions if they did not always guide the reason. It was evident that he now spoke with the sincere emotion of one whose mind and heart were filled with the cause for which he pleaded. In his peroration, pointing to the torn flag of Sumter, he raised the vast audience to such a pitch of excitement that when he dramatically proclaimed his motto to be, "Our country, our whole country—in any event, a united country," the continued cheering was with great difficulty sufficiently suppressed to allow the introduction of another speaker.[\[13\]](#)

Of the regiments called for New York's quota was seventeen. Governor Morgan immediately communicated it to the Legislature, which authorised in a few hours the enlistment of 30,000 volunteers for two years. Instantly every drill room and armory in the State became a scene of great activity, and by April 19, four days after the call, the Seventh New York, each man carrying forty-eight rounds of ball cartridge, received an enthusiastic ovation as it marched down Broadway on its way to Washington. Thereafter, each day presented, somewhere in the State, a similar pageant. Men offered their services so much faster than the Government could take them that bitterness followed the fierce competition.[\[14\]](#) By July 1 New

York had despatched to the seat of war 46,700 men—an aggregate that was swelled by December 30 to 120,361. Loans to the government, offered with an equally lavish hand, approximated \$33,000,000 in three months.

To aid in the purchase and arming of steamships and in the movement of troops and forwarding of supplies, President Lincoln, during the excitement incident to the isolation of Washington, conferred extraordinary powers upon Governor Morgan, William M. Evarts, and Moses H. Grinnell, to whom army officers were instructed to report for orders. Similar powers to act for the Treasury Department in the disbursement of public money were conferred upon John A. Dix, George Opdyke, and Richard M. Blatchford. These gentlemen gave no security and received no compensation, but "I am not aware," wrote Lincoln, at a later day, "that a dollar of the public funds, thus confided, without authority of law, to unofficial persons, was either lost or wasted."^[15]

The Union Square meeting appointed a Union Defence Committee to raise money, provide supplies, and equip regiments. For the time this committee became the executive arm of the national government in New York, giving method to effort and concentrating the people's energies for the highest efficiency. John A. Dix, who had seen sixteen years of peace service in the regular army, equipped regiments and despatched them to Washington, while James S. Wadsworth, a man without military experience but of great public spirit, whose courage and energy especially fitted him for the work, loaded steamboats with provisions and accompanied them to Annapolis. Soon afterwards Dix became a major-general of volunteers, while Wadsworth, eager for active service, accepted an appointment on General McDowell's staff with the rank of major. This took him to Manassas, and within a month gave him a "baptism of fire" which distinguished him for coolness, high courage, and great capacity. On August 9 he was made a brigadier-general of volunteers, thus preceding in date of commission all other New Yorkers of similar rank not graduates of West Point.

A few weeks later Daniel E. Sickles, no less famous in the political arena, who was to win the highest renown as a fighter, received similar rank. Sickles, at the age of twenty-two, began public life as a member of the Assembly, and in the succeeding fourteen years served as corporation attorney, secretary of legation at London, State senator, and congressman. A

Hunker in politics, an adept with the revolver, and fearless in defence, he had the habit of doing his own thinking. Tammany never had a stronger personality. He was not always a successful leader and he cared little for party discipline, but as an antagonist bent on having his own way his name had become a household word in the metropolis and in conventions. In the anti-slavery crusade his sympathies were Southern. He opposed Lincoln, he favoured compromise, and he encouraged the cotton States to believe in a divided North. Nevertheless, when the Union was assaulted, the soldier spirit that made him major of the Twelfth National Guards in 1852 took him to Washington at the head of the Excelsior Brigade, consisting of five regiments, fully armed and equipped, and ready to serve during the war. He reached the capital at the time when more regiments were offered than General Scott would accept, but with the energy that afterward characterised his action at Gettysburg he sought the President, who promptly gave him the order that mustered his men and put him in command.^[16] Other leaders who had voiced Southern sentiments, notably John Cochrane, soon found places at the front. Indeed, those who had professed the warmest friendship for the South were among the first to speak or take up arms against it.

The Confederates, entering upon the path of revolution with the hope of a divided North, exhibited much feeling over this unanimity of sentiment. "Will the city of New York 'kiss the rod that smites her,'" asked the leading paper in Virginia, "and at the bidding of her Black Republican tyrants war upon her Southern friends and best customers? Will she sacrifice her commerce, her wealth, her population, her character, in order to strengthen the arm of her oppressors?"^[17] Ten days later another influential representative of Southern sentiment, watching the proceedings of the great Union Square meeting, answered the inquiry. "The statesmen of the North," said the Richmond *Enquirer*, "heretofore most honoured and confided in by the South, have come out unequivocally in favor of the Lincoln policy of coercing and subjugating the South."^[18] The Charleston *Mercury* called the roll of these statesmen in the several States. "Where," it asked, "are Fillmore, Van Buren, Cochrane, McKeon, Weed, Dix, Dickinson, and Barnard, of New York, in the bloody crusade proposed by President Lincoln against the South? Unheard of in their dignified retirement, or hounding on the fanatic warfare, or themselves joining 'the noble army of martyrs for

liberty' marching on the South." [19] Other papers were no less indignant. "We are told," said the Richmond *Examiner*, "that the whole North is rallying as one man—Douglas, veering as ever with the popular breeze; Buchanan lifting a treacherous and time-serving voice of encouragement from the icy atmosphere of Wheatland; and well-fed and well-paid Fillmore, eating up all his past words of indignation for Southern injuries, and joining in the popular hue-and-cry against his special benefactors." [20] The *Enquirer*, speaking of Daniel S. Dickinson as "the former crack champion of Southern Rights," sneered at his having given his "adhesion to Lincoln and all his abolition works." [21] To the South which believed in the constitutional right of secession, the contest for the Union was a war of subjugation, and whoever took part in it was stigmatised. "The proposition to *subjugate*," said the *Examiner*, "comes from the metropolis of the North's boasted conservatism, even from the largest beneficiary of Southern wealth—New York City." [22]

In the midst of the patriotic uprising of the North, so disappointing and surprising to the South, an event occurred that cast a deep shadow over New York in common with the rest of the country. The press, presumably voicing public opinion, demanded that the army begin the work for which it was organised. Many reasons were given—some quixotic, some born of suspicion, and others wholly unworthy their source. The New York *Tribune*, in daily articles, became alarmingly impatient, expressing the fear that influences were keeping the armies apart until peace could be obtained on humiliating terms to the North. [23] Finally, on June 27, appeared a four-line, triple-leaded leader, printed in small capitals, entitled "The Nation's War-Cry." It was as mandatory as it was conspicuous. "Forward to Richmond! Forward to Richmond! The Rebel Congress must not be allowed to meet there on the 20th of July! By that date the place must be held by the National Army!" [24] This war-cry appeared from day to day with editorials indicating a fear of Democratic intrigue, and hinting at General Scott's insincerity. [25]

General Scott did not approve a battle at that time. He thought the troops insufficiently drilled and disciplined. On the other hand, the President argued that a successful battle would encourage the country, maintain the unanimity of the war sentiment, and gain the respect of foreign governments. General McDowell had 30,000 men in the vicinity of Bull

Run, Virginia, of whom 1,600 were regulars—the rest, for the most part, three months' volunteers whose term of enlistment soon expired. At Martinsburg, General Patterson, a veteran of two wars, commanded 20,000 Federal troops. Opposed to the Union forces, General Beauregard had an effective army of 22,000, with 9,000 in the Shenandoah Valley under command of Joseph E. Johnston. In obedience to the popular demand McDowell moved his troops slowly toward Beauregard's lines, and on Sunday, July 21, attacked with his whole force, gaining a complete victory by three o'clock in the afternoon. Meantime, however, Johnston, having eluded Patterson, brought to the field at the supreme moment two or three thousand fresh troops and turned a Confederate defeat into a Union rout and panic.^[26]

After coolness and confidence had displaced the confusion of this wild stampede, it became clear that the battle of Bull Run had been well planned, and that for inexperienced and undisciplined troops McDowell's army had fought bravely. It appeared plain that had Patterson arrived with 2,300 fresh troops instead of Johnston, the Confederates must have been the routed and panic-stricken party. To the North, however, defeat was the source of much shame. It seemed a verification of the Southern boast that one Confederate could whip two Yankees, and deepened the conviction that the war was to be long and severe. Moreover, fear was expressed that it would minimise the much desired sympathy of England and other foreign governments. But it brought no abatement of energy. With one voice the press of the North demanded renewed activity, and before a week had elapsed every department of government girded itself anew for the conflict.^[27] The vigour and enthusiasm of this period have been called a second uprising of the North, and the work of a few weeks exhibited the wonderful resources of a patriotic people.

CHAPTER II

NEW PARTY ALIGNMENTS

1861

THE battle of Bull Run fomented mutterings, freighted with antagonism to the war. Certain journals violently resented the suspension of the writ of *habeas corpus*, while the Act of Congress, approved August 3, providing for the freedom of slaves employed in any military or naval service, called forth such extreme denunciations that the United States grand jury for the Southern District of New York asked the Court if the authors were subject to indictment. "These newspapers,"^[28] said the foreman, "are in the frequent practice of encouraging the rebels now in arms against the Federal Government by expressing sympathy and agreement with them, the duty of acceding to their demands, and dissatisfaction with the employment of force to overcome them. Their conduct is, of course, condemned and abhorred by all loyal men, but the grand jury will be glad to learn from the Court that they are also subject to indictment and condign punishment." The Postmaster-General's order excluding such journals from the mails intensified the bitterness. The arrests of persons charged with giving aid and comfort to the enemy also furnished partisans an opportunity to make people distrustful of such summary methods by magnifying the danger to personal liberty. In a word, the Bull Run disaster had become a peg upon which to hang sympathy for the South.^[29]

Differences likewise appeared among Republicans. The Weed and anti-Weed factions still existed, but these divisions now grew out of differences far deeper than patronage. After the bombardment of Fort Sumter, Thurlow Weed desired the conflict conducted on lines that would unite the North into one party responding to the cry of "Union, now and forever." He believed this might be done and that rebellion could thus be confined to the extreme cotton region, if the loyal element in the Border States was cherished and representatives of all parties were permitted to participate in civil as well as military affairs. To this end he sought to avoid the question of emancipation, cordially approving the President's course in modifying Fremont's proclamation of the preceding August, which liberated the slaves of traitorous owners in Missouri. Weed pushed his contention to the

extreme. Following the spirit of his rejected compromise he insisted that every act of the Government should strengthen and encourage the Union men of the Border States, among which he included North Carolina and Tennessee, and he bitterly resented the policy of urging the army, hastily and without due preparation, to fight "political battles" like that of Bull Run. On the other hand, the radical anti-slavery element of the country, led by Secretary Chase in the Cabinet, by Senator Sumner in Congress, and backed by Horace Greeley in the *Tribune*, disliked the President's policy of trying to conciliate Kentucky and other Border States by listening to the demands of slavery. This factional difference became doubly pronounced after Lincoln's modification of the Fremont proclamation.

Notwithstanding Democratic criticisms and Republican differences, however, the supporters of Lincoln, anxious to teach the seceding States an object lesson in patriotism, desired to unite both parties into one Union organisation, pledged to the vigorous prosecution of the war and the execution of the laws in all parts of the country. To Republicans this plan looked easy. Most people professed to favour the preservation of the Union, and thousands of young men irrespective of party had enlisted for the suppression of armed rebellion. Moreover, a union of parties at such a critical moment, it was argued, would be more helpful in discouraging the South than victory on the battlefield. Accordingly the Republican State Committee proposed to the Democrats early in August that in the election to occur on November 4 a single ticket be nominated, fairly representative of all parties upon a simple war platform.

About Dean Richmond, chairman of the Democratic State Committee, still clustered Peter Caggar, William B. Ludlow, Sanford E. Church, and other Soft leaders, with Horatio Seymour substantially in control. These men had not participated in the Union Square meeting on April 20, nor had their sentiments been voiced since the fall of Fort Sumter; but it was well known that their views did not coincide with those of Daniel S. Dickinson, John A. Dix, James T. Brady, Greene C. Bronson, and other leaders of the Hards. Richmond's reply, therefore, was not disappointing. He admitted the wisdom of filling public offices with pure and able men who commanded the confidence of the people, and suggested, with a play of sarcasm, that if such an example were set in filling Federal offices, it would probably be followed in the selection of State officers. But the politics of men in office,

he continued, was of little importance compared to sound principles. Democrats would unite with all citizens opposed to any war and equally to any peace which is based upon the idea of the separation of these States, and who regard it the duty of the Federal government at all times to hold out terms of peace and accommodation to the dissevered States.

"Our political system," he continued, "was founded in compromise, and it can never be dishonourable in any Administration to seek to restore it by the same means. Above all, they repel the idea that there exists between the two sections of the Union such an incompatibility of institutions as to give rise to an irrepressible conflict between them, which can only terminate in the subjugation of one or the other. Repelling the doctrine that any State can rightfully secede from the Union, they hold next in abhorrence that aggressive and fanatical sectional policy which has so largely contributed to the present danger of the country. They propose, therefore, to invite to union with them all citizens of whatever party, who, believing in these views, will act with them to secure honest administration in Federal and State affairs, a rigid maintenance of the Constitution, economy in public expenditures, honesty in the award of contracts, justice to the soldier in the field and the taxpayer at home, and the expulsion of corrupt men from office."[\[30\]](#)

It was hardly to be expected, perhaps, that Dean Richmond and other representatives of a great party would be willing, even if moved by no other motive than a love of country, to abandon a political organisation that had existed for years, and that had already shown its patriotism by the generous enlistment of its members; but it is doubtful if they would have proclaimed, without the guidance of a State convention, such an elaborate and positive platform of principles, had not the serious defeat at Bull Run and the action of the President in suspending the writ of *habeas corpus*, subjected the national Administration to severe criticism. This, at least, was the view taken by the radical Republican press, which viciously attacked the patriotism of Richmond and his associates, charging them with using the livery of Democracy to serve the cause of treason.[\[31\]](#)

In the midst of these developments the Democratic State convention, made up of a larger number of old men than usual, assembled at Syracuse on September 4. It was not an enthusiastic body. The division upon national

affairs plainly had a depressing influence. Francis Kernan became temporary chairman. At the Oneida bar, Kernan, then forty-five years old, had been for nearly two decades the peer of Hiram Denio, Samuel Beardsley, Ward Hunt, and Joshua Spencer. He was a forceful speaker, cool and self-possessed, with a pleasing voice and good manner. He could not be called an orator, but he was a master of the art of making a perfectly clear statement, and in defending his position, point by point, with never failing readiness and skill, he had few if any superiors. He belonged, also, to that class of able lawyers who are never too busy to take an active interest in public affairs.

In his brief address Kernan clearly outlined the position which the Democracy of the whole country was to occupy. "It is our duty," he said, "to oppose abolitionism at the North and secession at the South, which are equally making war upon our Government. Let us consign them both to a common grave. Never will our country see peace unless we do.... We care not what men are in charge of the Government, it is our duty as patriots and as Democrats to protect and preserve that Government, and resist with arms, and, if need be, with our lives, the men who seek to overthrow it; but this must be no war for the emancipation of slaves."[\[32\]](#)

The vigor of Kernan as a speaker and presiding officer exaggerated by contrast the feebleness of Herman J. Redfield, the permanent president of the convention. Redfield was an old man, a mere reminiscence of the days of DeWitt Clinton, whose speech, read in a low, weak voice, was directed mainly to a defence of the sub-treasury plan of 1840 and the tariff act of 1846.[\[33\]](#) He professed to favour a vigorous prosecution of the war, but there were no words of reprobation for its authors, while he expressed the belief that "civil war will never preserve, but forever destroy the union of States." This was the prophecy of Reuben H. Walworth, the ex-chancellor, made at the Albany peace convention in the preceding January, and the applause that greeted the statement then, as it did at Syracuse, indicated a disposition on the part of many to favour concessions that would excuse if it did not absolutely justify secession.

The party platform, however, took little notice of the Redfield speech and the Redfield cheers. It declared that the right of secession did not anywhere or at any time exist; that the seizure of United States property and the

sending out of privateers to prey on American commerce had precipitated the war; and that it was the duty of the government to put down rebellion with all the means in its power, and the duty of the people to rally about the government; but it also demanded that Congress call a convention of all the States to revise the Constitution, and that the Administration abandon the narrow platform of the Chicago convention, expel corrupt men from office, and exclude advocates of abolition from the Cabinet, declaring that it would "regard any attempt to pervert the conflict into a war for the emancipation of slaves as fatal to the hope of restoring the Union."

The debate upon the platform was destined to bring into prominence a broader loyalty than even Francis Kernan had exhibited. Arphaxed Loomis moved to restore the resolution, expunged in the committee's report, protesting against the passport system, the State police system, the suppression of free discussion in the press, and the suspension of the writ of *habeas corpus*. It is doubtful if the freedom of the press had been materially abridged, since restrictions upon a few newspapers, charged with giving aid and comfort to the enemy, scarcely exceeded the proscription of anti-slavery papers before the war. The suspension of the writ of *habeas corpus*, however, furnished better grounds for complaint. Men were apprehended, often on the telegram of Secretary Seward, and committed to prison, without any offence being charged or an examination being made. Among others arrested were two men at Malone, besides an editor of the *New York News*, and a crippled newsboy who sold the *News*. Public sentiment generally sustained the Administration in such action, but many persons, including conservative Republicans, frequently questioned the right or justice of such procedure. "What are we coming to," asked Senator Trumbull of Illinois, "if arrests may be made at the whim or the caprice of a cabinet minister?"^[34] Loomis, in insisting upon his resolution, had these arbitrary arrests in mind, maintaining that it embodied the true principles of Democracy, which he was unwilling to see violated without recording a protest.

This brought to his feet Albert P. Laning of Buffalo. He was younger by a score of years than Loomis, and although never as prominent, perhaps, as the great advocate of legal reformatory measures, his remarkable memory and thorough grasp of legal principles had listed him among the strong lawyers of Western New York. To the convention he was well known as a

clear, forceful speaker, who had been a student of political history as well as of law, and who, in spite of his ardent devotion to his profession, had revealed, when shaping the policy of his party, the personal gifts and remarkable power of sustained argument that win admiration.

At Syracuse, in 1861, Laning, just then in his early forties, was in the fulness of his intellectual power. He had followed Douglas and favored the Crittenden Compromise, but the fall of Sumter crippled his sympathy for the South and stiffened his support of the Federal administration. Moreover, he understood the difficulty, during a period of war, of conducting an impartial, constitutional opposition to the policy of the Administration, without its degeneration into a faction, which at any moment might be shaken by interest, prejudice, or passion. The motion of Loomis, therefore, seemed to him too narrow, and he opposed it with eloquence, maintaining that it was the duty of all good men not to embarrass the Government in such a crisis. Rather than that bold rebellion should destroy the government, he said, he preferred to allow the President to take his own course. The responsibility was upon him, and the people, irrespective of party, should strengthen his hands until danger had disappeared and the government was re-established in all its strength.

Kernan did not take kindly to these sentiments. Like Loomis he resented arbitrary arrests in States removed from actual hostilities, where the courts were open for the regular administration of justice, and with a few ringing sentences he threw the delegates into wild cheering. Though brief, this speech resulted in restoring the Loomis resolution to its place in the platform, and in increasing the clamour that Kernan lead the party as a candidate for attorney-general. Kernan was not averse to taking office. For three years, from 1856 to 1859, he had been official reporter for the Court of Appeals, and in 1860 served in the Assembly. Later, he entered Congress, finally reaching the United States Senate. But in 1861 prudence prompted him to decline the tempting offer of a nomination for attorney-general, and although entreated to reconsider his determination, he stubbornly resisted, and at last forced the nomination of Lyman Tremain of Albany, who had previously held the office.^[35]

The work of the convention did not please all members of the party. To some the drift of the speeches and resolutions seemed an encouragement to

armed rebellion; to others, although jealous of individual rights, it appeared to confuse the liberty of the press with license. One paper, an able representative of the party, disclaiming any desire "to rekindle animosities by discussing its various objectionable points," felt "bound to express its heartfelt repugnance of the malignant and traitorous spirit which animates the Loomis resolution."[\[36\]](#) These were severe words, showing that others than Laning opposed such criticism of the President.

Dean Richmond's refusal to unite in a Union convention did not stifle the hope that many Democrats might participate in such a meeting, and to afford them an opportunity a People's convention met at Wieting Hall in Syracuse, on September 11, contemporaneously with the Republican State convention. It became evident that the purpose was attained when the Democrats present declared that the banner of their former party no longer marked a place for them to muster. In character the members resembled determined Abolitionists in the forties. Its president, Thomas G. Alvord of Onondaga, had been speaker of the Assembly, a competitor of Gordon Granger for Congress, and a pronounced Hard Shell until the repeal of the Missouri Compromise drove him into the camp of the Softs. One of the delegates, James B. McKean, was soon to lead the Sixty-seventh Regiment to the field; another, Alexander S. Diven of Chemung was to enter Congress, and subsequently to distinguish himself at Antietam and Chancellorsville at the head of the One Hundred and Seventh; other participants, conspicuous in their respective localities, were to suffer bitterly and struggle bravely to maintain the Union. One delegate sung the "Star Spangled Banner," while the others, with radiant faces, broke into cheers. This was followed by several brief and vigorous speeches approving the war and the methods by which it was conducted. "There is no medium, no half way now," said one delegate, "between patriots and traitors."[\[37\]](#) This was the sentiment of the platform, which waived all political divisions and party traditions, declaring that the convention sought only, in this hour of national peril, to proclaim devotion to the Constitution and Union, and to defend and sustain the chosen authorities of the government at whatever cost of blood and treasure.

Rumours of Daniel S. Dickinson's nomination had been in the air from the outset. He had been much in the public eye since the 20th of April. In his zeal for the Union, said the *Tribune*, "his pointed utterances have

everywhere fired the hearts of patriots." Freedom from the blighting influence of slavery seemed to give him easier flight, and his criticism of the Democratic convention was so felicitous, so full of story and wit and ridicule and the fire of genuine patriotism, that his name was quickly upon every lip, and his happy, homely hits the common property of half the people of the State.^[38] The mention of his name for attorney-general, therefore, evoked the most enthusiastic applause. Since the constitutional convention of 1846 it had been the custom, in the absence of a candidate for governor, to write the name of the nominee for secretary of state at the head of the ticket; but in this instance the committee deemed it wise to nominate for attorney-general first and give it to the man of first importance. The nomination proved a popular hit. Instantly Syracuse and the State were ablaze, and Republican as well as many Democratic papers prophesied that it settled the result in November. The convention professed to discard party lines and traditions, and its sincerity, thus put early to the test, did much to magnify its work, since with marked impartiality it placed upon its ticket two Hards, two Softs, one American, and four Republicans.^[39]

Whenever the People's convention recessed delegates to the Republican convention immediately took control. Indeed, so closely related were the two assemblies that spectators at one became delegates to the other. Weed did not attend the convention, but it adopted his conciliatory policy. "The popular fiat has gone forth in opposition, on the one hand, to secession and disunion, whether in the shape of active rebellion, or its more insidious ally, advocacy of an inglorious and dishonourable peace; and, on the other, to everything that savors of abolition, or tends towards a violation of the guarantees of slave property provided by the Constitution."^[40]

It cannot be said that the Democratic campaign opened under flattering conditions. Loomis' resolution, known as the ninth or "secession" plank, had led to serious difficulty. Men recognised that in time of war more reserve was necessary in dealing with an Administration than during a period of peace, for if the government's arm was paralysed it could not stay the arm of the public enemy. This had been the position of Laning, and it appealed strongly to Lyman Tremain, who believed the machinations of treason had forced the Government to suspend the writ of *habeas corpus*, and to organise systems of passports and State police. He boldly declined, therefore, to accept a nomination as attorney-general on a platform that

emphatically condemned such measures, when deemed essential to the government's safety.

Tremaine, tall, portly, and commanding, belonged to the more independent members of the party. He was not a stranger to public life. Although but forty-two years old he had been an active party worker for a quarter of a century and an office-holder since his majority. Greene County made him supervisor, district attorney, and county judge, and soon after his removal to Albany in 1854 he became attorney-general. But these honours did not break his independence. He inherited a genius for the forum, and although his gifts did not put him into the first class, his name was familiar throughout the State.

Francis C. Brouck's withdrawal soon followed Tremaine's.^[41] Then Tammany repudiated the Loomis resolutions,^[42] and the Albany *Argus* shouted lustily for war.^[43] But the blow that staggered Richmond came from the candidates who caught the drift of public sentiment, and in a proclamation of few words declared "in favour of vigorously sustaining the Government in its present struggle to maintain the Constitution and the Union, at all hazards, and at any cost of blood and treasure."^[44] This was the act of despair. For days they had waited, and now, alarmed by the evident change, they jumped from the plank that was sinking under them. "It is the first instance on record," said the *Herald*, "where the nominees of a convention openly and defiantly spit upon the platform, and repudiated party leaders and their secession heresies."^[45]

Nevertheless, the difference between the great mass of Democrats and the supporters of the People's party was more apparent than real.^[46] Each professed undying devotion to the Union. Each, also, favoured a vigorous prosecution of the war. As the campaign advanced the activity of the army strengthened this loyalty and minimised the criticism of harsh methods. Moreover, the impression obtained that the war would soon be over.^[47] McClellan was in command, and the people had not yet learned that "our chicken was no eagle, after all," as Lowell expressed it.^[48] Controversy over the interference with slavery also became less acute. John Cochrane, now commanding a regiment at the front, declared, in a speech to his soldiers, that slaves of the enemy, being elements of strength, ought to be

captured as much as muskets or cannon, and that whenever he could seize a slave, and even arm him to fight for the government, he would do so.

In conducting the campaign the People's leaders discountenanced any criticism of the Government's efforts to restore the Union. "It is not Lincoln and the Republicans we are sustaining," wrote Daniel S. Dickinson. "They have nothing to do with it. It is the government of our fathers, worth just as much as if it was administered by Andrew Jackson. There is but one side to it."^[49] As a rule the Hards accepted this view, and at the ratification of the ticket in New York, on September 20, Lyman Tremaine swelled the long list of speakers. A letter was also read from Greene C. Bronson. To those who heard James T. Brady at Cooper Institute on the evening of October 28 he seemed inspired. His piercing eyes burned in their sockets, and his animated face, now pale with emotion, expressed more than his emphatic words the loathing felt for men who had plunged their country into bloody strife.

Nevertheless, it remained for Daniel S. Dickinson to stigmatise the Democratic party. At the Union Square meeting he had burned his bridges. It was said he had nowhere else to go; that the Hards went out of business when the South went out of the Union; and that to the Softs he was *non persona grata*. There was much truth in this statement. But having once become a Radical his past affiliations gave him some advantages. For more than twenty years he had been known throughout the State as a Southern sympathiser. In the United States Senate he stood with the South for slavery, and in the election of 1860 he voted for Breckinridge. He was the most conspicuous doughface in New York. Now, he was an advocate of vigorous war and a pronounced supporter of President Lincoln. This gave him the importance of a new convert at a camp meeting. The people believed he knew what he was talking about, and while his stories and apt illustrations, enriched by a quick change in voice and manner, convulsed his audiences, imbedded in his wit and rollicking fun were most convincing arguments which appealed to the best sentiments of his hearers.^[50] Indeed, it is not too much to say that Daniel S. Dickinson, as an entertaining and forceful platform speaker, filled the place in 1861 which John Van Buren occupied in the Free-soil campaign in 1848.

A single address by Horatio Seymour, delivered at Utica on October 28, proved his right to speak for the Democratic party. He had a difficult task to

perform. Men had changed front in a day, and to one of his views, holding rebellion as a thing to be crushed without impairing existing conditions, it seemed imperative to divorce "revolutionary emancipators" from the conservative patriots who loved their country as it was. He manifested a desire to appear scrupulously loyal to the Government, counseling obedience to constituted authorities, respect for constitutional obligations, and a just and liberal support of the President, in whose favour every presumption should be given. The suspension of the writ of *habeas corpus* and the long list of arbitrary arrests had provoked Seymour as it did many conservative Republicans, but however much individual rights may be violated, he said, so long as the country is engaged in a struggle for its existence, confidence, based upon the assumption that imperative reasons exist for these unusual measures, must be reposed in the Administration. This was the incarnation of loyalty.

But Seymour closed his address with an ugly crack of the whip. Dropping his well-selected words with the skill of a practised debater, he blended the history of past wrongs with those of the present, thus harrowing his auditors into a frame of mind as resentful and passionate as his own. When the public safety permits, he said threateningly, there will be abundant time to condemn and punish the authors of injustice and wrong, whether they occupy the presidential chair or seats in the cabinet. "Let them remember the teachings of history. Despotism governments do not love the agitators that call them into existence. When Cromwell drove from Parliament the latter-day saints and higher-law men of his day, and 'bade them cease their babblings;' and when Napoleon scattered at the point of the bayonet the Council of Five Hundred and crushed revolution beneath his iron heel, they taught a lesson which should be heeded this day by men who are animated by a vindictive piety or a malignant philanthropy.... It is the boast of the Briton that his house is his castle. However humble it may be, the King cannot enter. Let it not be said that the liberties of American citizens are less perfectly protected, or held less sacred than are those of the subjects of a Crown."

The slavery question was less easily and logically handled. He denied that it caused the war, but admitted that the agitators did, putting into the same class "the ambitious man at the South, who desired a separate confederacy," and "the ambitious men of the North, who reaped a political profit from

agitation." In deprecating emancipation he carefully avoided the argument of military necessity, so forcibly put by John Cochrane, and strangely overlooked the fact that the South, by the act of rebellion, put itself outside the protection guaranteed under the Constitution to loyal and law-abiding citizens. "If it be true," he said, "that slavery must be abolished to save this Union, then the people of the South should be allowed to withdraw themselves from the Government which cannot give them the protection guaranteed by its terms." Immediate emancipation, he continued, would not end the contest. "It would be only the commencement of a lasting, destructive, terrible domestic conflict. The North would not consent that four millions of free negroes should live in their midst.... With what justice do we demand that the South should be subjected to the evils, the insecurity, and the loss of constitutional rights, involved in immediate abolition?" Then, dropping into prophecy, the broad, optimistic statesmanship of the forties passed into eclipse as he declared that "we are either to be restored to our former position, with the Constitution unweakened, the powers of the State unimpaired, and the fireside rights of our citizens duly protected, or our whole system of government is to fall!"

Seymour, in closing, very clearly outlined his future platform. "We are willing to support this war as a means of restoring our Union, but we will not carry it on in a spirit of hatred, malice, or revenge. We cannot, therefore, make it a war for the abolition of slavery. We will not permit it to be made a war upon the rights of the States. We shall see that it does not crush out the liberties of the citizen, or the reserved powers of the States. We shall hold that man to be as much a traitor who urges our government to overstep its constitutional powers, as he who resists the exercise of its rightful authority. We shall contend that the rights of the States and the General Government are equally sacred."[\[51\]](#)

If the campaign contributed to the South a certain degree of comfort, reviving the hope that it would yet have a divided North to contend against, the election, giving Dickinson over 100,000 majority, furnished little encouragement. The People's party also carried both branches of the Legislature, securing twenty out of thirty-two senators, and seventy out of the one hundred and twenty-eight assemblymen. Among the latter, Henry J. Raymond and Thomas G. Alvord, former speakers, represented the undaunted mettle needed at Albany.

To add to the result so gratifying to the fusionists, George Opdyke defeated Fernando Wood by a small plurality for mayor of New York. Wood had long been known as a Dr. Jekyll and Mr. Hyde. He talked reform and grew degenerate; he proclaimed patriotic views and held disloyal sentiments; he listened respectfully to public opinion, and defied it openly in his acts. He did not become a boss. It was ten years later before William M. Tweed centralised Tammany's power in one man. But Wood developed the system that made a boss possible. He dominated the police, he organised the lawless, he allied himself with the saloon, and he used the judiciary. In 1858, being forced out of Tammany, he retreated like a wounded tiger to Mozart Hall, organised an opposition society that took its name from the assembly room in which it met, and declared with emphasis and expletives that he would fight Tammany as long as he lived. From that moment his shadow had kept sachems alarmed, and his presence had thrown conventions into turmoil.

The arts of the card-sharper and thimble-rigger had been prodigally employed to save the candidate of Mozart Hall. Even the sachems of Tammany, to avert disaster, nominated James T. Brady, whose great popularity it was believed would draw strength from both Opdyke and Wood; but Brady refused to be used. Opdyke had been a liberal, progressive Democrat of the Free-Soil type and a pioneer Republican. He associated with Chase in the Buffalo convention of 1848 and coöperated with Greeley in defeating Seward in 1860. He had also enjoyed the career of a busy and successful merchant, and, although fifty years old, was destined to take a prominent part in municipal politics for the next two decades. One term in the Assembly summed up his office-holding experience; yet in that brief and uneventful period jobbers learned to shun him and rogues to fear him. This was one reason why the brilliant and audacious leader of Mozart Hall, in his death struggle with an honest man, suddenly assumed to be the champion of public purity.

CHAPTER III

“THE MAD DESPERATION OF REACTION”

1862

NOTWITHSTANDING its confidence in General McClellan, whose success in West Virginia had made him the successor of General Scott, giving him command of all the United States forces, the North, by midsummer, became profoundly discouraged. Many events contributed to it. The defeat at Ball's Bluff on the Potomac, which Roscoe Conkling likened to the battle of Cannæ, because "the very pride and flower of our young men were among its victims,"^[52] had been followed by conspicuous incompetence at Manassas and humiliating failure on the Peninsula. Moreover, financial difficulties increased the despondency. At the outbreak of hostilities practical repudiation of Southern debts had brought widespread disaster. "The fabric of New York's mercantile prosperity," said the *Tribune*, "lies in ruins, beneath which ten thousand fortunes are buried. Last fall the merchant was a capitalist; to-day he is a bankrupt."^[53] In September, 1861, these losses aggregated \$200,000,000.^[54] Besides, the strain of raising sufficient funds to meet government expenses had forced a suspension of specie payment and driven people to refuse United States notes payable on demand without interest. Meantime, the nation's expenses aggregated \$2,000,000 a day and the Treasury was empty. "I have been obliged," wrote the Secretary of the Treasury, "to draw for the last installment of the November loan."^[55]

To meet this serious financial condition, Elbridge G. Spaulding of Buffalo, then a member of Congress, had been designated to prepare an emergency measure to avoid national bankruptcy. "We must have at least \$100,000,000 during the next three months," he wrote, on January 8, 1862, "or the government must stop payment."^[56] Spaulding, then fifty-two years of age, was president of a bank, a trained financier, and already the possessor of a large fortune. Having served in the Thirty-first Congress, he had returned in 1859, after an absence of eight years, to remain four years longer. Strong, alert, and sufficiently positive to be stubborn, he possessed the confidence of Thaddeus Stevens, chairman of the Ways and Means Committee, who approved his plan of issuing \$100,000,000 legal-tender, non-interest

bearing treasury notes, exchangeable at par for six-twenty bonds. Spaulding fully appreciated the objections to his policy, but the only other course, he argued, was to sell bonds as in the war of 1812, which, if placed at six percent interest, would not, in his opinion, bring more than sixty cents—a ruinous method of conducting hostilities. However, his plea of necessity found a divided committee and in Roscoe Conkling a most formidable opponent, who attacked the measure as unnecessary, extravagant, unsound, without precedent, of doubtful constitutionality, and morally imperfect.[57]

It was in this debate that Conkling, adroitly choosing the right time and the proper subject, impressed the country with his power as an orator and his ability as a brilliant, resourceful debater, although, perhaps, a destructive rather than constructive legislator. Nature had lavished upon him superb gifts of mind and person. He was of commanding, even magnificent presence, six feet three inches tall, with regular features, lofty forehead, and piercing eyes,—blond and gigantic as a viking. It was difficult, indeed, for a man so superlatively handsome not to be vain, and the endeavour upon his part to conceal the defect was not in evidence. Although an unpopular and unruly schoolboy, who refused to go to college, he had received a good education, learning much from a scholarly father, a college-bred man, and an ornament to the United States District Court for more than a quarter of a century. Moreover, from early youth Conkling had studied elocution, training a strong, slightly musical voice, and learning the use of secondary accents, the choice of words, the value of deliberate speech, and the assumption of an impressive earnestness. In this debate, too, he discovered the talent for ridicule and sarcasm that distinguished him in later life, when he had grown less considerate of the feelings of opponents, and indicated something of the imperiousness and vanity which clouded an otherwise attractive manner.

As he stubbornly and eloquently contested the progress of the legal-tender measure with forceful argument and a wealth of information, Conkling seemed likely to deprive Spaulding of the title of "father of the greenback" until the Secretary of the Treasury, driven to desperation for want of money, reluctantly came to the Congressman's rescue and forced the bill through Congress.[58] By midsummer, however, gold had jumped to seventeen per cent., while the cost of the war, augmented by a call for 300,000 three years' men and by a draft of 300,000 nine months' militia, rested more heavily

than ever upon the country. Moreover, by September 1 McClellan had been deprived of his command, the Army of the Potomac had suffered defeat at the second battle of Bull Run, and Lee and Longstreet, with a victorious army, were on their way to Maryland. The North stood aghast!

Much more ominous than military disaster and financial embarrassment, however, was the divisive sentiment over emancipation. Northern armies, moving about in slave communities, necessarily acted as a constant disintegrating force. Slaves gave soldiers aid and information, and soldiers, stimulated by their natural hostility to slave-owners, gave slaves protection and sympathy. Thus, very early in the war, many men believed that rebellion and slavery were so intertwined that both must be simultaneously overthrown. This sentiment found expression in the Fremont proclamation, issued on August 30, 1861, setting free all slaves owned by persons who aided secession in the military department of Missouri. On the other hand, the Government, seeking to avoid the slavery question, encouraged military commanders to refuse refuge to the negroes within their lines, and in modifying Fremont's order to conform to the Confiscation Act of August 6, the President aroused a discussion characterised by increasing acerbity, which divided the Republican party into Radicals and Conservatives. The former, led by the *Tribune*, resented the attitude of army officers, who, it charged, being notoriously in more or less thorough sympathy with the inciting cause of rebellion, failed to seize opportunities to strike at slavery. Among Radicals the belief obtained that one half of the commanding generals desired to prosecute the war so delicately that slavery should receive the least possible harm, and in their comments in Congress and in the press they made no concealment of their opinion, that such officers were much more anxious to restore fugitive slaves to rebel owners than to make their owners prisoners of war.^[59] They were correspondingly flattering to those generals who proclaimed abolition as an adjunct of the war. Greeley's taunts had barbed points. "He is no extemporised soldier, looking for a presidential nomination or seat in Congress," he said of General Hunter, whose order had freed the slaves in South Carolina, Georgia, and Florida. "He is neither a political or civil engineer, but simply a patriot whose profession is war, and who does not understand making war so as not to hurt your enemy."^[60]

When the *Times*, an exponent of the Conservatives, defended the Administration's policy with the declaration that slaves were used as fast as obtained,[61] the *Tribune* minimized the intelligence of its editor. "Consider," it said, "the still unmodified order of McDowell, issued a full year ago, forbidding the harbouring of negroes within our lines. Consider Halleck's order, now nine months old and still operative, forbidding negroes to come within our lines at all. McClellan has issued a goodly number of orders and proclamations, but not one of them offers protection and freedom to such slaves of rebels as might see fit to claim them at his hands. His only order bearing upon their condition and prospects is that which expelled the Hutchinsons from his camp for the crime of singing anti-slavery songs." [62]

The dominant sentiment in Congress reflected the feeling of the Radicals, and under the pressure of McClellan's reverses before Richmond, the House, on July 11, and the Senate on the following day, passed the Confiscation Act, freeing forever the slaves of rebel owners whenever within control of the Government. The Administration's failure to enforce this act in the spirit and to the extent that Congress intended, finally brought out the now historic "Prayer of Twenty Millions"—an editorial signed by Horace Greeley and addressed to Abraham Lincoln. It charged the President with being disastrously remiss in the discharge of his official duty and unduly influenced by the menaces of border slave State politicians. It declared that the Union was suffering from timid counsels and mistaken deference to rebel slavery; that all attempts to put down rebellion and save slavery are preposterous and futile; and that every hour of obeisance to slavery is an added hour of deepened peril to the Union. In conclusion, he entreated the Chief Executive to render hearty and unequivocal obedience to the law of the land.[63]

Thus did Greeley devote his great powers to force Lincoln into emancipation. It is impossible, even at this distance of time, to turn the pages of his ponderous volumes without feeling the matchless force of his energy, the strength of his masterly array of facts, his biting sarcasm, his bold assumptions, and his clear, unadorned style. There is about it all an impassioned conviction, as if he spoke because he could not keep silent, making it impossible to avoid the belief that the whole soul and conscience of the writer were in his work. Day after day, with kaleidoscopic change, he

marshalled arguments, facts, and historical parallels, bearing down the reader's judgment as he swept away like a great torrent the criticisms of himself and the arguments of his opponents. Nothing apparently could withstand his onslaught on slavery. With one dash of his pen he forged sentences that, lance-like, found their way into every joint of the monster's armour.

Greeley's criticism of the President and the army, however, gave his enemies vantage ground for renewed attacks. Ever since he suggested, at the beginning of hostilities, that the *Herald* did not care which flag floated over its office, James Gordon Bennett, possessing the genuine newspaper genius, had daily evinced a deep, personal dislike of the *Tribune's* editor, and throughout the discussion of emancipation, the *Herald*, in bitter editorials, kept its columns in a glow, tantalising the *Tribune* with a persistency that recalls Cheetham's attacks upon Aaron Burr. The strategical advantage lay with the *Herald*, since the initiative belonged to the *Tribune*, but the latter had with it the preponderating sentiment of its party and the growing influence of a war necessity. Greeley fought with a broad-sword, swinging it with a vigorous and well-aimed effect, while Bennett, with lighter weapon, pricked, stabbed, and cut. Never inactive, the latter sought to aggravate and embitter. Greeley, on the contrary, intent upon forcing the Administration to change its policy, ignored his tormentor, until exasperation, like the gathering steam in a geyser, drove him into further action. In this prolonged controversy the *Tribune* invariably referred to its adversary as "the *Herald*," but in the *Herald*, "Greeley," "old Greeley," "poor Greeley," "Mars Greeley," "poor crazy Greeley," became synonyms for the editor of the *Tribune*.

The fight of these able and conspicuous journals represented the fierceness with which emancipation was pushed and opposed throughout the State. Conservative men, therefore, realising the danger to which a bitter campaign along strict party lines would subject the Union cause, demanded that all parties rally to the support of the Government with a candidate for governor devoted to conservative principles and a vigorous prosecution of the war. Sentiment seemed to point to John A. Dix as such a man. Though not distinguished as a strategist or effective field officer, he possessed courage, caution, and a desire to crush the rebellion. The policy of this movement, embracing conservative Republicans and war Democrats, was

urged by Thurlow Weed, sanctioned by Seward, and heartily approved by John Van Buren, who, since the beginning of hostilities, had avoided party councils. The Constitutional Union party, composed of old line Whigs who opposed emancipation,^[64] proposed to lead this movement at its convention, to be held at Troy on September 9, but at the appointed time James Brooks, by prearrangement, appeared with a file of instructed followers, captured the meeting, and gave Horatio Seymour 32 votes to 20 for Dix and 6 for Millard Fillmore. This unexpected result made Seymour the candidate of the Democratic State convention which met at Albany on the following day.

Seymour sincerely preferred another. Early in August he travelled from Utica to Buffalo to resist the friendship and the arguments of Dean Richmond. It cannot be said that he had outlived ambition. He possessed wealth, he was advancing in his political career, and he aspired to higher honours, but he did not desire to become governor again, even though the party indicated a willingness to follow his leadership and give him free rein to inaugurate such a policy as his wisdom and conservatism might dictate. He clearly recognised the difficulties in the way. He had taken ultra ground against the Federal Administration, opposing emancipation, denouncing arbitrary arrests, and expressing the belief that the North could not subjugate the South; yet he would be powerless to give life to his own views, or to modify Lincoln's proposed conduct of the war. The President, having been elected to serve until March, 1865, would not tolerate interference with his plans and purposes, so that an opposition Governor, regardless of grievances or their cause, would be compelled to furnish troops and to keep the peace. Hatred of conscription would be no excuse for non-action in case of a draft riot, and indignation over summary arrests could in nowise limit the exercise of such arbitrary methods. To be governor under such conditions, therefore, meant constant embarrassment, if not unceasing humiliation. These reasons were carefully presented to Richmond. Moreover, Seymour was conscious of inherent defects of temperament. He did not belong to the class of politicians, described by Victor Hugo, who mistake a weather-cock for a flag. He was a gentleman of culture, of public experience, and of moral purpose, representing the best quality of his party; but possessed of a sensitive and eager temper, he was too often influenced by the men immediately about him, and too often

inclined to have about him men whose influence did not strengthen his own better judgment.

Richmond knew of this weakness and regretted it, but the man of iron, grasping the political situation with the shrewdness of a phenomenally successful business man, wanted a candidate who could win. It was plain to him that the Republican party, divided on the question of emancipation and weakened by arbitrary arrests, a policy that many people bitterly resented, could be beaten by a candidate who added exceptional popularity to a promised support of the war and a vigorous protest against government methods. Dix, he knew, would stand with the President; Seymour would criticise, and with sureness of aim arouse opposition. While Richmond, therefore, listened respectfully to Seymour's reasons for declining the nomination, he was deaf to all entreaty, insisting that as the party had honoured him when he wanted office, he must now honour the party when it needed him. Besides, he declared that Sanford E. Church, whom Seymour favoured, could not be elected.^[65] Having gained the Oneidan's consent, Richmond exercised his adroit methods of packing conventions, and thus opened the way for Seymour's unanimous nomination by making the Constitutional Union convention the voice of one crying in the wilderness.

To a majority of the Democratic party Seymour's selection appealed with something of historic pride. It recalled other days in the beginning of his career, and inspired the hope that the peace which reigned in the fifties, and the power that the Democracy then wielded, might, under his leadership, again return to bless their party by checking a policy that was rapidly introducing a new order of things. After his nomination, therefore, voices became hoarse with long continued cheering. For a few minutes the assembly surrendered to the noise and confusion which characterise a more modern convention, and only the presence of the nominee and the announcement that he would speak brought men to order.

Seymour, as was his custom, came carefully prepared. In his party he now had no rival. Not since DeWitt Clinton crushed the Livingstons in 1807, and Martin Van Buren swept the State in 1828, did one man so completely dominate a political organisation, and in his arraignment of the Radicals he emulated the partisan rather than the patriot. He spoke respectfully of the President, insisting that he should "be treated with the respect due to his

position as the representative of the dignity and honor of the American people," and declaring that "with all our powers of mind and person, we mean to support the Constitution and uphold the Union;" but in his bitter denunciation of the Administration he confused the general policy of conducting a war with mistakes in awarding government contracts. To him an honest difference of opinion upon constitutional questions was as corrupt and reprehensible as dishonest practices in the departments at Washington. He condemned emancipation as "a proposal for the butchery of women and children, for scenes of lust and rapine, and of arson and murder, which would invoke the interference of civilised Europe."[\[66\]](#)

The convention thought seriously of making this speech the party platform. But A.P. Laning, declining to surrender the prerogative of the resolutions committee, presented a brief statement of principles, "pledging the Democracy to continue united in its support of the Government, and to use all legitimate means to suppress rebellion, restore the Union as it was, and maintain the Constitution as it is." It also denounced "the illegal, unconstitutional, and arbitrary arrests of citizens of the State as unjustifiable," declaring such arrests a usurpation and a crime, and insisting upon the liberty of speech and the freedom of the press.[\[67\]](#)

The speech of Seymour, as displeasing to many War Democrats as it was satisfactory to the Peace faction, at once aroused conservative Republicans, and Weed and Raymond, backed by Seward, favored the policy of nominating John A. Dix. Seward had distinguished himself as one of the more conservative members of the Cabinet. After settling into the belief that Lincoln "is the best of us"[\[68\]](#) his ambition centered in the support of the President, and whatever aid he could render in helping the country to a better understanding of the Administration's aims and wishes was generously if not always adroitly performed. He did not oppose the abolition of slavery. On the contrary, his clear discernment exhibited its certain destruction if the rebellion continued; but he opposed blending emancipation with a prosecution of the war, preferring to meet the former as the necessity for it arose rather than precipitate an academic discussion which would divide Republicans and give the Democrats an issue.

When Lincoln, on July 22, 1862, announced to his Cabinet a determination to issue an emancipation proclamation, the Secretary questioned its

expediency only as to the time of its publication. "The depression of the public mind consequent upon our repeated reverses," he said, "is so great that I fear the effect of so important a step.... I suggest, sir, that you postpone its issue until you can give it to the country supported by military success, instead of issuing it, as would be the case now, upon the greatest disasters of the war."^[69] Seward's view was adopted, and in place of the proclamation appeared the Executive Order of July 22, the unenforcement of which Greeley had so fiercely criticised in his "Prayer of Twenty Millions." Thurlow Weed, who, in June, had returned from London heavily freighted with good results for the Union accomplished by his influence with leading Englishmen, held the opinion of Seward. Raymond had also made the *Times* an able defender of the President's policy, and although not violent in its opposition to the attitude of the Radicals, it never ceased its efforts to suppress agitation of the slavery question.

In its purpose to nominate Dix the New York *Herald* likewise bore a conspicuous part. It had urged his selection upon the Democrats, declaring him stronger than Seymour. It now urged him upon the Republicans, insisting that he was stronger than Wadsworth.^[70] This was also the belief of Weed, whose sagacity as to the strength of political leaders was rarely at fault.^[71] On the contrary, Governor Morgan expressed the opinion that "Wadsworth will be far more available than any one yet mentioned as my successor."^[72] Wadsworth's service at the battle of Bull Run had been distinguished. "Gen. McDowell told us on Monday," wrote Thurlow Weed, "that Major Wadsworth rendered him the most important service before, during, and after battle. From others we have learned that after resisting the stampede, earnestly but ineffectually, he remained to the last moment aiding the wounded and encouraging surgeons to remain on the field as many of them did."^[73] Wadsworth's subsequent insistence that the Army of the Potomac, then commanded by McClellan, could easily crush the Confederates, who, in his opinion, did not number over 50,000^[74], had again brought his name conspicuously before the country. Moreover, since the 8th of March he had commanded the forces in and about Washington, and had acted as Stanton's adviser in the conduct of the war.

For twenty years Wadsworth had not been a stranger to the people of New York. His vigorous defence of Silas Wright gave him a warm place in the hearts of Barnburners, and his name, after the formation of the Republican

party, became a household word among members of that young organisation. Besides, his neighbours had exploited his character for generosity. The story of the tenant who got a receipt for rent and one hundred dollars in money because the accidental killing of his oxen in the midst of harvest had diminished his earning capacity, seemed to be only one of many similar acts. In 1847 his farm had furnished a thousand bushels of corn to starving Ireland. Moreover, he had endowed institutions of learning, founded school libraries, and turned the houses of tenants into homes of college students. But the Radicals' real reason for making him their candidate was his "recognition of the truth that slavery is the implacable enemy of our National life, and that the Union can only be saved by grappling directly and boldly with its deadly foe."[\[75\]](#)

Prompted by this motive his supporters used all the methods known to managing politicians to secure a majority of the delegates. Lincoln's emancipation proclamation, published on September 23, five days after the battle of Antietam, greatly strengthened them. They hailed the event as their victory. It gave substance, too, to the Wadsworth platform that "the Union must crush out slavery, or slavery will destroy the Union." Reinforced by such an unexpected ally, it was well understood before the day of the convention that in spite of the appeals of Weed and Raymond, and of the wishes of Seward and the President, the choice of the Radicals would be nominated. Wadsworth was not averse. He had an itching for public life. In 1856 his stubborn play for governor and his later contest for a seat in the United States Senate had characterised him as an office-seeker. But whether running for office himself, or helping some one else, he was a fighter whom an opponent had reason to fear.

The Republican Union convention, as it was called, assembled at Syracuse on September 25. Henry J. Raymond became its president, and with characteristic directness made a vigorous reply to Seymour, declaring that "Jefferson Davis himself could not have planned a speech better calculated, under all the circumstances of the case, to promote his end to embarrass the Government of the United States and strengthen the hands of those who are striving for its overthrow."[\[76\]](#) Then William Curtis Noyes read a letter from Governor Morgan declining renomination.[\[77\]](#) The Governor had made a creditable executive, winning the respect of conservatives in both parties, and although the rule against a third term had become firmly established in

a State that had tolerated it but once since the days of Tompkins and DeWitt Clinton, the propriety of making a further exception appealed to the public with manifest approval. "But this," Weed said, "did not suit the *Tribune* and a class of politicians with whom it sympathised. They demanded a candidate with whom abolition is the paramount consideration."^[78] Morgan's letter created a ripple of applause, after which the presentation of Wadsworth's name aroused an enthusiasm of longer duration than had existed at Albany. Nevertheless, Charles G. Myers of St. Lawrence did not hesitate to speak for "a more available candidate at the present time." Then, raising his voice above the whisperings of dissent, he named John A. Dix, "who, while Seymour was howling for peace and compromise," said the speaker, "ordered the first man shot that hauled down the American flag." Raymond, in his speech earlier in the afternoon, had quoted the historic despatch in a well-balanced sentence, with the accent and inflection of a trained orator; but in giving it an idiomatic, thrilling ring in contrast with Seymour's record, Myers suddenly threw the convention into wild, continued cheering, until it seemed as if the noise of a moment before would be exceeded by the genuine and involuntary outburst of patriotic emotion. A single ballot, however, giving Wadsworth an overwhelming majority, showed that the Radicals owned the convention.^[79]

Parke Godwin of Queens, from the committee on resolutions, presented the platform. Among other issues it urged the most vigorous prosecution of the war; hailed, with the profoundest satisfaction, the emancipation proclamation; and expressed pride in the knowledge that the Republic's only enemies "are the savages of the West, the rebels of the South, their sympathisers and supporters of the North, and the despots of Europe."

The campaign opened with unexampled bitterness. Seymour's convention speech inflamed the Republican party, and its press, recalling his address at the Peace convention in January, 1861, seemed to uncork its pent-up indignation. The *Tribune* pronounced him a "consummate demagogue," "radically dishonest," and the author of sentiments that "will be read throughout the rebel States with unalloyed delight," since "their whole drift tends to encourage treason and paralyse the arm of those who strike for the Union."^[80] It disclosed Seymour's intimate relations with "Vallandigham and the school of Democrats who do not disguise their sympathy with traitors nor their hostility to war," and predicted "that, if elected, Jeff Davis

will regard his success as a triumph."^[81] Odious comparisons also became frequent. Wadsworth at Bull Run was contrasted with Seymour's prediction that the Union's foes could not be subdued.^[82] Seymour's supporters, it was said, believed in recognising the independence of the South, or in a restored Union with slavery conserved, while Wadsworth's champions thought rebellion a wicked and wanton conspiracy against human liberty, to be crushed by the most effective measures.^[83] Raymond declared that "every vote given for Wadsworth is a vote for loyalty, and every vote given for Seymour is a vote for treason."^[84]

To these thrusts the Democratic press replied with no less acrimony, speaking of Wadsworth as "a malignant, abolition disorganiser," whose service in the field was "very brief," whose command in Washington was "behind fortifications," and whose capacity was "limited to attacks upon his superior officers."^[85] The *Herald* declared him "as arrant an aristocrat as any Southern rebel. The slaveholder," it said, "lives upon his plantation, which his ancestors begged, cheated, or stole from the Indians. Wadsworth lives upon his immense Genesee farms, which his ancestors obtained from the Indians in precisely the same way. The slaveholder has a number of negroes who raise crops for him, and whom he clothes, feeds, and lodges. Wadsworth has a number of labourers on his farms, who support him by raising his crops or paying him rent. The slaveholder, having an independent fortune and nothing to do, joins the army, or runs for office. Wadsworth, in exactly the same circumstances, does exactly the same thing. Wadsworth, therefore, is quite as much an aristocrat as the slaveholder, and cares quite as much for himself and quite as little for the people."^[86] Democrats everywhere endeavoured to limit the issue to the two opposing candidates, claiming that Seymour, in conjunction with all conservative men, stood for a vigorous prosecution of the war to save the Union, while Wadsworth, desiring its prosecution for the destruction of slavery, believed the Union of secondary consideration.

Campaign oratory, no longer softened by the absence of strict party lines, throbbed feverishly with passion and ugly epithet. The strategical advantage lay with Seymour, who made two speeches. Dean Richmond, alarmed at the growing strength of the war spirit, urged him to put more "powder" into his Brooklyn address than he used at the ratification meeting, held in New York City on October 13; but he declined to cater "to war Democrats," contenting

himself with an amplification of his convention speech. "God knows I love my country," he said; "I would count my life as nothing, if I could but save the nation's life." He resented with much feeling Raymond's electioneering statement that a vote for him was one for treason.^[87] "Recognising at this moment as we do," he continued, "that the destinies, the honour, and the glory of our country hang poised upon the conflict in the battlefield, we tender to the Government no conditional support" to put down "this wicked and mighty rebellion." Once, briefly, and without bitterness, he referred to the emancipation proclamation, but he again bitterly arraigned the Administration for its infractions of the Constitution, its deception as to the strength of the South, and the corruption in its departments.

Seymour's admirers manifested his tendencies more emphatically than he did himself, until denunciation of treason and insistence upon a vigorous prosecution of the war yielded to an indictment of the Radicals. The shibboleth of these declaimers was arbitrary arrests. Two days after the edict of emancipation (September 24) the President issued a proclamation ordering the arrest, without benefit of *habeas corpus*, of all who "discouraged enlistments," or were guilty of "any disloyal practice" which afforded "aid and comfort to the rebels."^[88] This gave rise to an opinion that he intended to "suppress free discussion of political subjects,"^[89] and every orator warned the people that Wadsworth's election meant the arrest and imprisonment of his political opponents. "If chosen governor," said the *Herald*, "he will have his adversaries consigned to dungeons and their property seized and confiscated under the act of Congress."^[90] In accepting an invitation to speak at Rome, John Van Buren, quick to see the humour of the situation as well as the vulnerable point of the Radicals, telegraphed that he would "arrive at two o'clock—if not in Fort Lafayette."^[91]

To the delight of audiences John Van Buren, after two years of political inactivity, broke his silence. He had earnestly and perhaps sincerely advocated the nomination of John A. Dix, but after Seymour's selection he again joined the ranks of the Softs and took the stump. Among other appointments he spoke with Seymour at the New York ratification meeting, and again at the Brooklyn rally on October 22. Something remained of the old-time vigour of the professional gladiator, but compared with his Barnburner work he seemed what Byron called "an extinct volcano." He ran too heedlessly into a bitter criticism of Wadsworth, based upon an alleged

conversation he could not substantiate, and into an acrimonious attack upon Lincoln's conduct of the war, predicated upon a private letter of General Scott, the possession of which he did not satisfactorily account for. The *Tribune*, referring to his campaign as "a rhetorical spree," called him a "buffoon," a "political harlequin," a "repeater of mouldy jokes,"^[92] and in bitter terms denounced his "low comedy performance at Tammany," his "double-shuffle dancing at Mozart Hall," his possession of a letter "by dishonourable means for a dishonourable purpose," and his wide-sweeping statements "which gentlemen over their own signatures pronounced lies."^[93] It was not a performance to be proud of, and although Van Buren succeeded in stirring up the advertising sensations which he craved, he did not escape without wounds that left deep scars. "Prince John makes a statement," says the *Herald*, "accusing Charles King of slandering the wife of Andrew Jackson; King retorts by calling the Prince a liar; the poets of the *Post* take up the case and broadly hint that the Prince's private history shows that he has not lived the life of a saint; the Prince replies that he has half a mind to walk into the private antecedents of Wadsworth, which, it is said, would disclose some scenes exceedingly rich; while certain other Democrats, indignant at Raymond's accusations of treason against Seymour, threaten to reveal his individual history, hinting, by the way, that it would show him to have been heretofore a follower of that fussy philosopher of the twelfth century, Abelard—not in philosophy, however, but in sentiment, romance, and some other things."^[94]

Wherever Van Buren spoke Daniel S. Dickinson followed. His admirers, the most extreme Radicals, cheered his speeches wildly, their fun relieving the prosaic rigour of an issue that to one side seemed forced by Northern treachery, to the other to threaten the gravest peril to the country. It is difficult to exaggerate the tension. Party violence ran high and the result seemed in doubt. Finally, conservatives appealed to both candidates to retire in favour of John A. Dix,^[95] and on October 20 an organisation, styling itself the Federal Union, notified the General that its central committee had nominated him for governor, and that a State Convention, called to meet at Cooper Institute on the 28th, would ratify the nomination. To this summons, Dix, without declining a nomination, replied from Maryland that he could not leave his duties "to be drawn into any party strife."^[96] This settled the question of a compromise candidate.

Elections in the October States did not encourage the Radicals. Pennsylvania, Ohio, and Indiana voiced the sentiments of the opposition, defeating Galusha A. Grow, speaker of the House, and seriously threatening the Radical majority in Congress. This retrogression, accounted for by the absence of soldiers who could not vote,^[97] suggested trouble in New York, and to offset the influence of the Seymour rally in Brooklyn a great audience at Cooper Institute listened to a brief letter from the Secretary of State, and to a speech from Wadsworth. Seward did not encourage the soldier candidate. The rankling recollection of Wadsworth's opposition at Chicago in 1860 stifled party pride as well as patriotism, and although the *Herald* thought it "brilliant and sarcastic," it emphasised Wadsworth's subsequent statement that "Seward was dead against me throughout the campaign."^[98]

Wadsworth's canvass was confined to a single speech. He had been absent from the State fifteen months, and although not continuously at the front there was something inexcusably ungenerous in the taunts of his opponents that he had served "behind fortifications." His superb conduct at Bull Run entitled him to better treatment. But his party was wholly devoted to him, and "amid a hurricane of approbation"^[99] he mingled censure of Seymour with praise of Lincoln, and the experience of a brave soldier with bitter criticism of an unpatriotic press. It was not the work of a trained public speaker. It lacked poise, phrase, and deliberation. But what it wanted in manner it made up in fire and directness, giving an emotional and loyal audience abundant opportunity to explode into long-continued cheering. Thoughtful men who were not in any sense political partisans gave careful heed to his words. He stood for achievement. He brought the great struggle nearer home, and men listened as to one with a message from the field of patriotic sacrifices. The radical newspapers broke into a chorus of applause. The Radicals themselves were delighted. The air rung with praises of the courage and spirit of their candidate, and if here and there the faint voice of a Conservative suggested that emancipation was premature and arbitrary arrests were unnecessary, a shout of offended patriotism drowned the ignoble utterance.

Wadsworth and his party were too much absorbed in the zeal of their cause not to run counter to the prejudices of men less earnest and less self-forgetting. In a contest of such bitterness they were certain to make

enemies, whose hostilities would be subtle and enduring, and the October elections showed that the inevitable reaction was setting in. Military failure and increasing debt made the avowed policy of emancipation more offensive. People were getting tired of bold action without achievement in the field, and every opponent of the Administration became a threnodist. However, independent papers which strongly favoured Seymour believed in Wadsworth's success. "Seymour's antecedents are against him," said the *Herald*. "Wadsworth, radical as he is, will be preferred by the people to a Democrat who is believed to be in favour of stopping the war; because, whatever Wadsworth's ideas about the negro may be, they are only as dust in the balance compared with his hearty and earnest support of the war and the Administration."^[100] This was the belief of the Radicals,^[101] and upon them the news of Seymour's election by over 10,000 majority fell with a sickening thud.^[102] Raymond declared it "a vote of want of confidence in the President;"^[103] Wadsworth thought Seward did it;^[104] Weed suggested that Wadsworth held "too extreme party views;"^[105] and Greeley insisted that it was "a gang of corrupt Republican politicians, who, failing to rule the nominating convention, took revenge on its patriotic candidate by secretly supporting the Democratic nominee."^[106] But the dominant reason was what George William Curtis called "the mad desperation of reaction,"^[107] which showed its influence in other States as well as in New York. That Wadsworth's personality had little, if anything, to do with his overthrow was further evidenced by results in congressional districts, the Democrats carrying seventeen out of thirty-one. Even Francis Kernan carried the Oneida district against Conkling. The latter was undoubtedly embarrassed by personal enemies who controlled the Welsh vote, but the real cause of his defeat was military disasters, financial embarrassments, and the emancipation proclamation. "All our reverses, our despondence, our despairs," said Curtis, "bring us to the inevitable issue, shall not the blacks strike for their freedom?"^[108]

CHAPTER IV

THURLOW WEED TRIMS HIS SAILS

1863

THE political reaction in 1862 tied the two parties in the Legislature. In the Senate, elected in 1861, the Republicans had twelve majority, but in the Assembly each party controlled sixty-four members. This deadlocked the election of a speaker, and seriously jeopardized the selection of a United States senator in place of Preston King, since a joint-convention of the two houses, under the law as it then existed, could not convene until some candidate controlled a majority in each branch.^[109] It increased the embarrassment that either a Republican or Democrat must betray his party to break the deadlock.

Chauncey M. Depew was the choice of the Republicans for speaker. But the caucus, upon the threat of a single Republican to bolt,^[110] selected Henry Sherwood of Steuben. After seventy-seven ballots Depew was substituted for Sherwood. By this time Timothy C. Callicot, a Brooklyn Democrat, refused longer to vote for Gilbert Dean, the Democratic nominee. Deeply angered by such apostasy John D. Van Buren and Saxton Smith, the Democratic leaders, offered Depew eight votes. Later in the evening Depew was visited by Callicot, who promised, if the Republicans would support him for speaker, to vote for John A. Dix for senator and thus break the senatorial deadlock. It was a trying position for Depew. The speakership was regarded as even a greater honor then than it is now, and to a gifted young man of twenty-nine its power and prestige appealed with tremendous force. Van Buren's proposition would elect him; Callicot's would put him in eclipse. Nevertheless, Depew unselfishly submitted the two proposals to his Republican associates, who decided to lose the speakership and elect a United States senator.^[111]

The Democrats, alarmed at this sudden and successful flank movement, determined to defeat by disorderly proceedings what their leaders could not prevent by strategy, and with the help of thugs who filled the floor and galleries of the Assembly Chamber, they instigated a riot scarcely equalled in the legislative history of modern times. Boisterous threats, display of

pistols, savage abuse of Callicot, and refusals to allow the balloting to proceed continued for six days, subsiding at last after the Governor, called upon to protect a law-making body, promised to use force. Finally, on January 26, nineteen days after the session opened, Callicot, on the ninety-third ballot, received two majority. This opened the way for the election of a Republican United States senator.

Horace Greeley had hoped, in the event of Wadsworth's success, to ride into the Senate upon "an abolition whirlwind."[\[112\]](#) He now wished to elect Preston King or Daniel S. Dickinson. King had made a creditable record in the Senate. Although taking little part in debate, his judgment upon questions of governmental policy, indicating an accurate knowledge of men and remarkable familiarity with details, commended him as a safe adviser, especially in political emergencies. But Weed, abandoning his old St. Lawrence friend, joined Seward in the support of Edwin D. Morgan.

Morgan had a decided taste for political life. When a grocer, living in Connecticut, he had served in the city council of Hartford, and soon after gaining a residence in New York, he entered its Board of Aldermen. Then he became State senator, commissioner of immigration, chairman of the National Republican Committee, and finally governor. Besides wielding an influence acquired in two gubernatorial terms, he combined the qualities of a shrewd politician with those of a merchant prince willing to spend money.

The stoutest opposition to Morgan came from extreme Radicals who distrusted him, and in trying to compass his defeat half a dozen candidates played prominent parts. Charles B. Sedgwick of Syracuse, an all-around lawyer of rare ability, whose prominence as a persuasive speaker began in the Free-Soil campaign of 1848, and who had served with distinction for four years in Congress, proved acceptable to a few Radicals and several Conservatives.[\[113\]](#) Henry J. Raymond, also pressed by the opponents of Morgan, attracted a substantial following, while David Dudley Field, Ward Hunt, and Henry R. Selden controlled two or three votes each. Nevertheless, a successful combination could not be established, and on the second formal ballot Morgan received a large majority. The remark of Assemblyman Truman, on a motion to make the nomination unanimous, evidenced the bitterness of the contest. "I believe we are rewarding a man,"

he said, "who placed the knife at the throat of the Union ticket last fall and slaughtered it." [114]

The Democrats presented Erastus Corning of Albany, then a member of Congress. Like Morgan, Corning was wealthy. Like Morgan, too, he had a predilection for politics, having served as alderman, state senator, mayor, and congressman. He belonged to a class of business men whose experience and ability, when turned to public affairs, prove of decided value to their State and country. "We should be glad," said the *Tribune*, "to see more men of Mr. Corning's social and business position brought forward for Congress and the Legislature." [115] The first ballot, in joint convention, gave Morgan 86 to 70 for Corning, Speaker Callicot voting for John A. Dix, and one fiery Radical for Daniel S. Dickinson. Thus did Thurlow Weed score another victory. Greeley was willing to make any combination. Raymond, Sedgwick, Ward Hunt, and even David Dudley Field would quickly have appealed to him. The deft hand of Weed, however, if not the money of Morgan, prevented combinations until the Governor, as a second choice, controlled the election. [116] This success resulted in a combination of Democrats and conservative Republicans, giving Weed the vast patronage of the New York canals.

Perhaps it was only coincidental that Weed's withdrawal from the *Evening Journal* concurred with Morgan's election, but his farewell editorial, written while gloom and despondency filled the land, indicated that he unerringly read the signs of the times. "I differ widely with my party about the best means of crushing the rebellion," he said. "I can neither impress others with my views nor surrender my own solemn convictions. The alternative of living in strife with those whom I have esteemed, or withdrawing, is presented. I have not hesitated in choosing the path of peace as the path of duty. If those who differ with me are right, and the country is carried safely through its present struggle, all will be well and 'nobody hurt.'" [117] This did not mean that Weed "has ceased to be a Republican," as Greeley put it, [118] but that, while refusing to become an Abolitionist of the Chase and Sumner and Greeley type, he declined longer to urge his conservative views upon readers who possessed the spirit of Radicals. Years afterward he wrote that "from the outbreak of the rebellion, I knew no party, nor did I care for any except the party of the Union." [119]

At the time of his retirement from the *Journal*, Weed was sixty-six years of age, able-bodied, rich, independent, and satisfied if not surfeited. "So far as all things personal are concerned," he said, "my work is done."^[120] Yet a trace of unhappiness revealed itself. Perfect peace did not come with the possession of wealth.^[121] Moreover, his political course had grieved and separated friends. For thirty years he looked forward with pleasurable emotions to the time when, released from the cares of journalism, he might return to Rochester, spending his remaining days on a farm, in the suburbs of that city, near the banks of the Genesee River; but in 1863 he found his old friends so hostile, charging him with the defeat of Wadsworth, that he abandoned the project and sought a home in New York.^[122]

For several years Weed had made his political headquarters in that city. Indeed, No. 12 Astor House was as famous in its day as 49 Broadway became during the subsequent leadership of Thomas C. Platt. It was the cradle of the "Amens" forty years before the Fifth Avenue Hotel became the abode of that remarkable organization. From 1861 to 1865, owing to the enormous political patronage growing out of the war, the lobbies of the Astor House were crowded with politicians from all parts of New York, making ingress and egress almost impossible. In the midst of this throng sat Thurlow Weed, cool and patient, possessing the keen judgment of men so essential to leadership. "When I was organizing the Internal Revenue Office in 1862-3," wrote George S. Boutwell, "Mr. Weed gave me information in regard to candidates for office in the State of New York, including their relations to the factions that existed, with as much fairness as he could have commanded if he had had no relation to either one."^[123]

Although opposed to the course of the Radicals, Weed sternly rebuked those, now called Copperheads,^[124] who endeavored to force peace by paralysing the arm of the government. Their denunciation of arrests and of the suspension of *habeas corpus* gradually included the discouragement of enlistments, the encouragement of desertion, and resistance to the draft, until, at last, the spirit of opposition invaded halls of legislation as well as public meetings and the press.

To check this display of disloyalty the Union people, regardless of party, formed loyal or Union League clubs in the larger cities, whose densely packed meetings commanded the ablest speakers of the country. John Van

Buren, fully aroused to the seditious trend of peace advocates, evidenced again the power that made him famous in 1848. In his inimitable style, with admirable temper and freshness, he poured his scathing sarcasm upon the authors of disloyal sentiments, until listeners shouted with delight. The *Tribune*, forgetful of his flippant work in the preceding year, accorded him the highest praise, while strong men, with faces wet with tears, thanked God that this Achilles of the Democrats spoke for the Republic with the trumpet tones and torrent-like fluency that had formerly made the name of Barnburner a terror to the South. Van Buren was not inconsistent. While favouring a vigorous prosecution of the war he had severely criticised arbitrary arrests and other undemocratic methods, but when "little men of little souls," as he called them, attempted to control the great party for illegal purposes, his patriotism flashed out in the darkness like a revolving light on a rocky coast.

The call of the Loyal League also brought James T. Brady from his law office. Unlike Dickinson, Brady did not approve the teachings or the methods of the Radicals, neither had he like Van Buren supported Seymour. Moreover, he had refused to take office from Tammany, or to accept nomination from a Democratic State convention. However, when the enemies of the Government seemed likely to carry all before them, he spoke for the Union like one divinely inspired. Indeed, it may be said with truth that the only ray of hope piercing the gloom and suspense in the early months of 1863 came from the brilliant outbursts of patriotism heard at the meetings of the Union League clubs.^[125] "I pray that my name may be enrolled in that league," wrote Seward. "I would prefer that distinction to any honour my fellow-citizens could bestow upon me. If the country lives, as I trust it will, let me be remembered among those who laboured to save it. The diploma will grow in value as years roll away."^[126]

CHAPTER V

**GOVERNOR SEYMOUR AND PRESIDENT
LINCOLN**

1863

HORATIO SEYMOUR did not become a member of the Union League, and his inaugural message of January 7 gave no indication of a change of heart. He spoke of his predecessor as having "shown high capacity" in the performance of his duties; he insisted that "we must emulate the conduct of our fathers, and show obedience to constituted authorities, and respect for legal and constitutional obligations;" he demanded economy and integrity; and he affirmed that "under no circumstances can the division of the Union be conceded. We will put forth every exertion of power; we will use every policy of conciliation; we will hold out every inducement to the people of the South, consistent with honour, to return to their allegiance; we will guarantee them every right, every consideration demanded by the Constitution, and by that fraternal regard which must prevail in a common country; but we can never voluntarily consent to the breaking up of the Union of these States, or the destruction of the Constitution." With his usual severity he opposed arbitrary arrests, deemed martial law destructive of the rights of States, and declared that the abolition of slavery for the purpose of restoring the Union would convert the government into a military despotism.

"It has been assumed," he said, "that this war will end in the ascendancy of the views of one or the other of the extremes in our country. Neither will prevail. This is the significance of the late elections. The determination of the great Central and Western States is to defend the rights of the States, the rights of individuals, and to restore our Union as it was. We must not wear out the lives of our soldiers by a war to carry out vague theories. The policy of subjugation and extermination means not only the destruction of the lives and property of the South, but also the waste of the blood and treasure of the North. There is but one way to save us from demoralisation, discord, and repudiation. No section must be disorganised. All must be made to feel that the mighty efforts we are making to save our Union are stimulated by a purpose to restore peace and prosperity in every section. If it is true that slavery must be abolished by force; that the South must be held in military

subjection; that four millions of negroes must be under the management of authorities at Washington at the public expense; then, indeed, we must endure the waste of our armies, further drains upon our population, and still greater burdens of debt. We must convert our government into a military despotism. The mischievous opinion that in this contest the North must subjugate and destroy the South to save our Union has weakened the hopes of our citizens at home, and destroyed confidence in our success abroad."

[127]

Although this message failed to recognise the difference between a peaceable South in the Union and a rebellious South attempting to destroy the Union, it is not easy, perhaps, to comprehend how the acknowledged leader of the opposition, holding such views and relying for support upon the peace sentiment of the country, could have said much less. Yet the feeling must possess the student of history that a consummate politician, possessing Seymour's ability and popularity, might easily have divided with Lincoln the honor of crushing the rebellion and thus have become his successor. The President recognized this opportunity, saying to Weed that the "Governor has greater power just now for good than any other man in the country. He can wheel the Democratic party into line, put down rebellion, and preserve the government. Tell him for me that if he will render this service for his country, I shall cheerfully make way for him as my successor." [128] Seymour's reply, if he made one, is not of record, but Lincoln's message would scarcely appeal to one who disbelieved in the North's ability to subjugate the South. Later in the spring the President, unwilling to give the Governor up, wrote him a characteristic note. "You and I," said he, "are, substantially, strangers, and I write this chiefly that we may become better acquainted. As to maintaining the nation's life and integrity, I assume and believe there cannot be a difference of purpose between you and me. If we should differ as to the means it is important that such difference should be as small as possible; that it should not be enhanced by unjust suspicions on one side or the other. In the performance of my duty the coöperation of your State, as that of others, is needed,—in fact, is indispensable. This alone is a sufficient reason why I should wish to be at a good understanding with you. Please write me at least as long a letter as this, of course saying in it just what you think fit." [129]

It is difficult to fathom the impression made upon Seymour by this letter. The more cultivated Democrats about him entertained the belief that Lincoln, somewhat uncouth and grotesque, was a weak though well-meaning man, and the Governor doubtless held a similar opinion. Moreover, he believed that the President, alarmed by the existence of a conspiracy of prominent Republicans to force him from the White House, sought to establish friendly relations that he might have an anchor to windward.^[130] One can imagine the Governor, as the letter lingered in his hand, smiling superciliously and wondering what manner of man this Illinoisan is, who could say to a stranger what a little boy frequently puts in his missive, "Please write me at least as long a letter as this." At all events, he treated the President very cavalierly.^[131] On April 14, after delaying three weeks, he wrote a cold and guarded reply, promising to address him again after the Legislature adjourned. "In the meanwhile," he concluded, "I assure you that no political resentments, or no personal objects, will turn me aside from the pathway I have marked out for myself. I intend to show to those charged with the administration of public affairs a due deference and respect, and to yield to them a just and generous support in all measures they may adopt within the scope of their constitutional powers. For the preservation of this Union I am ready to make any sacrifice of interest, passion, or prejudice."^[132]

Seymour never wrote the promised letter. His inaugural expressed his honest convictions. He wanted no relations with a President who seemed to prefer the abolition of slavery and the use of arbitrary methods. A few days later, in vetoing a measure authorising soldiers to vote while absent in the army, he again showed his personal antipathy, charging the President with rewarding officers of high rank for improperly interfering in State elections, while subordinate officers were degraded "for the fair exercise of their political rights at their own homes."^[133] John Hay did not err in saying "there could be no intimate understanding between two such men."^[134]

General Burnside's arrest of Clement L. Vallandigham of Ohio (May, 1863) increased Seymour's aversion to the President. Burnside's act lacked authority of law as well as the excuse of good judgment, and although the President's change of sentence from imprisonment in Fort Warren to banishment to the Southern Confederacy gave the proceeding a humorous turn, the ugly fact remained that a citizen, in the dead of night, with haste,

and upon the evidence of disguised and partisan informers, had been rudely deprived of liberty without due process of law. Thoughtful men who revered the safeguard known to civil judicial proceedings were appalled. The Republican press of New York thought it indefensible, while the opposition, with unprecedented bitterness, again assailed the Administration. In a moment the whole North was in a turmoil. Everywhere mass meetings, intemperate speeches, and threats of violence inflamed the people. The basest elements in New York City, controlling a public meeting called to condemn the "outrage," indicated how easily a reign of riot and bloodshed might be provoked. To an assembly held in Albany on May 16, at which Erastus Corning presided, Seymour addressed a letter deploring the unfortunate event as a dishonour brought upon the country by an utter disregard of the principles of civil liberty. "It is a fearful thing," he said, "to increase the danger which now overhangs us, by treating the law, the judiciary, and the authorities of States with contempt. If this proceeding is approved by the government and sanctioned by the people, it is not merely a step toward revolution, it is revolution; it will not only lead to military despotism, it establishes military despotism. In this respect it must be accepted, or in this respect it must be rejected. If it is upheld our liberties are overthrown." Then he grew bolder. "The people of this country now wait with the deepest anxiety the decision of the Administration upon these acts. Having given it a generous support in the conduct of the war, we now pause to see what kind of government it is for which we are asked to pour out our blood and our treasure. The action of the Administration will determine, in the minds of more than one-half the people of the loyal States, whether this war is waged to put down rebellion in the South or to destroy free institutions at the North."[\[135\]](#)

At great length Lincoln replied to the resolutions forwarded by Corning. "In my own discretion," wrote the President, "I do not know whether I would have ordered the arrest of Mr. Vallandigham.... I was slow to adopt the strong measures which by degrees I have been forced to regard as being within the exceptions of the Constitution and as indispensable to the public safety.... I think the time not unlikely to come when I shall be blamed for having made too few arrests rather than too many.... Must I shoot a simple-minded soldier boy who deserts, while I must not touch a hair of a wily agitator who induces him to desert? This is none the less injurious when

effected by getting a father, a brother, or friend into a public meeting and then working upon his feelings till he is persuaded to write the soldier boy that he is fighting in a bad cause for a wicked administration and contemptible government, too weak to arrest and punish him if he shall desert."^[136] This argument, undoubtedly the strongest that could be made in justification, found great favour with his party, but the danger Seymour apprehended lay in the precedent. "Wicked men ambitious of power, with hatred of liberty and contempt of law," said Justice Davis of the United States Supreme Court, in deciding a case of similar character, "may fill the place once occupied by Washington and Lincoln, and if this right [of military arrest] is conceded, and the calamities of war again befall us, the dangers to human liberty are frightful to contemplate."^[137]

Much as Seymour resented the arrest of Vallandigham, he did not allow the incident to interfere with his official action, and to the Secretary of War's call for aid when General Lee began his midsummer invasion of Pennsylvania, he responded promptly: "I will spare no effort to send you troops at once," and true to his message he forwarded nineteen regiments, armed and equipped for field service, whose arrival brought confidence.^[138] But governed by the sinister reason that influenced him earlier in the year, he refused to acknowledge the President's letter of thanks, preferring to express his opinion of Administration methods unhindered by the exchange of courtesies. This he did in a Fourth of July address, delivered at the Academy of Music in New York City, in which he pleaded, not passionately, not with the acrimony that ordinarily characterised his speeches, but humbly, as if asking a despotic conqueror to return the rights and liberty of which the people had been robbed. "We only ask freedom of speech,—the right to exercise all the franchises conferred by the Constitution upon an American. Can you safely deny us these things?" Mingled also with pathetic appeals were joyless pictures of the ravages of war, and cheerless glimpses into the future of a Republic with its bulwarks of liberty torn away. "We stand to-day," he continued, "amid new made graves; we stand to-day in a land filled with mourning, and our soil is saturated with the blood of the fiercest conflict of which history gives us an account. We can, if we will, avert all these disasters and evoke a blessing. If we will do what? Hold that Constitution, and liberties, and laws are suspended? Will that restore them? Or shall we do as our fathers did under

circumstances of like trial, when they battled against the powers of a crown? Did they say that liberty was suspended? Did they say that men might be deprived of the right of trial by jury? Did they say that men might be torn from their homes by midnight intruders?... If you would save your country and your liberties, begin at the hearth-stone; begin in your family circle; declare that their rights shall be held sacred; and having once proclaimed your own rights, claim for your own State that jurisdiction and that government which we, better than all others, can exercise for ourselves, for we best know our own interests."[\[139\]](#)

One week later, on Saturday, July 11, the draft began in the Ninth Congressional District of New York, a portion of the city settled by labourers, largely of foreign birth. These people, repeating the information gained in neighbourhood discussions, violently denounced the Conscription Act as illegal, claiming that the privilege of buying an exemption on payment of \$300 put "the rich man's money against the poor man's blood." City authorities apprehended trouble and State officials were notified of the threatened danger, but only the police held themselves in readiness. The Federal Government, in the absence of a request from the Governor, very properly declined to make an exception in the application of the law in New York on the mere assumption that violence would occur. Besides, all available troops, including most of the militia regiments, had been sent to Pennsylvania, and to withdraw them would weaken the Federal lines about Gettysburg.

The disturbance began at the corner of Forty-sixth Street and Third Avenue, the rioters destroying the building in which the provost-marshal was conducting the draft. By this time the mob, having grown into an army, began to sack and murder. Prejudice against negroes sent the rioters into hotels and restaurants after the waiters, some of whom were beaten to death, while others, hanged on trees and lamp-posts, were burned while dying. The coloured orphan asylum, fortunately after its inmates had escaped, likewise became fuel for the flames. The police were practically powerless. Street cars and omnibuses ceased to run, shopkeepers barred their doors, workmen dropped their tools, teamsters put up their horses, and for three days all business was stopped. In the meantime Federal and State authorities coöperated to restore order. Governor Seymour, having hastened from Long Branch, addressed a throng of men and boys from the steps of

the City Hall, calling them "friends," and pleading with them to desist. He also issued two proclamations, declaring the city in a state of insurrection, and commanding all people to obey the laws and the legal authorities. Finally, the militia regiments from Pennsylvania began to arrive, and cannon and howitzers raked the streets. These quieting influences, coupled with the publication of an official notice that the draft had been suspended, put an end to the most exciting experience of any Northern community during the war.

After the excitement the *Tribune* asserted that the riot resulted from a widespread treasonable conspiracy,^[140] and a letter, addressed to the President, related the alleged confession of a well-known politician, who, overcome with remorse, had revealed to the editors of the *Tribune* the complicity of Seymour. Lincoln placed no reliance in the story, "for which," says Hay, "there was no foundation in fact;"^[141] but Seymour's speech "intimated," says the Lincoln historian, "that the draft justified the riot, and that if the rioters would cease their violence the draft should be stopped."^[142] James B. Fry, provost-marshal general, substantially endorsed this view. "While the riot was going on," he says, "Governor Seymour insisted on Colonel Nugent announcing a suspension of the draft. The draft had already been stopped by violence. The announcement was urged by the Governor, no doubt, because he thought it would allay the excitement; but it was, under the circumstances, making a concession to the mob, and endangering the successful enforcement of the law of the land."^[143]

Of the four reports of Seymour's speech, published the morning after its delivery, no two are alike.^[144] Three, however, concur in his use of the word "friends,"^[145] and all agree that he spoke of trying to secure a postponement of the draft that justice might be done. It was a delicate position in which he placed himself, and one that ever after gave him and his supporters much embarrassment and cause for many apologies. Nevertheless, his action in nowise impugned his patriotism. Assuming the riot had its inception in the belief which he himself entertained, that the draft was illegal and unjust, he sought by personal appeal to stay the destruction of life and property, and if anyone in authority at that time had influence with the rioters and their sympathisers it was Horatio Seymour, who probably accomplished less than he hoped to.

Seymour's views in relation to the draft first appeared in August. While the Federal authorities prepared the enrolment in June, the Governor, although his coöperation was sought, "gave no assistance," says Fry. "In fact, so far as the government officers engaged in the enrolment could learn, he gave the subject no attention."^[146] On the day the drawing began, however, he became apprehensive of trouble and sent his adjutant to Washington to secure a suspension of the draft, but the records do not reveal the reasons presented by that officer. Certainly no complaint was made as to the correctness of the enrolment or the assignment of quotas.^[147] Nevertheless, his delay taught him a lesson, and when the Federal authorities notified him later that the drawing would be resumed in August, he lost no time in beginning the now historic correspondence with the President. His letter of August 3 asked that the suspension of the draft be continued to enable the State officials to correct the enrolment, and to give the United States Supreme Court opportunity to pass upon the constitutionality of the Conscription Act, suggesting the hope that in the meantime New York's quota might be filled by volunteers. "It is believed by at least one-half of the people of the loyal States," he wrote, "that the Conscription Act, which they are called upon to obey, is in itself a violation of the supreme constitutional law.... In the minds of the American people the duty of obedience and the rights to protection are inseparable. If it is, therefore, proposed on the one hand to exact obedience at the point of the bayonet, and, upon the other hand, to shut off, by military power, all approach to our judicial tribunals, we have reason to fear the most ruinous results."^[148]

This letter was neither gracious nor candid. While dealing in columns of figures to prove the inaccuracy of the enrolment, it concealed the fact that, although urged to coöperate with the enrolling officers, he had ignored their invitation to verify the enrolment. In menacing tones, too, he intimated "the consequences of a violent, harsh policy, before the constitutionality of the Act is tested." It was evident he had given much thought to the question, but his prolixity betrayed the feeling of an official who, conscious of having erred in doing nothing in anticipation of riot and bloodshed, wished now to make a big showing of duty performed.

Lincoln's reply not only emphasised the difference between the political aptitude of himself and Seymour, but marked him as the more magnanimous and far the greater man. The President raised no issue as to

enrolments, wasted no arguments over columns of figures, and referred in nowise to the past. He briefly outlined a method of verification which quickly established,—what might have been shown in June had the Governor given the matter attention,—an excess of 13,000 men enrolled in the Brooklyn and New York districts. Although he would be glad, said Lincoln, to facilitate a decision of the Court and abide by it,^[149] he declined longer to delay the draft "because time is too important.... We are contending with an enemy who, as I understand, drives every able-bodied man he can reach into his ranks, very much as a butcher drives bullocks into a slaughter-pen. No time is wasted, no argument is used. This produces an army which will soon turn upon our now victorious soldiers already in the field, if they are not sustained by recruits as they should be."^[150]

When the drawing was resumed on August 19, 10,000 infantry and three batteries of artillery, picked troops from the Army of the Potomac, beside a division of the State National Guard, backed the Governor's proclamation counselling submission to the execution of the law. In this presence the draft proceeded peacefully.

Meanwhile, the loyal millions of the North, longing for victory in the field, found their prayers answered. Gettysburg and Vicksburg had pierced the spirit of the South, Cumberland Gap had liberated East Tennessee, Fort Smith and Little Rock supplied a firm footing for the army beyond the Mississippi, and the surrender of Port Hudson permitted Federal gunboats to pass unvexed to the sea. The rift in the war cloud had, indeed, let in a flood of sunlight, and, while it lasted, gave fresh courage and larger faith.

CHAPTER VI

SEYMOUR REBUKED

1863

THE victories of Vicksburg and Gettysburg turned the Republican Union convention, held at Syracuse on September 2, into a meeting of rejoicing. Weed did not attend, but the Conservatives, led by Henry J. Raymond and Edwin D. Morgan, boldly talked of its control. Ward Hunt became temporary chairman. Hunt was a lawyer whom politics did not attract. Since his unsuccessful effort to become a United States senator in 1857 he had turned aside from his profession only when necessary to strengthen the cause of the Union. At such times he shone as the representative of a wise patriotism. He did not belong in the class of attractive platform speakers, nor possess the weaknesses of blind followers of party chieftains. His power rested upon the strength of his character as a well-poised student of affairs. What he believed came forcefully from a mind that formed its own judgments, and whether his words gave discomfort to the little souls that governed caucuses, or to the great journalists that sought to force their own policies, he was in no wise disturbed.

Upon taking the chair Hunt began his remarks in the tone of one who felt more than he desired to express, but as the mention of Gettysburg and Vicksburg revealed the unbounded enthusiasm of the men before him, the optimism that characterised the people's belief in the summer of 1863 quickly took possession of him, and he coupled with the declaration that the rebel armies were nearly destroyed, the opinion that peace was near at hand. For the moment the party seemed solidly united. But when the echoes of long continued cheering had subsided the bitterness of faction flashed out with increased intensity. To the Radicals, Raymond's suggestion of Edwin D. Morgan for permanent chairman was as gall and wormwood, and his talk of an entire new ticket most alarming. However, George Opdyke and Horace Greeley, the Radical leaders, chastened by the defeat of Wadsworth and the election of Morgan to the Senate, did not now forget the value of discretion. Hunt's selection as temporary chairman had been a concession, and in the choice of a permanent presiding officer, although absolutely unyielding in their hostility to Morgan, they graciously accepted Abraham

Wakeman, an apostle of the conservative school.^[151] Their attitude toward Morgan, however, cost Opdyke a place on the State Committee, and for a time threatened to exclude the Radicals from recognition upon the ticket.

The refusal of men to accept nominations greatly embarrassed Conservatives in harvesting their victory. Thomas W. Olcott of Albany was nominated for comptroller in place of Lucius Robinson. Of all the distinguished men who had filled that office none exhibited a more inflexible firmness than Robinson in holding the public purse strings. He was honest by nature and by practice. Neither threats nor ingenious devices disturbed him, but with a fidelity as remarkable as it was rare he pushed aside the emissaries of extravagance and corruption as readily as a plow turns under the sod. After two years of such methods, however, the representatives of a wide-open treasury noisily demanded a change. But Olcott, a financier of wide repute, wisely declined to be used for such a purpose, and Robinson was accepted.

Daniel S. Dickinson, after the inconsequential treatment accorded him in the recent contest for United States senator, suddenly discovered that domestic reasons disabled him from serving longer as attorney-general. Then James T. Brady declined, although tendered the nomination without a dissenting voice. This reduced the convention, in its search for a conspicuous War Democrat, to the choice of John Cochrane, the well-known orator who had left the army in the preceding February. In choosing a Secretary of State the embarrassment continued. Greeley encouraged the candidacy of Chauncey M. Depew, but concluded, at the last moment, that Peter A. Porter, the colonel of a regiment and a son of the gallant general of the war of 1812, must head the ticket.^[152] Porter, however, refused to exchange a military for a civil office, and Depew was substituted.

Depew, then a young man of twenty-nine, gave promise of his subsequent brilliant career. He lived a neighbour to Horace Greeley, whom he greatly admired, and to whom he tactfully spoke the honeyed words, always so agreeable to the *Tribune's* editor.^[153] Perhaps no one in the State possessed a more pleasing personality. He made other people as happy as he was himself. To this charm of manner were added a singularly attractive presence, a pleasing voice, and the oratorical gifts that won him recognition even before he left Yale College. From the first he exhibited a marked

capacity for public life. He had an unfailing readiness, a wide knowledge of affairs, a keen sense of the ridiculous, and a flow of clear and easy language which never failed to give full and precise expression to all that was in his mind. He rarely provoked enmities, preferring light banter to severe invective or unsparing ridicule. Among his associates he was the prince of raconteurs. In conventions few men were heard with keener interest, and every Republican recognised the fact that a new force had come into the councils of the party. There never was a time when people regarded him as "a coming man," for he took a leading place at once. In 1861, three years after his admission to the bar, the Peekskill voters sent him to the Assembly, and the next year his colleagues selected him for speaker, an honour which he generously relinquished that his party might elect a United States senator. Now, within the same year, he found a place at the head of the ticket, which he led during the campaign with marked ability.^[154]

The platform endorsed the Administration, praised the soldiers, opposed a peace that changed the Constitution except in the form prescribed by it, deplored the creation of a spirit of partisan hostility against the Government, and promised that New York would do its full share in maintaining the Union; but it skilfully avoided mentioning the conscription act and the emancipation proclamation, which Seymour charged had changed the war for the Union into a war for abolition. When a delegate, resenting the omission, moved a resolution commending emancipation, Raymond reminded him that he was in a Union, not a Republican convention, and that many loyal men doubted the propriety of such an endorsement. This position proved too conservative for the ordinary up-State delegate, and a motion to table the resolution quickly failed. Thereupon Charles A. Folger of Geneva moved to amend by adding the words, "and as a war measure is thoroughly legal and justifiable." Probably no man in the convention, by reason of his learning and solidity of character, had greater influence. In 1854 he left the Democratic party with Ward Hunt, whom he resembled as a lawyer, and whom he was to follow to the Court of Appeals and like him attain the highest eminence. Just then he was forty-five years old, a State senator of gentle bearing and stout heart, who dared to express his positive convictions, and whose suggested amendment, offered with the firmness of a man conscious of being in the right, encountered slight opposition.

The President's letter, addressed to the Union convention of New York, gave the Radicals great comfort. With direct and forceful language Lincoln took the people into his confidence. There are but three ways, he said, to stop the war; first, by suppressing rebellion, which he was trying to do; second, by giving up the Union, which he was trying to prevent; and third, by some imaginable compromise, which was impossible if it embraced the maintenance of the Union. The strength of the rebellion is in its army, which dominates all the country and all the people within its range. Any offer of terms made by men within that range, in opposition to that army, is simply nothing for the present, because such men have no power whatever to enforce their side of a compromise if one were made with them. Suppose refugees from the South and peace men from the North hold a convention of the States, how can their action keep Lee out of Pennsylvania? To be effective a compromise must come from those in control of the rebel army, or from the people after our army has suppressed that army. As no suggestion of peace has yet come from that source, all thought of peace for the present was out of the question. If any proposition shall hereafter come, it shall not be rejected and kept a secret from you.

To be plain, he continued, you are dissatisfied about the negro. You opposed compensated emancipation and you dislike proclaimed emancipation. If slaves are property, is there any question that by the law of war such property, both of enemies and friends, may be taken when needed? And is it not needed when its taking helps us and hurts our enemy? But you say the proclamation is unconstitutional. If it is not valid, it needs no retraction. If it is valid, it cannot be retracted any more than the dead can be brought to life. You profess to think its retraction would help the Union. Why better *after* the retraction than *before* the issue? Those in revolt had one hundred days to consider it, and the war, since its issuance, has progressed as favourably for us as before. Some of the commanders who have won our most important victories believe the emancipation policy the heaviest blow yet dealt to the rebels, and that in one instance, at least, victory came with the aid of black soldiers. You say you will not fight to free negroes. Whenever you are urged, after resistance to the Union is conquered, to continue to fight, it will be time enough to refuse. Do you not think, in the struggle for the Union, that the withdrawal of negro help from the enemy weakens his resistance to you? That what negroes can do as soldiers leaves so much less for white

soldiers to do? But why should negroes do anything for us, if we will do nothing for them? and if they, on the promise of freedom, stake their lives to save the Union, shall the promise not be kept?

The signs look better, he concluded. Peace does not appear so distant as it did. When it comes, it will prove that no appeal lies from the ballot to the bullet, and that those who take it are sure to lose their case and pay the costs. "And then there will be some black men who can remember that, with silent tongue, and clenched teeth, and steady eye, and well poised bayonet, they have helped mankind on to this great consummation; while I fear there will be some white ones unable to forget that with malignant heart and deceitful speech they have striven to hinder it."[\[155\]](#)

The influence of this letter, increased by the dignity and power of the President's office, proved a sharp thorn to the Democrats. Recent military successes had made it appear for the time, at least, that rebellion was about to collapse, and the Democratic State Union convention, which convened at Albany on September 9, shifted its policy from a protest against war measures to an appeal for conciliation. In other words, it was against subjugation, which would not leave "the Union as it was, and the Constitution as it is." In its effort to emphasise this plea it refused to recognise or affiliate with the Constitutional Union party, controlled by James Brooks and other extreme peace advocates,[\[156\]](#) and although its platform still condemned emancipation, conscription, and arbitrary arrests, the pivotal declaration, based on "manifestations of a returning allegiance on the part of North Carolina and other seceded States," favoured a wise statesmanship "which shall encourage the Union sentiment of the South and unite more thoroughly the people of the North." Amasa J. Parker, chairman of the convention, who still talked of a "yawning gulf of ruin," admitted that such a policy brought a gleam of hope to the country, and Governor Seymour, at the end of a dreary speech explanatory of his part in the draft-riot,[\[157\]](#) expressed a willingness to "bury violations of law and the rights of States and individuals if such a magnanimous course shall be pursued."[\[158\]](#) Lincoln's letter, however, unexpectedly spoiled such an appeal, compelling the convention to "regret" that the President contemplates no measure for the restoration of the Union, "but looking to an indefinite protraction of the war for abolition purposes points to no future save national bankruptcy and the subversion of our institutions."[\[159\]](#)

The Republicans, backed by success in the field, started with an advantage which the cheering news from Maine strengthened. It soon became manifest, too, that the Gibraltar of Democracy resented the destructive work of mobs and rioters. Criticism of Seymour also became drastic. "He hobnobbed with the copperhead party in Connecticut," said the *Herald*, "and lost that election; he endorsed Vallandigham, and did nothing during the riot but talk. He has let every opportunity pass and rejected all offers that would prove him the man for the place. The sooner he is dropped as incompetent, the better it will be for the ticket."^[160] The *Tribune* imputed nepotism. "His brother," it said, "gets \$200 per month as agent, a nephew \$150 as an officer, and two nephews and a cousin \$1,000 a year each as clerks in the executive departments."^[161] But Martin I. Townsend, at a great mass meeting in New York City, presented the crushing indictment against him. Although the clock had tolled the midnight hour, the large audience remained to hear Townsend for the same reason, suggested Edwin D. Morgan, the chairman, that the disciples sat up all night whenever the great apostle was with them. Townsend was then fifty-three years old. For more than a decade his rare ability as a speaker had kept him a favorite, and for a quarter of a century longer he was destined to delight the people. On this occasion, however, his arraignment left a deeper and more lasting impression than his words ordinarily did. "Seymour," he said, "undertook to increase enlistments by refusing the soldier his political franchise. On the supposition that Meade would be defeated, he delivered a Fourth of July address that indicted the free people of the North and placed him in the front rank of men whom rebels delight to honour. If there was a traitor in New York City on that day he was in the company of Horatio Seymour. Finally, he pronounced as 'friends' the men, who, stirred to action by his incendiary words, applied the torch and the bludgeon in the draft riot of July 13, 14, and 15."^[162]

In the four speeches delivered in the campaign, Seymour was never cleverer or more defiant.^[163] He exhibited great skill in criticising the Administration, charging that disasters had brought bankruptcy, that ill-advised acts of subordinates had sapped the liberties of the people, and that base motives inspired the policy of the Government. He denounced the Radicals as craven Americans, devoid of patriotic feeling, who were trying to make the humiliation and degradation of their country a stepping-stone to

continued power. "They say we must fight until slavery is extinguished. We are to upturn the foundations of our Constitution. At this very moment, when the fate of the nation and of individuals trembles in the balance, these madmen ask us to plunge into a bottomless pit of controversy upon indefinite purposes. Does not every man know that we must have a united North to triumph? Can we get a united North upon a theory that the Constitution can be set aside at the will of one man, because, forsooth, he judges it to be a military necessity? I never yet heard that Abraham Lincoln was a military necessity.... The Vice-President says, 'There are men in your midst who want the Union as it was and the Constitution as it is,' and he adds, sneeringly, 'They can't have it.' We will tell him there are many such men, and we say to him we will have it. There has never been a sentiment in the North or South put forth more treasonable, cowardly, and base than this." Referring to the President's call, on October 17, for 300,000 volunteers, to be followed by a draft if not promptly filled, he exclaimed: "Again, 600,000 men are called for—600,000 homes to be entered. The young man will be compelled to give up the cornerstone of his fortune, which he has laid away with toil and care, to begin the race of life. The old man will pay that which he has saved, as the support of his declining years, to rescue his son. In God's name, let these operations be fair if they must be cruel." In conclusion he professed undying loyalty. "We love that flag [pointing to the Stars and Stripes] with the whole love of our life, and every star that glitters on its blue field is sacred. And we will preserve the Constitution, we will preserve the Union, we will preserve our flag with every star upon it, and we will see to it that there is a State for every star."

[164]

In their extremity Dean Richmond and Peter Cagger, taking advantage of the President's call for more troops, issued a circular on the eve of election, alleging that the State would receive no credit for drafted men commuted; that towns which had furnished their quotas would be subject to a new conscription; and that men having commuted were liable to be immediately drafted again.[165] This was the prototype of Burchard's "Rum, Romanism, and Rebellion" in 1884, and might have become no less disastrous had not the Provost-marshal General quickly contradicted it. As a parting shot, Seward, speaking at Auburn on the night before election, declared that if the ballot box could be passed through the camps of the Confederate soldiers,

every man would vote for the administration of our government by Horatio Seymour and against the administration of Abraham Lincoln.[\[166\]](#)

The October elections foreshadowed the result in November. Although the Democrats had derived great advantage in 1862 because of their bold stand for civil liberty and freedom of speech, a year later such arguments proved of little avail. Gettysburg and Vicksburg had turned the tide, and Seymour and the draft riot carried it to the flood. Depew's majority, mounting higher and higher as the returns came slowly from the interior, turned the Governor's surprise into shame. In his career of a quarter of a century Seymour had learned to accept disappointment as well as success, but his failure in 1863 to forecast the trend of changing public sentiment cost him the opportunity of ever again leading his party to victory.[\[167\]](#)

CHAPTER VII

STRIFE OF RADICAL AND CONSERVATIVE

1864

IN his Auburn speech Seward had declared for Lincoln's renomination.^[168] Proof of the intimate personal relations existing between the President and his Secretary came into national notice in 1862 when a committee of nine Radical senators, charging to Seward's conservatism the failure of a vigorous and successful prosecution of the war, formally demanded his dismissal from the Cabinet. On learning of their action the Secretary had immediately resigned. "Do you still think Seward ought to be excused?" asked Lincoln at the end of a long and stormy interview. Four answered "Yes," three declined to vote, and Harris of New York said "No."^[169] The result of this conference led Secretary Chase, the chief of the Radicals, to tender his resignation also. But the President, "after most anxious consideration," requested each to resume the duties of his department. Speaking of the matter afterward to Senator Harris, Lincoln declared with his usual mirth-provoking illustration: "If I had yielded to that storm and dismissed Seward, the thing would all have slumped one way. Now I can ride; I have got a pumpkin in each end of my bag."^[170]

Other causes than loyalty contributed to the President's regard for Seward. In their daily companionship the latter took a genial, philosophical view of the national struggle, not shared by all his Cabinet associates, while Lincoln dissipated the gloom with quaint illustrations of Western life.^[171] At one of these familiar fireside talks the President expressed the hope that Seward might be his successor, adding that the friends so grievously disappointed at Chicago would thus find all made right at last. To this Seward, in his clear-headed and kind-hearted way, replied: "No, that is all past and ended. The logic of events requires you to be your own successor. You were elected in 1860, but the Southern States refused to submit. They thought the decision made at the polls could be reversed in the field. They are still in arms, and their hope now is that you and your party will be voted down at the next election. When that election is held and they find the people reaffirming their decision to have you President, I think the rebellion will collapse."^[172]

Unlike Seward, Thurlow Weed wobbled in his loyalty to the President. Chafing under the retention of Hiram C. Barney as collector of customs, Weed thought Lincoln too tolerant of Radicals whose opposition was ill concealed. "They will all be against him in '64," he wrote David Davis, then an associate justice of the United States Supreme Court. "Why does he persist in giving them weapons with which they may defeat his renomination?"^[173] Barney had become a burden to Lincoln, who really desired to be rid of him. Many complaints of irregularity disclosed corrupt practices which warranted a change for the public good. Besides, said the President, "the establishment was being run almost exclusively in the interest of the Radicals. I felt great delicacy in doing anything that might be offensive to my friend. And yet something had to be done. I told Seward he must find him a diplomatic position. Just then Chase became aware of my little conspiracy. He was very angry and told me the day Barney left the custom house, with or without his own consent, he would withdraw from the Treasury. So I backed down."^[174]

Lincoln's tolerance did not please Weed, whose infrequent calls at the White House had not escaped notice. "I have been brought to fear recently," the President wrote with characteristic tenderness, "that somehow, by commission or omission, I have caused you some degree of pain. I have never entertained an unkind feeling or a disparaging thought towards you; and if I have said or done anything which has been construed into such unkindness or disparagement it has been misconstrued. I am sure if we could meet we would not part with any unpleasant impression on either side."^[175] Such a letter from such a man stirred the heart of the iron-willed boss, who hastened to Washington. He had much to say. Among other things he unfolded a plan for peace. It proposed full amnesty to all persons engaged in the war and an armistice for ninety days, during which time such citizens of the Confederate States as embrace the offered pardon "shall, as a State or States, or as citizens thereof, be restored in all respects to the rights, privileges, and prerogatives which they enjoyed before their secession from the Union." If, however, such offer is rejected, the authority of the United States denied, and the war against the Union continued, the President should partition all territory, whether farms, villages, or cities, among the officers and soldiers conquering the same.^[176]

In presenting this plan Weed argued that if the offer was rejected it would secure "a united North in favour of war to the knife." Besides, the armistice, occurring when the season interrupts active army movements, would cause little delay and give ample time for widespread circulation of the proclamation. Respecting the division of lands among soldiers, he said it would stop desertion, avoid the payment of bounties, and quickly fill the army with enterprising yeomen who would want homes after the termination of hostilities. It had long been practised in maritime wars by all civilized nations, he said, and being a part of international law it could not in reason be objected to, especially as the sufferers would have rejected most liberal offers of peace and prosperity. Weed frankly admitted that Seward did not like the scheme, and that Senator Wilson of Massachusetts eyed it askance; but Stanton approved it, he said, and Dean Richmond authorised him to say that if fairly carried out the North would be a unit in support of the war and the rebellion would be crushed within six months after the expiration of the armistice.^[177]

In conversation Weed was the most persuasive of men. To a quiet, gentle, deferential manner, he added a giant's grasp of the subject, presenting its strong points and marshalling with extraordinary skill all the details. Nevertheless, the proposition now laid before the President, leaving slavery as it was, could not be accepted. "The emancipation proclamation could not be retracted," he had said in his famous letter to the New York convention, "any more than the dead could be brought to life." However, Lincoln did not let the famous editor depart empty-handed. Barney should be removed, and Weed, satisfied with such a scalp, returned home to enter the campaign for the President's renomination.^[178]

Something seemed to be wrong in New York. Other States through conventions and legislatures had early favored the President's renomination, while the Empire State moved slowly. Party machinery worked well. The Union Central Committee, holding a special meeting on January 4, 1864 at the residence of Edwin D. Morgan, recommended Lincoln's nomination. "It is going to be difficult to restrain the boys," said Morgan in a letter to the President, "and there is not much use in trying to do so."^[179] On February 23 the Republican State Committee also endorsed him, and several Union League clubs spoke earnestly of his "prudence, sagacity, comprehension, and perseverance." But the absence of an early State convention, the tardy

selection of delegates to Baltimore, and the failure of the Legislature to act, did not reveal the enthusiasm evinced in other Commonwealths. Following the rule adopted elsewhere, resolutions favourable to the President's renomination were duly presented to the Assembly, where they remained unacted upon. Suddenly on January 25 a circular, signed by Simeon Draper and issued by the Conference Committee of the Union Lincoln Association of New York, proposed that all citizens of every town and county who favoured Lincoln's nomination meet in some appropriate place on February 22 and make public expression to that fact. Among the twenty-five names attached appeared those of Moses Taylor and Moses H. Grinnell. This was a new system of tactics. But the legislative resolutions did not advance because of it.

A month later a letter addressed by several New Yorkers to the National Republican Executive Committee requested the postponement of the Baltimore convention.^[180] "The country is not now in a position to enter into a presidential contest," it said. "All parties friendly to the Government should be united in support of a single candidate. Such unanimity cannot at present be obtained. Upon the result of measures adopted to finish the war during the present spring and summer will depend the wish of the people to continue their present leaders, or to exchange them for others. Besides, whatever will tend to lessen the duration of an acrimonious Presidential campaign will be an advantage to the country."^[181] If the sentiment of this letter was not new, the number and character of its signers produced a profound sensation. William Cullen Bryant headed the list, and of the twenty-three names, seventeen were leading State senators, among them Charles J. Folger and James M. Cook. "This list," said the *Tribune*, "contains the names of two-thirds of the Unionists chosen to our present State Senate, the absence of others preventing their signing. We understand that but two senators declined to affix their name."^[182] Greeley did not sign this letter, but in an earlier communication to the *Independent* he had urged a postponement of the convention.^[183] Moreover, he had indicated in the *Tribune* that Chase, Fremont, Butler, or Grant would make as good a President as Lincoln, while the nomination of either would preserve "the salutary one-term principle."^[184]

It is not easy to determine the cause or the full extent of the dissatisfaction with Lincoln among New York Republicans. Seward's influence and Weed's

relations seriously weakened him. After the election of 1862 Radicals openly charged them with Wadsworth's defeat. For the same reason the feeling against Edwin D. Morgan had become intensely bitter. Seeing a newspaper paragraph that these men had been in consultation with the President about his message, Senator Chandler of Michigan, the prince of Radicals, wrote a vehement letter to Lincoln, telling him of a "patriotic organisation in all the free and border States, containing to-day over one million of voters, every man of whom is your friend upon radical measures of your administration; but there is not a Seward or a Weed man among them all. These men are a millstone about your neck. You drop them and they are politically ended forever.... Conservatives and traitors are buried together. For God's sake don't exhume their remains in your message. They will smell worse than Lazarus did after he had been buried three days." [185]

Although Weed had left the President with the promise of aiding him, he could accomplish nothing. The Legislature refused to act, demands for the postponement of the national convention continued to appear, and men everywhere resented conservative leadership. This was especially true of Greeley and the *Tribune*, Bryant and the *Evening Post*, and Beecher and the *Independent*, not to mention other Radicals and radical papers throughout the State, whose opposition represented a formidable combination. Except for this discontent the Cleveland convention would scarcely have been summoned into existence. Of the three calls issued for its assembling two had their birth in New York, one headed by George B. Cheever, the eminent divine, who had recently toured England in behalf of the Union,—the other by Lucius Robinson, State comptroller, and John Cochrane, attorney-general. Cheever's call denounced "the imbecile and vacillating policy of the present Administration in the conduct of the war," [186] while Robinson and Cochrane emphasised the need of a President who "can suppress rebellion without infringing the rights of individual or State." [187]

That Weed no longer possessed the wand of a Warwick was clearly demonstrated at the Republican State convention, held at Syracuse on May 26, to select delegates to Baltimore. Each faction, led in person by Greeley and Weed, professed to favour the President's renomination, but the fierce and bitter contest over the admission of delegates from New York City widened the breach. The Weed machine, following the custom of previous years, selected an equal number of delegates from each ward. The Radicals,

who denounced this system as an arbitrary expression of bossism, chose a delegation representing each ward in proportion to the number of its Republican voters. The delegation accepted would control the convention, and although the Radicals consented to the admission of both on equal terms, the Weed forces, confident of their strength, refused the compromise. This set the Radicals to work, and at the morning session, amidst the wildest confusion and disorder, they elected Lyman Tremain temporary chairman by a majority of six over Chauncey M. Depew, the young secretary of state, whose popularity had given the Conservatives an abnormal strength.

In his speech the Chairman commented upon the death of James S. Wadsworth, killed in the battle of the Wilderness on May 6, from whose obsequies, held at Geneseo on the 21st, many delegates had just returned. Tremain believed that the soldier's blood would "lie heavy on the souls of those pretended supporters of the government in its hour of trial, whose cowardice and treachery contributed to his defeat for governor."[\[188\]](#) In such a spirit he eulogised Wadsworth's character and patriotism, declaring that if justice had been done him by the Conservatives, he would now, instead of sleeping in his grave, be governor of New York. Although spoken gently and with emotions of sadness, these intolerably aggressive sentences, loudly applauded by the Radicals, stirred the Weed delegates into whispered threats.[\[189\]](#) But Tremain did not rely upon words alone. He packed the committee on contested seats, whose report, admitting both city delegations on equal terms, was accepted by the enormous majority of 192 to 98, revealing the fact that the great body of up-State Republicans distrusted Thurlow Weed, whose proposition for peace did not include the abolition of slavery. Other reasons, however, accounted for the large majority. Tremain, no longer trusting to the leadership of Greeley,[\[190\]](#) marshalled the Radical forces with a skill learned in the school of Seymour and Dean Richmond, and when his drilled cohorts went into action the tumultuous and belligerent character of the scene resembled the uproar familiar to one who had trained with Tammany and fought with Mozart Hall. In concluding its work the convention endorsed the President and selected sixty-six delegates, headed by Raymond, Dickinson, Tremain, and Preston King as delegates-at-large.

The echo of the Syracuse contest reached the Cleveland convention, which assembled on May 31. Of all the distinguished New Yorkers whose names

had advertised and given character to this movement John Cochrane alone attended. Indeed, the picturesque speech of Cochrane, as chairman, and the vehement letter of Lucius Robinson, advocating the nomination of Grant, constituted the only attractive feature of the proceedings. Cochrane and Robinson wanted a party in which they could feel at home. To Cochrane the Republican party was "a medley of trading, scurvy politicians, which never represented War Democrats,"^[191] while Robinson thought the country "had survived, through three years of war, many bad mistakes of a weak Executive and Cabinet, simply because the popular mind had been intensely fixed upon the single purpose of suppressing rebellion."^[192] Both resented the Administration's infringement of individual rights. "Whoever attacks them," said Cochrane, "wounds the vital parts of the Republic. Not even the plea of necessity allows any one to trample upon them."^[193] The Cleveland convention, however, did not help these statesmen any more than the nomination of John C. Fremont and John Cochrane, "the two Johns from New York" as they were called, injured the President.^[194] When Lincoln heard that instead of the many thousands expected only three or four hundred attended, he opened his Bible and read: "And every one that was in distress, and every one that was in debt, and every one that was discontented, gathered themselves unto him; and he became a captain over them; and there were with him about four hundred."^[195]

Lucius Robinson's suggestion that Grant be nominated for President represented the thought of many New Yorkers prominent in political circles. "All eyes and hopes now centre on Grant," wrote Thurlow Weed on April 17. "If he wins in Virginia it will brighten the horizon and make him President."^[196] The *Herald* sounded the praises of the Lieutenant-General in nearly every issue. The *Tribune* and *Times* were equally flattering. Even the *World* admitted that a skilful general handled the army.^[197] Other papers throughout the State expressed similar confidence in his victorious leadership, and with the hope of changing the sentiment from Lincoln to Grant a great mass meeting, called ostensibly to express the country's gratitude to the latter, was held in New York City two days before the meeting of the National Republican convention. Neither at this time, however, nor at any other did the movement receive the slightest encouragement from the hero of Vicksburg, or shake the loyalty of the delegates who assembled at Baltimore on June 7.

Henry J. Raymond, evidencing the same wise spirit of compromise exhibited at Syracuse in 1863, reported the platform. It declared the maintenance of the Union and the suppression of rebellion by force of arms to be the highest duty of every citizen; it approved the determination of the government to enter into no compromise with rebels; favoured the abolition of slavery by constitutional amendment; applauded the wisdom, patriotism, and fidelity of the President; thanked the soldiers, and claimed the full protection of the laws of war for coloured troops; encouraged immigration and the early construction of a railroad to the Pacific coast; pledged the national faith to keep inviolate the redemption of the public debt; and opposed the establishment, by foreign military forces, of monarchical governments in the near vicinity of the United States.^[198] On the second day every State voted for Lincoln for President.^[199]

The contest for Vice-President renewed the fight of the New York factions. An impression had early taken root in the country that a War Democrat should be selected, and the Radicals of New York, under the leadership of Lyman Tremain, quickly designated Daniel S. Dickinson as the man. Dickinson's acceptability in New England and New Jersey strengthened his candidacy, while its approval by three or four border and western States seriously weakened Hamlin. Nevertheless, the New York Conservatives vigorously opposed him. Their antagonism did not at first concentrate upon any one candidate. Weed talked of Hamlin and later of Joseph Holt of Kentucky; Raymond thought Andrew Johnson of Tennessee the stronger; and Preston King, to the great surprise of the Radicals, agreed with him. This brought from George William Curtis the sarcastic remark that a Vice-President from the Empire State would prevent its having a Cabinet officer. Tremain declared that a change in the Cabinet would not be a serious calamity to the country, and Preston King, who attributed his displacement from the United States Senate to the Seward influence, did not object to the Secretary's removal. Thus Raymond's influence gave the doughty War Governor 32 of New York's 66 votes to 28 for Dickinson and 6 for Hamlin. This materially aided Johnson's nomination on the first ballot.^[200]

Raymond's power and influence may be said to have climaxed in 1864 at the Baltimore convention. He became chairman of the New York delegation, chairman of the committee on resolutions, chairman of the National Executive Committee, and the principal debater upon the floor,

manifesting a tact in the performance of his manifold duties that surprised as much as it charmed. But the reason for his ardent support of Johnson will probably never be certainly known. McClure declared that he acted in accord with the wishes of Lincoln, who discreetly favoured and earnestly desired Johnson's nomination. This view was approved by George Jones, the proprietor of the *Times* and Raymond's most intimate friend.^[201] On the other hand, Nicolay declared that "it was with minds absolutely untrammelled by even any knowledge of the President's wishes that the convention went about its work of selecting his associate on the ticket."^[202] In his long and bitter controversy with Nicolay, however, McClure furnished testimony indicating that Lincoln whispered his choice and that Raymond understood it.^[203]

While Raymond antagonised the radical supporters of Dickinson, patronage questions were again threatening trouble for the President. Serious friction had followed the appointment of a General Appraiser at New York, and when John J. Cisco, the assistant United States treasurer, tendered his resignation to take effect June 30 (1864), the President desired to appoint one unobjectionable to Senator Morgan; but Secretary Chase, regardless of the preferences of others, insisted upon Maunsell B. Field, then an assistant secretary of the treasury. Morgan vigorously protested, regarding him incompetent to fill such a place. Besides, the designation of Field, who had no political backing in New York, would, he said, offend the conservative wing of the party, which had been entirely ignored in the past. As a compromise the Senator begged the President to select Richard M. Blatchford, Dudley S. Gregory, or Thomas Hillhouse, whom he regarded as three of the most eminent citizens of New York.

Lincoln, in a note to the Secretary, submitted these names. "It will really oblige me," he wrote, "if you will make choice among these three, or any other men that Senators Morgan and Harris will be satisfied with."^[204] This brief letter was followed on the same day by one presenting the annoyance to which patronage subjects a President. Happily civil service reform has removed much of this evil, but enough remains to keep an Executive, if not members of Congress, in hot water. "As the proverb goes," wrote Lincoln, "no man knows so well where the shoe pinches as he who wears it. I do not think Mr. Field a very proper man for the place, but I would trust your judgment and forego this were the greater difficulty out of the way. Much as

I personally like Mr. Barney it has been a great burden to me to retain him in his place when nearly all our friends in New York were directly or indirectly urging his removal. Then the appointment of Judge Hogeboom to be general appraiser brought me to the verge of open revolt. Now the appointment of Mr. Field would precipitate me in it, unless Senator Morgan and those feeling as he does could be brought to concur in it. Strained as I already am at this point, I do not think I can make this appointment in the direction of still greater strain."[\[205\]](#)

Chase had relieved the tension temporarily by inducing Cisco to withdraw his resignation, but after getting the President's second letter, cleverly intimating that Field's appointment might necessitate the removal of Barney, the Secretary promptly tendered his resignation. If the President was surprised, the Secretary, after reading Lincoln's reply, was not less so. "Your resignation of the office of secretary of the treasury, sent me yesterday, is accepted," said the brief note. "Of all I have said in commendation of your ability and fidelity I have nothing to unsay, and yet you and I have reached a point of mutual embarrassment in our official relation which it seems cannot be overcome or longer sustained consistently with the public service."[\[206\]](#) Secretary Blaine's hasty resignation in 1892, and President Harrison's quick acceptance of it, were not more dramatic, except that Blaine's was tendered on the eve of a national nominating convention. It is more than doubtful if Chase intended to resign. He meant it to be as in previous years the beginning of a correspondence, expecting to receive from the President a soothing letter with concessions. But Lincoln's stock of patience, if not of sedatives, was exhausted.

A few weeks later, after William Pitt Fessenden's appointment to succeed Chase, Simeon Draper became collector of customs. He was one of Weed's oldest friends and in 1858 had been his first choice for governor.[\[207\]](#) But just now Abraham Wakeman was his first choice for collector. Possibly in selecting Draper instead of Wakeman, Lincoln remembered Weed's failure to secure a legislative endorsement of his renomination, a work specially assigned to him. At all events the anti-Weed faction accepted Draper as a decided triumph.

CHAPTER VIII

SEYMOUR'S PRESIDENTIAL FEVER

1864

"I SHALL not attempt to retract or modify the Emancipation Proclamation," said the President at the opening of Congress in December, 1863; "nor shall I return to slavery any person who is free by the terms of that proclamation, or by any of the acts of Congress." But in submitting a plan for the restoration of the Confederate States he offered amnesty, with rights of property except as to slaves, to all persons^[208] who agreed to obey the Constitution, the laws, and the Executive proclamations, and proposed that whenever such persons numbered one-tenth of the qualified voters of a State they "shall be recognized as the true government of such State."^[209] A week later the Thirteenth Amendment, forever abolishing slavery, was introduced into Congress. Thus the purpose of the radical Republicans became plain.

In January, 1864, Governor Seymour, then the acknowledged head of his party, made his message to the Legislature a manifesto to the Democrats of the country. With measured rhetoric he traced the usurpations of the President and the acknowledged policy that was in future to guide the Administration. He courageously admitted that a majority of the people and both branches of Congress sustained the policy of the President, but such a policy, he declared, subordinating the laws, the courts, and the people themselves to military power, destroyed the rights of States and abrogated cherished principles of government. The past, however, with its enormous debt, its depreciated currency, its suspension of the writ of *habeas corpus*, and its abolition of free speech and a free press, did not mean such irretrievable ruin as the national bankruptcy which now threatened to overwhelm the nation. "The problem with which we have to grapple is," he said, "how can we bring this war to a conclusion before such disasters overwhelm us." Two antagonistic theories, he continued, are now before us—one, consecrating the energies of war and the policy of government to the restoration of the Union as it was and the Constitution as it is; the other, preventing by the creation of a new political system the return of the revolted States, though willing to lay down their arms. This alternative will

enable an administration to perpetuate its power. It is a doctrine of national bankruptcy and national ruin; it is a measure for continued military despotism over one-third of our country, which will be the basis for military despotism over the whole land.

Every measure to convert the war against armed rebellion into one against private property and personal rights at the South, he continued, has been accompanied by claims to exercise military power in the North. The proclamation of emancipation at the South, and the suspension of the writ of *habeas corpus* at the North; the confiscation of private property in the seceding States, and the arbitrary arrests, imprisonment, and banishment of the citizens of loyal States; the claim to destroy political organization at the South, and the armed interference by Government in local elections at the North, have been contemporaneous events. We now find that as the strength of rebellion is broken, new claims to arbitrary power are put forth. More prerogatives are asserted in the hour of triumph than were claimed in days of disaster. The war is not to be brought to an end by the submission of States to the Constitution and their return to the Union, but to be prolonged until the South is subjugated and accepts such terms as may be dictated. This theory designs a sweeping revolution and the creation of a new political system. There is but one course, he concluded, which will now save us from such national ruin—we must use every influence of wise statesmanship to bring back the States which now reject their constitutional obligations. The triumphs won by the soldiers in the field should be followed up by the peacemaking policy of the statesmen in the Cabinet. In no other way can we save our Union.^[210]

Seymour's claims and portents were in amazing contrast to his proposed measures of safety. Nevertheless he did his work well. It was his intention clearly to develop the ultimate tendencies of the war, and, in a paper of great power and interest, without invective or acerbity, he did not hesitate to alarm the people respecting the jeopardy of their own liberties. Indeed, his message had the twofold purpose of drawing the line distinctly between Administration and anti-Administration forces, and of concentrating public attention upon himself as a suitable candidate for President.^[211] Seymour was never without ambition, for he loved politics and public affairs, and the Presidency captivated him. With deepest interest he watched the play at Charleston and at Baltimore in 1860, and had the nomination come to him,

Lincoln's election, depending as it did upon New York, must have given Republicans increased solicitude. Developments during the war had stimulated this ambition. The cost of blood and treasure, blended with arbitrary measures deemed necessary by the Government, pained and finally exasperated him until he longed to possess the power of an Executive to make peace. He believed that a compromise, presented in a spirit of patriotic clemency, with slavery undisturbed, would quickly terminate hostilities, and although he made the mistake of surrounding himself with men whose influence sometimes betrayed him into weak and extreme positions, his ability to present his views in a scholarly and patriotic manner, backed by a graceful and gracious bearing, kept him in close touch with a party that resented methods which made peace dependent upon the abolition of slavery. He never provoked the criticism of those whom he led, nor indulged in levity and flippancy. But he was unsparing in his lectures to the Administration, admonishing it to adopt the principles of government which prevailed when happiness and peace characterised the country's condition, and prophesying the ruin of the Union unless it took his advice. While, therefore, his eulogy of the flag, the soldiers, the Union, and the sacrifices of the people won him reputation for patriotic conservatism, his condemnation of the Government brought him credit for supporting and promoting all manner of disturbing factions and revolutionary movements.

The Regency understood the Governor's ambition, and the Democratic State convention, assembling at Albany on February 24 to designate delegates to Chicago, opened the way for him as widely as possible. It promulgated no issues; it mentioned no candidate; it refused to accept Fernando Wood and his brother as delegates because of their pronounced advocacy of a dishonourable peace; and it placed Seymour at the head of a strong delegation, backed by Dean Richmond and August Belmont, and controlled by the unit rule. It was a remarkable coincidence, too, that the *New York Herald*, which had pursued the Governor for more than a year with bitter criticism, suddenly lapsed into silence. Indeed, the only shadow falling upon his pathway in the Empire State reflected the temporary anger of Tammany, which seceded from the convention because the McKeon delegation, an insignificant coterie of advocates of peace-on-any-conditions, had been admitted on terms of equality.

As the summer advanced political conditions seemed to favour Seymour. During the gloomy days of July and August the people prayed for a cessation of hostilities. "The mercantile classes are longing for peace," wrote James Russell Lowell,^[212] and Horace Greeley, in a letter of perfervid vehemence, pictured to the President the unhappy condition. "Our bleeding, bankrupt, almost dying country," he said, "longs for peace, shudders at the prospect of fresh conscriptions, or further wholesale devastations, and of new rivers of human blood."^[213] The President, also yearning for peace and willing to accept almost any proposition if it included the abolition of slavery, waited for a communication from some agent of the Confederacy authorised to treat with him; but such an one had not appeared, although several persons, safely sheltered in Canada, claimed authority. One of these, calling himself William C. Jewett of Colorado, finally convinced Horace Greeley that Clement C. Clay of Alabama and Jacob Thompson of Mississippi, two ambassadors of Jefferson Davis, were ready at Niagara Falls to meet the President whenever protection was afforded them. Upon being informed by Greeley of their presence, Lincoln replied (July 9): "If you can find any person, anywhere, professing to have any proposition of Jefferson Davis in writing for peace, embracing the restoration of the Union and abandonment of slavery, whatever else it embraces, say to him he may come to me with you."^[214]

While Greeley, hesitating to undertake the mission himself, indulged in further correspondence with the President, James P. Jaquess, a Methodist clergyman and colonel of an Illinois regiment, with the knowledge of Lincoln, but without official authority except to pass the Union lines, obtained (July 17) an audience with Jefferson Davis, to whom he made overtures of peace. In the interview Davis declared that "we are not fighting for slavery. We are fighting for independence, and that or extermination we will have. We will be free. We will govern ourselves. We will do it if we have to see every Southern plantation sacked and every Southern city in flames.... Say to Mr. Lincoln from me that I shall at any time be pleased to receive proposals for peace on the basis of our independence. It will be useless to approach me with any other."^[215] It is known now that Jaquess' report was substantially correct, but at the time the peace advocate defiantly challenged its truth and the conservative was incredulous.

Meantime Greeley (July 16) proceeded to Niagara Falls. Thompson was not there and Clay had no authority to act. When the famous editor asked fresh instructions Lincoln sent John Hay, his private secretary, with the historic paper of July 18, which stopped further negotiations.^[216] In this well-meant effort the President desired to convince his own party of the hopelessness of any satisfactory peace until the surrender of Lee's and Johnston's armies; but to the people, grieved by the death of loved ones, or oppressed by constant anxiety, his brief ultimatum seemed maladroit, while the men who favoured peace simply on condition of the restoration of the Union, without the abolition of slavery, resented his course as arbitrary and needlessly cruel.

Lincoln's unpopularity touched bottom at this moment. The dissatisfaction found expression in a secret call for a second national convention, to be held at Cincinnati on September 28, to nominate, if necessary, a new candidate for President.^[217] This movement, vigorously promoted in Ohio by Salmon P. Chase, received cordial support in New York City. George Opdyke directed it, Horace Greeley heartily endorsed it, Daniel S. Dickinson favoured it, and Lucius Robinson and David Dudley Field sympathised with it.^[218] Parke Godwin and William Curtis Noyes, if unwilling to go as far as Opdyke and Greeley, would have welcomed Lincoln's withdrawal.^[219] Roscoe Conkling, being advised of the scheme, promptly rejected it. "I do not approve of the call or of the movement," he wrote, "and cannot sign it. For that reason it would not be proper or agreeable that I should be present at the conference you speak of."^[220]

It is doubtful if Lincoln knew of this conspiracy, but his friends informed him of the critical condition of affairs. "When, ten days ago, I told Mr. Lincoln that his re-election was an impossibility," Weed wrote Seward on August 22, "I told him the information would also come through other channels. It has doubtless reached him ere this. At any rate nobody here doubts it, nor do I see anybody from other States who authorises the slightest hope of success. The people are wild for peace. They are told the President will only listen to terms of peace on condition that slavery be abandoned."^[221] Weed's "other channels" meant a report from the Republican National Executive Committee, which Raymond, then its chairman, submitted to Lincoln on August 22. "The tide is setting strongly against us," he wrote. "Hon. E.B. Washburn writes that 'were an election to

be held now in Illinois we should be beaten.' Mr. Cameron says that Pennsylvania is against us. Governor Morton writes that nothing but the most strenuous efforts can carry Indiana. This State, according to the best information I can get, would go 50,000 against us to-morrow. And so of the rest. Two special causes are assigned for this great reaction in public sentiment—the want of military successes, and the impression in some minds, the fear and suspicion in others, that we are not to have peace in any event under this Administration until slavery is abandoned. In some way or other the suspicion is widely diffused that we can have peace with Union if we would. It is idle to reason with this belief—still more idle to denounce it. It can only be expelled by some authoritative act at once bold enough to fix attention, and distinct enough to defy incredulity and challenge respect."

[222]

In December, 1860, in the presence of threatened war Lincoln refused to yield to a compromise that would extend slavery into free territory; now, in the presence of failure at the polls, he insisted upon a peace that would abolish slavery. In 1860 he was flushed with victory; in 1864 he was depressed by the absence of military achievement. But he did not weaken. He telegraphed Grant to "hold on with a bulldog grip, *and chew and choke as much as possible*,"[223] and then, in the silence of early morning, with Raymond's starless letter on the table before him, he showed how coolly and magnanimously a determined patriot could face political overthrow. "This morning, as for some days past," he wrote, "it seems exceedingly probable that this Administration will not be re-elected. Then it will be my duty to so coöperate with the President-elect as to save the Union between the election and the inauguration, as he will have secured his election on such ground that he cannot possibly save it afterwards." [224]

The influence of this popular discouragement exhibited itself in a mass peace convention, called by Fernando Wood and held at Syracuse on August 18. Its great attraction was Clement L. Vallandigham of Ohio, its platform favoured an armistice and a convention of States, and its purpose was the selection of a delegation to Chicago, which should adequately represent the peace faction of the State. The absence of military achievement and the loud cries for peace, it was claimed, had changed the conditions since the adjournment of the Democratic State convention in February, and the necessity for a third party was conceded should the

existing peace sentiment be ignored in the formulation of a platform and the selection of candidates at Chicago. Although the assembly indicated no preference for President, its known partiality for Seymour added to its strength. Through the manipulation of Richmond and the Regency, Wood failed to secure the appointment of delegates, but he claimed, with much show of truth, that the meeting represented the sentiment of a great majority of the party. Wood had become intolerable to Dean Richmond and the conservative Democracy, whose withering opposition to his candidacy for the United States Senate in the preceding February had made him ridiculous; but he could not be muzzled, and although his influence rarely disturbed the party in the up-State counties, he was destined to continue in Congress the rest of his life, which ended in 1881.

The Democratic national convention had been called for July 4, but the popular depression, promising greater advantage later in the summer, led to its postponement until August 29. Thus it convened when gloom and despondency filled the land, making Horatio Seymour's journey to Chicago an ovation. At every stop, especially at Detroit, crowds, cheers, speeches, and salvos of firearms greeted him. The convention city recognised him as its most distinguished visitor, and the opponents of a war policy, voicing the party's sentiment for peace, publicly proclaimed him their favourite.

Before Seymour left Albany the *Argus* announced that he would not be a candidate;^[225] but now, flattered by attention, and encouraged by the peace-faction's strategic movement, he declined to indicate his position. Political conditions had made a profound impression upon him. Moreover, deep in his heart Seymour did not fancy McClellan. His public life had been brief, and his accomplishment little either as a soldier or civilian. Besides, his arrest of the Maryland Legislature, and his indifference to the sacredness of the writ of *habeas corpus*, classing him among those whom the Governor had bitterly denounced, tended to destroy the latter's strongest argument against the Lincoln administration.

Dean Richmond, now a vigorous supporter of McClellan, could not be confused as to the General's strength or the Governor's weakness, and he attempted at an early hour to silence the appeal for Seymour by solidifying the New York delegation for McClellan; but in these efforts he found it difficult to subdue the personal independence and outspoken ways of the

Governor, whose opposition to McClellan was more than a passing cloud-shadow.^[226] This delayed matters. So long as a ray of hope existed for the favourite son, the New York delegation declined to be forced into an attitude of opposition. Indeed, the day before the convention opened, it refused, by a vote of 38 to 23, to ascertain its choice for President. When, at last, it became definitely known that McClellan had a majority of each State delegation, practically assuring his nomination under the two-thirds rule on the first ballot, Seymour put an end to the talk of his candidacy. Nevertheless, his vote, dividing the New York delegation, was cast for Samuel Nelson, the distinguished jurist who had succeeded Smith Thompson as an associate justice of the United States Supreme Court. Other anti-McClellan New York delegates preferred Charles O'Connor and James Guthrie of Kentucky. Subsequently, in explaining his action, Seymour disclaimed any doubt of the ability or patriotism of the late commander of the Army of the Potomac.^[227]

The New York delegation had as usual a strong if not a controlling influence in the convention. Dean Richmond who led it at Charleston and Baltimore again guided its counsels, while the presence of John Ganson and Albert P. Laning of Buffalo, and Francis Kernan of Utica, added to its forcefulness upon the floor. Next to Seymour, however, its most potent member for intellectual combat was Samuel J. Tilden, who served upon the committee on resolutions. Tilden, then fifty years old, was without any special charm of person or grace of manner. He looked like an invalid. His voice was feeble, his speech neither fluent nor eloquent, and sometimes he gave the impression of indecision. But his logic was irresistible, his statements exhaustive, and his ability as a negotiator marvellous and unequalled. He was the strong man of the committee, and his presence came very near making New York the dominant factor in the convention.

Tilden's sympathies leaned toward the South. He resented the formation of the Republican party,^[228] maintained that a State could repel coercion as a nation might repel invasion,^[229] declared at the Tweddle Hall meeting in January, 1861, that he "would resist the use of force to coerce the South into the Union,"^[230] and declined to sign the call for the patriotic uprising of the people in Union Square on April 20.^[231] On the other hand, he addressed departing regiments, gave money, and in 1862 wrote: "Within the Union we will give you [the South] the Constitution you profess to revere, renewed

with fresh guarantees of equal rights and equal safety. We will give you everything that local self-government demands; everything that a common ancestry of glory—everything that national fraternity or Christian fellowship requires; but to dissolve the federal bond between these States, to dismember our country, whoever else consents, we will not. No; never, never never!"^[232] Yet in February, 1863, in opposition to the Loyal Publication Society, he assisted in organising a local society which published and distributed "Copperhead" literature.^[233] He had not, however, been active in politics since his defeat for attorney-general in 1855. It was during these years that he began the accumulation of his large fortune. He acquired easily. He seemed to know intuitively when to buy and when to sell, and he profited by the rare opportunities offered during the great depreciation in government bonds. Later, he dealt in railroads, his private gains being so enormous that men thought his ambition for wealth unscrupulously selfish.

But whatever may have been his sentiments respecting the war, Tilden had little liking for Vallandigham in 1864, and after a bitter contest finally defeated him for chairman of the committee on resolutions by a vote of thirteen to eleven in favour of James Guthrie of Kentucky. He also defeated a measure introduced by Washington Hunt suggesting an armistice and a convention of States, and supported a positive declaration that he thought sufficient to hold the war vote. However, the dread of a split, such as had occurred at Charleston and Baltimore in 1860, possessed the committee, and in the confusion of the last moment, by a slight majority, the pivotal declaration pronouncing the war a failure was accepted.^[234]

Seymour's election as permanent chairman of the convention gave him abundant opportunity to proclaim his abhorrence of the Administration. His speech, prepared with unusual care, showed the measured dignity and restraint of a trained orator, who knew how to please a popular audience with a glowing denunciation of principles it detested. Every appeal was vivid and dramatic; every allusion told. Throughout the whole ran the thread of one distinct proposition,—that the Republican party had sinned away its day of grace, and that the patriotic work of the Democratic party must begin at once if the Union was to be saved. To Seymour it was not a new proposition. He had stated it in the last campaign and reiterated it in his latest message; but never before did he impress it by such striking sentences

as now fell upon the ears of a delighted convention. "Even now, when war has desolated our land," he said, "has laid its heavy burdens upon labor, when bankruptcy and ruin overhang us, this Administration will not have Union except upon conditions unknown to our Constitution; it will not allow the shedding of blood to cease, even for a little time, to see if Christian charity or the wisdom of statesmanship may not work out a method to save our country. Nay, more than this, it will not listen to a proposal for peace which does not offer that which this government has no right to ask. This Administration cannot now save this Union, if it would. It has, by its proclamations, by vindictive legislation, by displays of hate and passion, placed obstacles in its own pathway which it cannot overcome, and has hampered its own freedom of action by unconstitutional acts. The bigotry of fanatics and the intrigues of placemen have made the bloody pages of the history of the past three years."

It was impossible not to be impressed by such an impassioned lament. There was also much in Seymour himself as well as in his words to attract the attention of the convention.^[235] Added years gave him a more stately, almost a picturesque bearing, while a strikingly intelligent face changed its expression with the ease and swiftness of an actor's. This was never more apparent than now, when he turned, abruptly, from the alleged sins of Republicans to the alleged virtues of Democrats. Relaxing its severity, his countenance wore a triumphant smile as he declared in a higher and more resonant key, that "if this Administration cannot save the Union, *we can!* Mr. Lincoln values many things above the Union; we put it first of all. He thinks a proclamation worth more than peace; we think the blood of our people more precious than the edicts of the President. There are no hindrances in our pathway to Union and to peace. We demand no conditions for the restoration of our Union; we are shackled with no hates, no prejudices, no passions. We wish for fraternal relationships with the people of the South. We demand for them what we demand for ourselves—the full recognition of the rights of States. We mean that every star on our Nation's banner shall shine with an equal lustre."^[236] As the speaker concluded, the audience, with deafening applause, testified its approval of these sentiments. Yet one wonders that he could end without saying a word, at least, in condemnation of the Secessionists, whose appeal from the ballot to

the bullet had inaugurated "the bloody pages of the history of the past three years."

The platform, adopted without debate, reaffirmed devotion to the Union, expressed sympathy with soldiers and prisoners of war, denounced interference in military elections, and stigmatised alleged illegal and arbitrary acts of the government. The second resolution, prepared by Vallandigham, declared that "this convention does explicitly resolve as the sense of the American people, that after four years of failure to restore the Union by the experiment of war, justice, humanity, liberty, and the public welfare demand that immediate efforts be made for a cessation of hostilities, with a view to an ultimate convention of the States, or other peaceable means, to the end that the earliest practicable moment peace may be restored on the basis of the Federal Union of the States."[\[237\]](#)

It is difficult to excuse Tilden's silence when this fatal resolution was adopted. In the final haste to report the platform, the deep significance of Vallandigham's words may not have been fully appreciated by the Committee;[\[238\]](#) but Tilden understood their meaning, and vigorous opposition might have avoided them.[\[239\]](#) He seems, however, to have shared the fear of McClellan's friends that the defeat of the resolution would endanger the integrity of the convention, and to have indulged the hope that McClellan's letter of acceptance would prove an antidote to the Ohioan's peace-poison. But his inaction did little credit either to his discernment or judgment, for the first ballot for President disclosed the groundlessness of his timidity,[\[240\]](#) and the first work of the campaign revealed the inefficiency of the candidate's statements.[\[241\]](#) Indeed, so grievous was Tilden's mistake that his distinguished biographer (Bigelow) avoided his responsibility for declaring the war a failure by ignoring his presence at Chicago.

Meanwhile the cheers for McClellan that greeted the returning delegates were mingled with those of the country over Sherman's capture of Atlanta and Farragut's destruction of the Mobile forts.

CHAPTER IX

FENTON DEFEATS SEYMOUR

1864

THE brilliant victories of Sherman and Farragut had an appreciable effect upon Republicans. It brought strong hope of political success, and made delegates to the Syracuse convention (September 7) very plucky. Weed sought to control, but the Radicals, in the words of Burke's famous sentence, were lords of the ascendant. They proposed to nominate Reuben E. Fenton, and although the Chautauquan's popularity and freedom from the prejudices of Albany politics commended him to the better judgment of all Republicans, the followers of Greeley refused to consult the Conservatives respecting him or any part of the ticket. Resenting such treatment Weed indicated an inclination to secede, and except that his regard for Fenton steadied him the historic bolt of the Silver Grays might have been repeated.

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Fenton was a well-to-do business man, without oratorical gifts or statesmanlike qualities, but with a surpassing genius for public life. He quickly discerned the drift of public sentiment and had seldom made a glaring mistake. He knew, also, how to enlist other men in his service and attach them to his fortunes. During his ten years in Congress he developed a faculty for organisation, being able to coördinate all his resources and to bring them into their place in the accomplishment of his purposes. This was conspicuously illustrated in the Thirty-seventh Congress when he formed a combination that made Galusha A. Grow speaker of the House. Besides, by careful attention to the wants of constituents and to the work of the House, backed by the shrewdness of a typical politician who rarely makes an enemy, he was recognised as a sagacious counsellor and safe leader. He had previously been mentioned for governor, and in the preceding winter Theodore M. Pomeroy, then representing the Auburn district in Congress, presented him for speaker.[243] Schuyler Colfax controlled the caucus, but the compliment expressed the esteem of Fenton's colleagues.

He was singularly striking and attractive in person, tall, erect, and graceful in figure, with regular features and wavy hair slightly tinged with gray. His

sloping forehead, full at the eyebrows, indicated keen perceptive powers. He was suave in address, so suave, indeed, that his enemies often charged him with insincerity and even duplicity, but his gracious manner, exhibited to the plainest woman and most trifling man, won the hearts of the people as quickly as his political favours recruited the large and devoted following that remained steadfast to the end. Perhaps no one in his party presented a stronger running record. He belonged to the Barnburners, he presided at the birth of the Republican party, he stood for a vigorous prosecution of the war regardless of the fate of slavery, and he had avoided the Weed-Greeley quarrels. If he was not a statesman, he at least possessed the needed qualities to head the State ticket.

As usual John A. Dix's name came before the convention. It was well known that party nomenclature did not represent his views, but his admirers, profoundly impressed with his sterling integrity and weight of character, insisted, amidst the loudest cheering of the day, that his name be presented. Nevertheless, an informal ballot quickly disclosed that Fenton was the choice, and on motion of Elbridge G. Lapham the nomination became unanimous.[244] Other nominations fell to the Radicals.[245] Not until Greeley was about to capture first place as a presidential elector-at-large, however, did the Conservatives fully realise how badly they were being punished. Then every expedient known to diplomacy was exhausted. Afternoon shaded into evening and evening into night. Still the contest continued. It seems never to have occurred to the Weed faction that Horace Greeley, whom it had so often defeated, could be given an office, even though its duties covered but a single day, and in its desperation it discovered a willingness to compromise on any other name. But Greeley's friends forced the fight, and to their great joy won a most decisive victory. [246]

While the Weed men were nursing their resentment because of the honour thus suddenly thrust upon the most famous American editor,[247] a great surprise convulsed the Democratic State convention.[248] The report that Horatio Seymour sought release from official labours because of ill health and the demands of private business, created the belief that he would decline a renomination even if tendered by acclamation. Indeed, the Governor himself, in conversation with Dean Richmond, reiterated his oft-expressed determination not to accept. The Regency, believing him sincere,

agreed upon William F. Allen of Oswego, although other candidates, notably William Kelly of Dutchess, the nominee of the Softs in 1860, and Amasa J. Parker of Albany, were mentioned. Lucius Robinson, declining to be considered for second place, urged the nomination of Dix for governor. Of these candidates Seymour was quoted as favourable to Parker. Still a feeling of unrest disturbed the hotel lobbies. "There is some talk," said the *Herald*, "of giving Seymour a complimentary vote, with the understanding that he will then decline, but this is opposed as a trick to place him in the field again, although those who pretend to speak for him positively declare that he will not accept the nomination upon any contingency."[\[249\]](#) When told on convention morning that Seymour would accept if nominated by acclamation, Richmond ridiculed the idea. His incredulity was strengthened by the statement of two Oneida delegates, whom the Governor, only a few moments before, had instructed to withdraw his name if presented. Thus matters stood until the convention, having enthusiastically applauded an indorsement of Seymour's administration, quickly and by acclamation carried a motion for his renomination, the delegates jumping to their feet and giving cheer after cheer. Immediately a delegate, rising to a question of privilege, stated that the Governor, in the hearing of gentlemen from his own county, had positively declined to accept a nomination because his health and the state of his private affairs forbade it. As this did not satisfy the delegates, a committee, appointed to notify Seymour of his selection, reported that the Governor whose temporary illness prevented his attendance upon the convention, had had much to say about private affairs, ill health, and excessive labour, but that since the delegates insisted upon his renomination, he acquiesced in their choice.[\[250\]](#)

Seymour's action was variously interpreted. Some pronounced it tricky; others, that he declined because he feared defeat.[\[251\]](#) But there was no evidence of insincerity. He wanted the office less in 1864 than he did in 1862. It had brought labour and anxiety, and no relief from increasing solicitude was in sight if re-elected. But his friends, resenting the New York delegation's action in withholding from him its support for President, determined to be avenged by renominating him for governor. They knew that Dean Richmond, whose admiration for the Governor had not been increased by the latter's performance at Chicago, wanted a candidate of more pronounced views respecting a vigorous prosecution of the war, and

that in his support of Allen he had the convention well in hand. Wisely distrusting the Regency, therefore, they worked in secret, talking of the honour and prestige of a complimentary vote, but always declaring, what Seymour himself emphasised, that the Governor would not again accept the office. Not a misstep left its print in the proceedings. Before the chairman put the motion for his renomination, a delegate from Oneida, rising to withdraw the name, was quieted by the assurance that it was only complimentary. An Albany lieutenant of Dean Richmond, obtaining the floor with the help of a stentorian voice, began to block the movement, but quickly subsided after hearing the explanation from a delegate at his side that it was only complimentary. When the motion had carried, however, and the Oneida gentleman began fulfilling the Governor's directions, came the cry, "Too late, too late. We have nominated the candidate!" So perfectly was the *coup d'état* arranged that the prime mover of the scheme was appointed chairman of the committee to wait upon the Governor. Afterwards people recalled, with a disposition to connect Seymour with this master-stroke in politics, that he had never declined by letter, and that the reasons given, like the illness that kept him from facing the convention, were largely imaginary. "That crowd saw how beautifully they were done," said Depew, then secretary of state at Albany, "while Dean Richmond's language was never printed."[\[252\]](#)

Scarcely had the convention adjourned before the brilliant achievements in the Shenandoah valley thrilled the North from Maine to California. On September 19, at the battle of Winchester, General Sheridan defeated General Early, and on the 22d, at Fisher's Hill, put him to flight. "Only darkness," Sheridan telegraphed Grant, "has saved the whole of Early's army from total destruction. I do not think there ever was an army so badly routed."[\[253\]](#) These victories, recalling those of Stonewall Jackson in 1862, appealed to the popular imagination and quickly reassured the country. Besides, on September 21, the withdrawal of Fremont and Cochrane, the Cleveland candidates, united Radical and Conservative in a vigorous campaign for Lincoln. A private letter from Grant, who participated in the glory accorded Sherman and Sheridan, told the true condition of the Confederacy. "The rebels," he said, "have now in their ranks their last man. They have robbed the cradle and the grave equally to get their present force. Besides what they lose in frequent skirmishes and battles, they are now

losing, from desertions and other causes, at least one regiment per day. With this drain upon them the end is not far distant, if we only be true to ourselves." [254]

This story, coupled with recent victories, turned the Democratic platform into a lie. Instead of being a failure, the war was now recognised as a grand success, and radical speakers, replying to the clamour for a cessation of hostilities, maintained that the abolition of slavery was the only condition that promised a permanent peace. Brilliant descriptions of Grant's work, aided by his distinguished lieutenants, were supplemented later in the campaign by the recital of "Sheridan's Ride," which produced the wildest enthusiasm. Indeed, the influence of the army's achievements, dissipating the despondency of the summer months, lifted the campaign into an atmosphere of patriotism not before experienced since the spring of 1861, and established the belief that Lincoln's re-election meant the end of secession and slavery. "There will be peace," said John Cochrane, "but it will be the peace which the musket gives to a conquered host." [255]

Referring to the farewell speech of Alexander H. Stephens upon his retirement from public life in 1859, George William Curtis, with the eloquence that adorned his addresses at that period, thrilled his audience with an exciting war picture: "Listen to Mr. Stephens in the summer sunshine six years ago. 'There is not now a spot of the public territory of the United States over which the national flag floats where slavery is excluded by the law of Congress, and the highest tribunal of the land has decided that Congress has no power to make such a law. At this time there is not a ripple upon the surface. The country was never in a profounder quiet.' Do you comprehend the terrible significance of those words? He stops; he sits down. The summer sun sets over the fields of Georgia. Good-night, Mr. Stephens—a long good-night. Look out from your window—how calm it is! Upon Missionary Ridge, upon Lookout Mountain, upon the heights of Dalton, upon the spires of Atlanta, silence and solitude; the peace of the Southern policy of slavery and death. But look! Hark! Through the great five years before you a light is shining—a sound is ringing. It is the gleam of Sherman's bayonets, it is the roar of Grant's guns, it is the red daybreak and wild morning music of peace indeed, the peace of national life and liberty." [256]

The sulkers now came out of their tents. Daniel S. Dickinson, no longer peddling his griefs in private ears, declared "there was no doubt of the President's triumphant election;"[257] the tone of Bryant and the *Evening Post* changed; Beecher renewed hope through the *Independent* and preached a political sermon every Sunday evening; Weed and Raymond discontinued their starless letters to Lincoln; George Opdyke cancelled the call for a second national convention and another candidate for President; and Horace Greeley, silent as to his part in the recent conspiracy, joined the army of Union orators. Catching again the spirit of the great moral impulse and that lofty enthusiasm which had aroused the people of the North to the decisive struggle against slavery, these leaders sprang to the work of advancing the cause of liberty and human rights.

The Democrats sought to evade Vallandigham's words of despair, written into the Chicago platform, by eulogising McClellan, but as the glory of Antietam paled in the presence of Sherman's and Sheridan's victories, they declared that success in the field did not mean peace. "Armed opposition is driven from the fields of Kentucky, Missouri, Maryland, and parts of Louisiana," said Horatio Seymour, "and yet this portion of country, already conquered, requires more troops to hold it under military rule than are demanded for our armies to fight the embattled forces of the Confederacy. You will find that more men will be needed to keep the South in subjection to the arbitrary projects of the Administration than are required to drive the armies of rebellion from the field. The peace you are promised is no peace, but is a condition which will perpetuate and make enduring all the worst features of this war." [258]

In their eagerness Democratic speakers, encouraged by the *New York World*, then the ablest and most influential journal of its party, turned with bitterness, first upon Lincoln's administration, and finally upon Lincoln himself. "Is Mr. Lincoln honest?" asked the *World*. "That he has succumbed to the opportunities and temptations of his present place is capable of the easiest proof." [259] This was sufficient for the stump orator and less influential journal to base angry and extravagant charges of wrong-doing, which became frequent and noisy. [260] John Van Buren called Lincoln a "twenty-second-rate man," and declared the country "irretrievably gone" if McClellan was defeated. [261] Seymour did not charge Lincoln with personal dishonesty, but he thought his administration had rendered itself a partner in

fraud and corruption. "I do not mean to say," he declared, "that the Administration is to be condemned because, under circumstances so unusual as those which have existed during this war, bad men have taken advantage of the confusion in affairs to do wrong. But I do complain that when these wrongs are done, the Government deliberately passes laws that protect the doer, and thus make wrong-doing its own act. Moreover, in an election like this, when the Government is spending such an enormous amount of money, and the liability to speculation is so great, the Administration that will say to contractors, as has been openly said in circulars, 'You have had a good contract, out of which you have made money, and we expect you to use a part of that money to assist to replace us in power,' renders itself a partner in fraud and corruption."[\[262\]](#)

After Pennsylvania, Ohio, and Indiana swung into line on October 10 no doubt remained as to the general result. But Republican confidence in New York was greatly shaken by the disclosure of a conspiracy to use the soldier vote for fraudulent purposes. Under an amendment to the Constitution, ratified in March, 1864, soldiers in the field were allowed to vote, provided properly executed proxies were delivered to election inspectors in their home districts within sixty days next previous to the election, and to facilitate the transmission of such proxies agents for the State were appointed at Baltimore, Washington, and other points. Several of these agents, charged with forgery, were arrested by the military authorities, one of whom confessed that enough forged proxies had been forwarded from Washington "to fill a dry-goods box." Of these spurious ballots several hundred were seized, and two of the forgers committed to the penitentiary. [\[263\]](#) "We are informed," said the *Tribune*, "that Oswego county is flooded with spurious McClellan votes of every description. There are forged votes from living as well as from dead soldiers; fictitious votes from soldiers whose genuine votes and powers of attorney are in the hands of their friends. These packages correspond with the work described in the recent Baltimore investigation."[\[264\]](#) Meantime Governor Seymour, uneasy lest the liberties of his agents be limited, directed Amasa J. Parker, William F. Allen, and William Kelly to proceed to Washington and "vindicate the laws of the State" and "expose all attempts to prevent soldiers from voting, or to detain or alter the votes already cast." These commissioners, after a hurried investigation, reported that "although there may have been irregularities,

they have found no evidence that any frauds have been committed by any person connected with the New York agency." [265] Nevertheless, the sequel showed that this plot, if not discovered, would probably have changed the result in the State.

During the last month of the campaign the interest of the whole country centred in New York. Next to the election of Lincoln, Republicans everywhere desired the defeat of Seymour. To them his speech at Chicago had been a malignant indictment of the Government, and his one address in the campaign, while it did not impute personal dishonesty to the President, had branded his administration as a party to fraud. Lincoln regarded the contest in New York as somewhat personal to himself, and from day to day sought information with the anxious persistency that characterised his inquiries during the canvass in 1860. Fenton fully appreciated the importance of vindicating the President, and for the admirable thoroughness of the campaign he received great credit.

After the polls had closed on November 8 it soon became known that although the President had 179 electoral votes to 21 for McClellan, New York was in grave doubt. On Wednesday approximated returns put Republicans 1,400 ahead. Finally it developed that in a total vote of 730,821, Lincoln had 6,749 more than McClellan, and Fenton 8,293 more than Seymour. Fenton's vote exceeded Lincoln's by 1,544. "We believe this the only instance," said the *Tribune*, "in which a Republican candidate for governor polled a heavier vote than that cast for our candidate for President at the same election." [266] The Legislature was largely Republican, and the twenty congressmen, a gain of five, included Roscoe Conkling and John A. Griswold, an intrepid, energetic spirit—the very incarnation of keen good sense. Like Erastus Corning, whom he succeeded in Congress, Griswold was a business man, whose intelligent interest in public affairs made him mayor of Troy at the age of twenty-eight. In 1862 he carried his district as a Democrat by over 2,000 majority, but developing more political independence than friend or foe had anticipated, he refused to follow his party in war legislation, and with Moses F. Odell, a Democratic colleague from Brooklyn, boldly supported the Thirteenth Amendment. This made him a Republican.

To this galaxy also belonged Henry J. Raymond. He had come into possession of great fame. His graceful and vigorous work on the *Times*, supplemented by his incisive speeches and rare intelligence in conventions, had won many evidences of his party's esteem, but with a desire for office not less pronounced than Greeley's^[267] he coveted a seat in Congress from a district which gave a Tammany majority of 2,000 in 1862. To the surprise of his friends he won by a plurality of 386. It was the greatest victory of the year, and, in the end, led to the saddest event of his life.

CHAPTER X

A COMPLETE CHANGE OF POLICY

1865

FOR the moment the surrender of Lee and the collapse of the Confederacy left the Democrats without an issue. The war had not been a failure, peace had come without the intervention of a convention of the States, the South was "subjugated," the abolition of slavery accomplished, arbitrary arrests were forgotten, the professed fear of national bankruptcy had disappeared, and Seymour's prophetic gift was in eclipse. Nothing had happened which he predicted—everything had transpired which he opposed. Meanwhile, under the administration of Andrew Johnson, the country was gradually recovering from the awful shock of Abraham Lincoln's assassination.

Substantially following Lincoln's policy, the President had issued, on May 29, 1865, a proclamation of amnesty pardoning such as had participated in rebellion,^[268] with restoration of all rights of property except as to slaves, on condition that each take an oath to support the Constitution and to obey the laws respecting emancipation. He also prescribed a mode for the reconstruction of States lately in rebellion. This included the appointment of provisional governors authorised to devise the proper machinery for choosing legislatures, which should determine the qualification of electors and office-holders. In this preliminary scheme Johnson limited the voters to white men. Personally he declared himself in favour of a qualified suffrage for negroes, but he thought this a matter to be determined by the States themselves.

A policy that excluded the negro from all participation in public affairs did not commend itself to the leaders of the Radicals. It was believed that Mississippi's denial of even a limited suffrage to the negro, such as obtained in New York, indicated the feeling of the Southern people, and the Union conventions of Pennsylvania, dominated by Thaddeus Stevens, and of Massachusetts, controlled by Charles Sumner, refused to endorse the President's scheme. During the summer Horace Greeley, in several earnest and able editorials, advocated negro suffrage as a just and politic measure, but he carefully avoided any reflection upon the President, and disclaimed

the purpose of making such suffrage an inexorable condition in reconstruction.[269] Nevertheless, the Radicals of the State hesitated to leave the civil status of coloured men to their former masters.

Johnson's policy especially appealed to the Democrats, and at their State convention, held at Albany on September 9 (1865), they promised the President their cordial support, commended his reconstruction policy, pledged the payment of the war debt, thanked the army and navy, and denounced the denial "of representation to States in order to compel them to adopt negro equality or negro suffrage as an element of their Constitutions." [270] Indeed, with one stroke of the pen the convention erased all issues of the war, and with one stroke of the axe rid itself of the men whom it held responsible for defeat. It avoided Seymour for president of the convention; it nominated for secretary of state Henry W. Slocum of Onondaga, formerly a Republican office-holder, whose superb leadership as a corps commander placed him among New York's most famous soldiers; it preferred John Van Buren to Samuel J. Tilden for attorney-general; and it refused Manton Marble's platform, although the able editor of the *World* enjoyed the hospitality of the committee room. Further to popularise its action, it welcomed back to its fold Lucius Robinson, whom it nominated for comptroller, an office he was then holding by Republican suffrage.

Robinson's political somersault caused no surprise. His dislike of the Lincoln administration, expressed in his letter to the Cleveland convention, influenced him to support McClellan, while the Radicals' tendency to accept negro suffrage weakened his liking for the Republican party. However, no unkind words followed his action. "Robinson is to-day," said the *Tribune*, "what he has always been, a genuine Democrat, a true Republican, a hearty Unionist, and an inflexibly honest and faithful guardian of the treasury. He has proved a most valuable officer, whom every would-be plunderer of the State regards with unfeigned detestation, and, if his old associates like him well enough to support his re-election, it is a proof that some of the false gods they have for years been following have fallen from their pedestals and been crumbled into dust." [271]

The Union Republican convention, held at Syracuse on September 20, followed the policy of the Democrats in the nomination of Slocum. Officers of distinguished service abounded. Daniel E. Sickles, a hero of Gettysburg;

Francis G. Barlow, the intrepid general of Hancock's famous corps; Henry W. Barnum, a soldier of decided valour and energy; Charles H. Van Wyck, who left Congress to lead a regiment to the field; John H. Martindale, a West Point graduate of conspicuous service in the Peninsular campaign, and Joseph Howland, whose large means had benefited the soldiers, were especially mentioned. Of this galaxy all received recognition save Sickles and Van Wyck, Chauncey M. Depew being dropped for Barlow, Cochrane for Martindale, Bates for Barnum, and Schuyler for Howland. In other words, the officials elected in 1863, entitled by custom to a second term, yielded to the sentiment that soldiers deserved recognition in preference to civilians.[\[272\]](#)

The question of negro suffrage troubled the convention. The Radicals had a decided majority—"not less than fifty," Greeley said; but Weed and Raymond, now the acknowledged friends of the President, had the power. Shortly after Johnson took the oath of office, Preston King presented Weed to the new Executive and the three breakfasted together. King's relations with the President bore the stamp of intimacy. They had served together in Congress, and on March 4, 1865, that ill-fated inauguration day when Johnson's intoxication humiliated the Republic, King concealed him in the home of Francis P. Blair at Silver Springs, near Washington.[\[273\]](#) After Lincoln's death King became for a time the President's constant adviser, and through his influence, it was believed, Johnson foreshadowed in one of his early speeches a purpose to pursue a more unfriendly policy towards the South than his predecessor had intended. For a time it was thought King would displace Seward in the Cabinet if for no other reason than because of the latter's part in defeating the former's re-election to the Senate in 1863. However, differences between them were finally adjusted by King's acceptance of the collectorship of the port of New York in place of Draper. This, it was understood, meant a complete reconciliation of all the factions in the State. Within sixty days thereafter, King, in a moment of mental aberration, took his life by jumping from a Jersey City ferry-boat.

There was something peculiarly pathetic in the passing of King. In accepting the collectorship he yielded to the solicitation of friends who urged him to retain it after his health, due to worry and overwork, was seriously impaired. "He thought it incumbent upon him," says Weed, "to sign nothing he did not personally examine, becoming nervously

apprehensive that his bondsmen might suffer."^[274] It was surmised, also, that the President's change of policy occasioned him extreme solicitude as well as much embarrassment, since the threatened breach between President and Radicals made him sensitive as to his future course. He was a Radical, and, deeply as he regarded the President, he hesitated to hold an office, which, by associating him with the Administration, would discredit his sincerity and deprive him of the right to aid in overthrowing an obnoxious policy. Premeditated suicide was shown by the purchase, while on his way to the ferry, of a bag of shot which sank the body quickly and beyond immediate recovery.

Every delegate in the Syracuse convention knew that Weed's cordial relations with Johnson, established through Preston King, made him the undisputed dispenser of patronage. Nevertheless, the failure of Pennsylvania and Massachusetts to endorse the President's policy, supplemented by Mississippi's action, made a deep impression upon radical delegates. Besides, it had already been noised abroad that Johnson could not be influenced. Senator Wade of Ohio discovered it early in July, and in August, after two attempts, Stevens gave him up as inexorable.^[275] "If something is not done," wrote the Pennsylvanian, "the President will be crowned King before Congress meets."^[276] Under these circumstances the leading Radicals desired to vote for a resolution affirming the right of all loyal people of the South to a voice in reorganising and controlling their respective State governments, and Greeley believed it would have secured a large majority on a yea and nay vote.^[277] But Raymond resisted. His friendship for Johnson exhibited at the Baltimore convention had suddenly made him an acknowledged power with the new Administration which he was soon to represent in Congress, and he did not propose allowing the *Tribune's* editor to force New York into the list of States that refused to endorse the President.

Such a course, he believed, would give the State to the Democrats, whose prompt and intrepid confidence in the President had plainly disconcerted the Republicans. Besides, Raymond disbelieved in the views of the extreme Radicals, who held that States lately in rebellion must be treated as conquered provinces and brought back into the Union as new States, subject to conditions prescribed by their conquerors. As chairman of the committee on resolutions, therefore, the editor of the *Times* bore down heavily on the

Radical dissenters, and in the absence of a decided leader they allowed their devotion to men to overbear attachment to principles. As finally adopted the platform recognised Johnson's ability, patriotism, and integrity, declared the war debt sacred, thanked the soldiers and sailors, commended the President's policy of reconstruction, and expressed the hope that when the States lately in rebellion are restored to the exercise of their constitutional rights, "it will be done in the faith and on the basis that they will be exercised in the spirit of equal and impartial justice, and with a view to the elevation and perpetuation of the full rights of citizenship of all their people, inasmuch as these are principles which constitute the basis of our republican institutions."[\[278\]](#) Greeley pronounced this language "timid and windy."[\[279\]](#)

In the campaign that followed the Democrats flattered the President, very cleverly insisting that the Radicals' devotion to negro suffrage made them his only real opponents. On the other hand, conservative Republicans, maintaining that the convention did not commit itself to an enfranchisement of the negro, insisted that it was a unit in its support of the President's policy, and that the Democrats, acting insincerely, sought to destroy the Union party and secure exclusive control of the Executive. "They propose," said the *Times*, "to repeat upon him precisely the trick which they practised with such brilliant success upon John Tyler and Millard Fillmore, both of whom were taken up by the Democracy, their policy endorsed, and their supporters denounced. Both were flattered with the promise of a Democratic nomination and both were weak enough to listen and yield to the temptation. Both were used unscrupulously to betray their principles and their friends, and when the time came both were remorselessly thrown, like squeezed oranges, into the gutter. The game they are playing upon President Johnson is precisely the same. They want the offices he has in his gift, and when his friends are scattered and overthrown they will have him at their mercy. Then, the power he gives them will be used for his destruction."[\[280\]](#)

Horatio Seymour made two speeches. With charming candor he admitted that "signal victories have been won by generals who have made the history of our country glorious." But to him the great debt, the untaxed bonds, the inflation of the currency, the increased prices, and the absence of congressmen from the States lately in rebellion, seemed as full of peril as

war itself. In his address at Seneca Falls his field of view, confined to war-burdens and rights withheld from "subjugated" States, did not include the vision that thrilled others, who saw the flag floating over every inch of American territory, now forever freed from slavery. "When we were free from debt," he said, "a man could support himself with six hours of daily toil. To-day he must work two hours longer to pay his share of the national debt.... This question of debt means less to give your families.... It reaches every boy and girl, every wife and mother.... It affects the character of our people." Prosperity also troubled him. "We see upon every hand its embarrassing effect. The merchant does not know whether he will be a loser or gainer. We see men who have been ruined without fault, and men who have made great fortunes without industry. Inquire of the person engaged in mechanical operations and he will say that labour has lost its former certain reward." He disapproved the national banking act because the new banks "have converted the debt of the country into currency and inflated prices;" he disputed the correctness of the Treasury debt statement because "it is the experience of all wars that long after their close new claims spring up, which render the expense at least fifty per cent. more than appeared by the figures;" and he condemned the national system of taxation because it "disables us to produce as cheaply at home as we can buy in the markets of the world."[\[281\]](#)

The brief campaign promised to be spiritless and without incident until John Van Buren, in his extended canvass for attorney-general, freely expressed his opinion of Horatio Seymour. Van Buren was not an admirer of that statesman. He had supported him with warmth in 1862, but after the development of the Governor's "passion for peace" he had little sympathy with and less respect for his administration. In the campaign of 1864 he practically ignored him, and the subsequent announcement of his defeat liberated Van Buren's tongue. "Seymour is a damned fool," he said. "He spoiled everything at Chicago, and has been the cause of most of the disasters of the Democratic party."[\[282\]](#) At Troy he declared that "the Democracy were suffering now from the infernal blunder at Chicago last year," and that "if Seymour and Vallandigham had been kicked out of the national convention it would have been a good thing for the party."[\[283\]](#)

This opinion scarcely expressed the sentiment of a majority of Democrats, but those who had preferred John A. Dix as the man of destiny held

Seymour and his school of statesmen responsible for the party's deplorable condition. It had emerged from the war defeated in every distinctive principle it had promulgated, and in the absence of an available issue it now sought to atone for the past and to gain the confidence of the people by nominating candidates who were either active in the field or recognised as sincerely devoted to a vigorous prosecution of the war. To aid in this new departure Van Buren threw his old-time fire into the campaign, speaking daily and to the delight of his audiences; but he soon discovered that things were looking serious, and when the Union Republican ticket was elected by majorities ranging from 28,000 to 31,000, with two-thirds of the Assembly and all the senators save one, he recognised that the glory of Lee's surrender and the collapse of the Confederacy did not strengthen the Democratic party, although one of its candidates had led an army corps, and another, with eloquence and irresistible argument, had stirred the hearts of patriotic Americans in the darkest hours of the rebellion.[\[284\]](#)

CHAPTER XI

RAYMOND CHAMPIONS THE PRESIDENT

1866

WHEN Congress convened in December, 1865, President Johnson, in a calm and carefully prepared message, advocated the admission of Southern congressmen whenever their States ratified the Thirteenth Amendment. He also recommended that negro suffrage be left to the States. On the other hand, extreme Radicals, relying upon the report of Carl Schurz, whom the President had sent South on a tour of observation, demanded suffrage and civil rights for the negro, and that congressional representation be based upon actual voters instead of population. Schurz had remained three months in South Carolina, Georgia, Alabama, Mississippi, and Louisiana, and to him "treason, under existing circumstances, does not appear odious in the South. The people are not impressed with any sense of its criminality. And there is yet among the Southern people an utter absence of national feeling.... While accepting the abolition of slavery, they think that some species of serfdom, peonage, or other form of compulsory labour is not slavery, and may be introduced without a violation of their pledge." Schurz, therefore, recommended negro suffrage as "a condition precedent to readmission."[\[285\]](#)

On the contrary, General Grant, who had spent a couple of weeks in the South upon the invitation of the President, reported that the mass of thinking men accepted conditions in good faith; that they regarded slavery and the right to secede as settled forever, and were anxious to return to self-government within the Union as soon as possible; that "while reconstructing they want and require protection from the government. They are in earnest in wishing to do what is required by the government, not humiliating to them as citizens, and if such a course was pointed out they would pursue it in good faith."[\[286\]](#)

The North had been too happy over the close of the war and the return of its soldiers to anticipate the next step, but when Thaddeus Stevens of Pennsylvania, the leader of the Radicals, opened the discussion in Congress on December 10 (1865), the people quickly saw the drift of things. Stevens

contended that hostilities had severed the original contract between the Southern States and the Union, and that the former, in order to return to the Union, must come in as new States upon terms made by Congress and approved by the President. In like manner he argued that negroes, if denied suffrage, should be excluded from the basis of representation, thus giving the South 46 representatives instead of 83. "But why should slaves be excluded?" demanded Stevens. "This doctrine of a white man's government is as atrocious as the infamous sentiment that damned the late Chief Justice to everlasting fame, and, I fear, to everlasting fire."[\[287\]](#)

Stevens' speech, putting Johnson's policy squarely in issue, was answered by Henry J. Raymond, now the selected and acknowledged leader of the Administration in the House. Raymond had entered Congress with a prestige rarely if ever equalled by a new member. There had been greater orators, abler debaters, and more profound statesmen, but no one had ever preceded him with an environment more influential. He was the favourite of the President; he had been brought into more or less intimate association with all the men of his party worth knowing; he was the close friend of Weed and the recognized ally of Seward; his good will could make postmasters and collectors, and his displeasure, like that of a frigid and bloodless leader, could carry swift penalty. Indeed, there was nothing in the armory of the best equipped politician, including able speaking and forceful writing, that he did not possess, and out of New York as well as within it he had been regarded the earnest friend and faithful champion of Republican doctrines. On the surface, too, it is doubtful if a member of Congress, whether new or old, ever seemed to have a better chance of winning in a debate. Only three months before the people of the North, with great unanimity, had endorsed the President and approved his policy. Besides, the great body of Republicans in Congress preferred to work with the President. He held the patronage, he had succeeded by the assassin's work to the leadership of the party, and thus far had evinced no more dogmatism than Stevens or Sumner. Moreover, the sentiment of the North at that time was clearly against negro suffrage. All the States save six[\[288\]](#) denied the vote to the negro, and in the recent elections three States had specifically declared against extending it to him.

Thus fortified Raymond did not object to speaking for the Administration. To him Stevens' idea of subjecting the South to the discipline and tutelage

of Congress was repulsive, and his ringing voice filled the spacious hall of the House with clear-cut sentences. He denied that the Southern States had ever been out of the Union. "If they were," he asked, "how and when did they become so? By what specific act, at what precise time, did any one of those States take itself out of the American Union? Was it by the ordinance of secession? An ordinance of secession is simply a nullity, because it encounters the Constitution which is the supreme law of the land. Did the resolutions of those States, the declaration of their officials, the speeches of the members of their Legislatures, or the utterances of their press, accomplish the result desired? Certainly not. All these were declarations of a purpose to secede. Their secession, if it ever took place, certainly could not date from the time when their intention to secede was first announced. They proceeded to sustain their purpose of secession by arms against the force which the United States brought to bear against them. Were their arms victorious? If they were, then their secession was an accomplished fact. If not, it was nothing more than an abortive attempt—a purpose unfulfilled. They failed to maintain their ground by force of arms. In other words, they failed to secede. But if," he concluded, "the Southern States did go out of the Union, it would make those in the South who resisted the Confederacy guilty of treason to an independent government. Do you want to make traitors out of loyal men?"^[289]

Raymond received close attention. Several leaders acknowledged their interest by asking questions, and the congratulations that followed evidenced the good will of his colleagues. His speech had shown none of the usual characteristics of a maiden effort. Without advertising his intention to speak, he obtained the floor late in the afternoon, referred with spirit to the sentiments of the preceding speaker, and moved along with the air of an old member, careless of making a rhetorical impression but intensely in earnest in what he had to present. As an argument in favor of the adoption of a liberal policy toward the South, regardless of its strict legal rights, the speech commended itself to his colleagues as an admirable one, but it entirely failed to meet Stevens' logic that the States lately in rebellion could not set up any rights against the conqueror except such as were granted by the laws of war. In his reply the Pennsylvanian taunted Raymond with failing to quote a single authority in support of his contention. "I admit the gravity of the gentleman's opinion," he said, "and

with the slightest corroborating authority should yield the case. But without some such aid I am not willing that the sages of the law—Grotius, Vattel, and a long line of compeers—should be overthrown and demolished by the single arm of the gentleman from New York. I pray the gentleman to quote authority; not to put too heavy a load upon his own judgment; he might sink under the weight. Give us your author."[\[290\]](#)

As the debate continued it became evident the President's friends were losing ground. Aside from the withering blows of Stevens, unseen occurrences which Raymond, in his eagerness to champion Johnson's policy, did not appreciate or willingly ignored, had a most disturbing influence. The Northern people welcomed peace and approved the generosity of the government, but they wanted the South to exhibit its appreciation by corresponding generosity to the government's friends. Its acts did not show this. Enactments in respect to freedmen, passed by the President's reconstructed legislatures, grudgingly bestowed civil rights. A different punishment for the same offence was prescribed for the negroes; apprentice, vagrant, and contract labour laws tended to a system of peonage; and the prohibition of public assemblies, the restriction of freedom of movement, and the deprivation of means of defence illustrated the inequality of their rights. Such laws, for whatever purpose passed, had a powerful effect on Northern sentiment already influenced by reported cruelties, while the Southern people's aversion to Union soldiers settling in their midst intensified the feeling. Moreover, Southern and Democratic support of the President made Republicans distrust his policy. If States can be reconstructed in a summer and congressmen admitted in a winter, it was said, the South, helped by the Democracy of the North, might again be in control of the Government within two years. These considerations were bound to affect the judgment of Republicans, and when Stevens began to talk and the real conditions in the South came to be known, it aroused party indignation to a high pitch in the House.

Raymond, in his brilliant rejoinders, endeavoured to recover lost ground. He had created no enemies. On the contrary his courtesy and tact smoothed the way and made him friends. But after weeks of discussion an effort to adopt a resolution of confidence in the President met with overwhelming defeat. Stevens asked that the resolution be referred to the Committee on Reconstruction—Raymond demanded its adoption at once. On a roll-call

the vote stood 32 to 107 in favour of reference, Raymond and William A. Darling of New York City being the only Republicans to vote against it. It was a heavy blow to the leader of the Conservatives. It proved the unpopularity of Johnson's policy and indicated increasing estrangement between the President and his party. Moreover, it was personally humiliating. On a test question, with the whole power of the Administration behind him, Raymond had been able, after weeks of work, to secure the support of only one man and that a colleague bound to him by the ties of personal friendship.

The division in the party spread with the rapidity of a rising thunder cloud. On February 6 Congress passed the Freedman's Bureau Bill, designed to aid helpless negroes, which the President vetoed. A month later his treatment of the Civil Rights Bill, which set in motion the necessary machinery to enforce the Thirteenth Amendment, shattered the confidence of the party. "Surely," declared Senator Trumbull of Illinois, "we have authority to enact a law as efficient in the interest of freedom as we had in the interest of slavery."[\[291\]](#) But the President promptly vetoed it, because, he said, it conferred citizenship on the negro, invaded the rights of the States, had no warrant in the Constitution, and was contrary to all precedent.

The President had developed several undesirable characteristics, being essentially obstinate and conceited, the possessor of a bad temper, and of a coarse and vulgar personality. His speech on February 22, in which he had invoked the wild passions of a mob, modified the opinions even of conservative men. "It is impossible to conceive of a more humiliating spectacle," said Sherman.[\[292\]](#) "During the progress of events," wrote Weed, "the President was bereft of judgment and reason, and became the victim of passion and unreason."[\[293\]](#) But up to this time the party had hoped to avoid a complete break with the Executive. Now, however, the question of passing the Civil Rights Bill over his veto presented itself. Not since the beginning of the government had Congress carried an important measure over a veto. Besides, it meant a complete and final separation between the President and his party. Edwin D. Morgan so understood it, and although he had heretofore sustained the President, he now stood with the Radicals. Raymond also knew the gravity of the situation. But Raymond, who often wavered and sometimes exhibited an astonishing fickleness,[\[294\]](#) saw only one side to the question, and on April 9 when the House, by a vote of 122 to

41, overrode the veto, he was one of only seven Unionists to support the President.[295]

After the passage of the Civil Rights Bill the President's friends proposed to invoke, through a National Union convention to be held at Philadelphia on August 14, the support of conservative Republicans and Democrats. Weed told Raymond of the project and Seward urged it upon him. Raymond expressed a disinclination to go to the convention because it seemed likely to fall into the hands of former Confederates and their Northern associates, and to be used for purposes hostile to the Union party, of which, he said, he was not only a member, but the chairman of its national committee. Seward did not concur in this view. He said it was not a party convention and need not affect the party standing of those who attended it. He was a Union man, he declared, and he did not admit the right of anybody to turn him out of the Union party. Moreover, he wanted Raymond to attend the convention to prevent its control by the enemies of the Union party.

Raymond, still undecided, called with Seward upon the President, who favoured neither a new party nor the restoration to power of the Democratic party, although the movement, he said, ought not to repel Democrats willing to act with it. He wanted the matter settled within the Union party, and thought the proposed convention, in which delegates from all the States could again meet in harmony, would exert a wholesome influence on local conventions and nominations to Congress.[296] Raymond, however, was still apprehensive. He deemed the Thirteenth and Fourteenth Amendments "reasonable, wise, and popular;" thought the President had "made a great mistake in taking grounds against them;" and declared that notwithstanding the peppery method of their passage "the people will not be stopped by trifles." The outcome of the convention also worried him. "If it should happen to lay down a platform," he continued, "which shall command the respect of the country, it would be such a miracle as we have no right to expect in these days. However," he concluded, "I shall be governed in my course toward it by developments. I do not see the necessity of denouncing it from the start, nor until more is known of its composition, purposes, and actions." [297]

Raymond did not attend the preliminary State convention held at Saratoga on August 9. He left this work to Weed, who, with the help of Dean

Richmond, made an excellent showing in numbers and enthusiasm. The support of the Democrats was assured because they would benefit, and the presence of Tilden, Kernan, William H. Ludlow, and Sanford E. Church created no surprise; but the interest manifested by John A. Dix, Hamilton Fish, Moses Taylor, Marshall O. Roberts, Francis B. Cutting, and Richard M. Blatchford amazed the Republicans. Henry J. Raymond was made a delegate-at-large, with Samuel J. Tilden, John A. Dix, and Sanford E. Church.

At Philadelphia the convention derived a manifest advantage from having all the States, South as well as North, fully represented, making it the first real "National" convention to assemble, it was said, since 1860. Besides, it was a picturesque convention, full of striking contrasts and unique spectacles. In the hotel lobbies Weed and Richmond, walking together, seemed ubiquitous as they dominated the management and arranged the details. Raymond and Church sat side by side in the committee on resolutions, while the delegates from Massachusetts and South Carolina, for spectacular effect, entered the great wigwam arm in arm. This picture of apparent reconciliation evoked the most enthusiastic cheers, and became the boast of the Johnsonians until the wits likened the wigwam to Noah's Ark, into which there went, "two and two, of clean beasts, and of beasts that are not clean, and of fowls, and of everything that creepeth upon the earth."

John A. Dix became temporary chairman, and the resolutions, reciting the issue between the President and the Republicans, laid great emphasis upon the right of every State, without condition, to representation in Congress as soon as the war had ended. But Raymond, presumably to please Southern delegates,[\[298\]](#) pressed the argument far beyond the scope of the resolutions, maintaining that even if the condition of the Southern States rendered their admission unsafe because still disloyal in sentiment and purpose, Congress had no power to deny them rights conferred by the Constitution. This reckless claim amazed his friends as much as it aroused his enemies, and he at once became the object of most cutting reproaches. "Had he been elected as a Copperhead," said the *Tribune*, "no one could have complained that he acted as a Copperhead, and had Judas been one of the Pharisees instead of one of the Disciples, he would not be the worst example that Presidents and Congressmen can follow."[\[299\]](#) Ten days later the Republican National committee removed him from the chairmanship, a punishment promptly

followed by his removal from the committee.^[300] Raymond, in his talk with Seward, had anticipated trouble of this character, but the humiliation was now doubly deep because it separated him from friends whose staunch support had contributed to his strength. Moreover, in a few weeks he was compelled to abandon the President for reasons that had long existed. "We have tried hard," he wrote, "to hold our original faith in his personal honesty, and to attribute his disastrous action to errors of judgment and infirmities of temper. The struggle has often been difficult, and we can maintain it no longer."^[301] But the change came too late. He had followed too far. It added to the sadness, also, because his popularity was never to return to any considerable extent during the remaining three years of his brilliant life.

Raymond's congressional experience, confined to a single term, added nothing to his fame. He delivered clever speeches, his wide intelligence and courteous manner won him popularity, and to some extent he probably influenced public opinion; but his brief career left no opportunity to live down his fatal alliance with Johnson. Indeed, it may well be doubted if longer service or more favourable conditions would have given him high standing as a legislator. Prominence gained in one vocation is rarely transferred to another. Legislation is a profession as much as medicine or law or journalism, the practice of which, to gain leadership, must be long and continuous, until proposed public measures and their treatment worked out in the drudgery of the committee room, become as familiar as the variety of questions submitted to lawyers and physicians. The prolonged and exacting labour as a journalist which had given Raymond his great reputation, must, in a measure, have been repeated as a legislator to give him similar leadership in Congress. At forty-five he was not too old to accomplish it. Samuel Shellabarger of Ohio, who made his greatest speech in reply to Raymond, began his congressional life at forty-nine, and Thaddeus Stevens, the leader of the House, at fifty-seven. But the mental weariness, already apparent in Raymond's face, indicated that the enthusiasm necessary for such preparation had departed. Besides, he lacked the most important qualification for a legislative leader—the rare political sagacity to know the thoughts of people and to catch the tiniest shadow of a coming event.

Seward shared Raymond's unpopularity. Soon after assuming office President Johnson outlined a severe policy toward the South, violently denouncing traitors, who, he declared, must be punished and impoverished. "The time has arrived," he said, "when the American people should be educated that treason is the highest crime and those engaged in it should suffer all its penalties."^[302] These sentiments, reiterated again and again, extorted from Benjamin F. Wade, the chief of Radicals, an entreaty that he would limit the number to be hung to a good round dozen and no more.^[303] Suddenly the President changed his tone to one of amnesty and reconciliation, and in answering the question, "who has influenced him?" Sumner declared that "Seward is the marplot. He openly confesses that he counselled the present fatal policy."^[304] Blaine also expressed the belief that the Secretary of State changed the President's policy,^[305] a suggestion that Seward himself corroborated in an after-dinner speech at New York in September, 1866. "When Mr. Johnson came into the Presidency," said the Secretary, "he did nothing until I got well, and then he sent for me and we fixed things."^[306]

But Seward did more to exasperate Republicans than change a harsh policy to one of reconciliation. He believed in the soundness of the President's constitutional views and the correctness of his vetoes, deeming the course of Congress unwise.^[307] It is difficult, therefore, to credit Blaine's unsupported statement that Seward "worked most earnestly to bring about an accommodation between the Administration and Congress."^[308] The split grew out of the President's veto messages which Seward approved and probably wrote.

Until the spring of 1866 Seward's old friends believed he had remained in the Cabinet to dispose of diplomatic questions which the war left unsettled, but after his speech at Auburn on May 22 the men who once regarded him as a champion of liberty and equality dropped him from their list of saints. He argued that the country wanted reconciliation instead of reconstruction, and denied that the President was unfaithful to the party and its cardinal principles of public policy, since his disagreements with Congress on the Freedman's Bureau and Civil Rights Bills "have no real bearing upon the question of reconciliation." Nor was there any "soundness in our political system, if the personal or civil rights of white or black, free born or emancipated, are not more secure under the administration of a State

government than they could be under the administration of the National government."^[309] This sentiment brought severe criticism. "Mr. Seward once earned honour by remembering the negro at a time when others forgot him," said the *Independent*; "he now earns dishonour by forgetting the negro when the nation demands that the negro should be remembered."^[310]

Seward's participation in the President's tour of the country contributed to destroy his popularity. This Quixotic junketing journey quickly passed into history as the "swinging-around-the-circle" trip, which Lowell described as an "advertising tour of a policy in want of a party."^[311] Seward had many misgivings. The memory of the President's condition on inauguration day and of his unfortunate speech on February 22 did not augur well for its success. "But it is a duty to the President and to the country," he wrote, "and I shall go on with right good heart."^[312] In the East the party got on very well, but at Cleveland and other Western cities the President acted like a man both mad and drunk, while people railed at him as if he were the clown of a circus. "He sunk the Presidential office to the level of a grog-house," wrote John Sherman.^[313]

Seward's position throughout was pathetic. His apologies and commonplace appeals for his Chief contrasted strangely with the courageous, powerful, and steady fight against the domination of slavery which characterised his former visits to Cleveland, and the men who had accepted him as their ardent champion deprecated both his acts and his words. It called to mind Fillmore's desertion of his anti-slavery professions, and Van Buren's revengeful action in 1848. "Distrusted by his old friends," said the *Nation*, "he will never be taken to the bosom of his old enemies. His trouble is not that the party to which he once belonged is without a leader, but that he wanders about like a ghost—a leader without a party."^[314]

CHAPTER XII

**HOFFMAN DEFEATED, CONKLING
PROMOTED**

1866

THE knowledge that Republicans, to overcome the President's vetoes, must have a two-thirds majority in Congress, precipitated a State campaign of unusual energy. The contest which began on April 9, when Johnson disapproved the Civil Rights Bill, was intensified by the Philadelphia convention and the President's "swing-around-the-circle;" but the events that made men bitter and deeply in earnest were the Memphis and New Orleans riots, in which one hundred and eighty negroes were killed and only eleven of their assailants injured. To the North this became an object-lesson, illustrating the insincerity of the South's desire, expressed at Philadelphia, for reconciliation and peace.

The Republican State convention, meeting at Syracuse on September 5, echoed this sentiment. In the centre of the stage the Stars and Stripes, gracefully festooned, formed a halo over the portrait of Abraham Lincoln, while a Nast caricature of President Johnson betrayed the contempt of the enthusiastic gathering. Weed and Raymond were conspicuous by their absence. The Radicals made Charles H. Van Wyck chairman, Lyman Tremaine president, George William Curtis chairman of the committee on resolutions, and Horace Greeley the lion of the convention. At the latter's appearance delegates leaped to their feet and gave three rounds of vociferous cheers. The day's greatest demonstration, however, occurred when the chairman, in his opening speech, stigmatised the New York friends of the President.^[315] Van Wyck prudently censored his bitterness from the press copy, but the episode reflected the intense unpopularity of Seward, Weed, and Raymond.

In the privacy of the club Seward's old-time champions had spoken of "the decline of his abilities," "the loss of his wits," and "that dry-rot of the mind's noble temper;" but now, in a crowded public hall, they cheered any sentiment that charged a betrayal of trust and the loss of principles. Of course Seward had not lost his principles, nor betrayed his trust. He held the opinions then that he entertained before the removal of the splints and

bandages from the wounds inflicted by the bowie-knife of the would-be assassin. He had been in thorough accord with Lincoln's amnesty proclamation, issued in December, 1863, as well as with his "Louisiana plan" of reconstruction, and Johnson's proclamation and plan of reconstruction, written under Seward's influence, did not differ materially. But Seward's principles which rarely harmonised with those of the Radicals, now became more conspicuous and sharply defined because of the tactlessness and uncompromising spirit of Lincoln's successor. Besides, he was held responsible for the President's follies. To a convention filled with crutches, scarred faces, armless sleeves, and representatives of Andersonville and Libby Prisons, such an attitude seemed like a betrayal of his trust, and the resentment of the delegates, perhaps, was not unnatural.

If Seward was discredited, Reuben E. Fenton was conspicuously trusted. According to Andrew D. White, a prominent State senator of that day, the Governor was not a star of the magnitude of his Republican predecessors. [316] Others probably held the same opinion. Fenton's party, however, renominated him by acclamation, and then showed its inconsistency by refusing a like honour to Thomas G. Alvord, the lieutenant-governor. The service of the Onondaga Chief, as his friends delighted to call him, had been as creditable if not as important as the Governor's, but the brilliant gifts of Stewart L. Woodford, a young soldier of patriotic impulses, attracted a large majority of the convention. [317] Up to that time, Woodford, then thirty years of age, was the youngest man nominated for lieutenant-governor. He had made a conspicuous sacrifice to become a soldier. In 1861 Lincoln appointed him an assistant United States attorney, but the silenced guns of Sumter inspired him to raise a company, and he marched away at its head, leaving the civil office to another. Later he became commandant of the city that sheltered the guns first trained upon the American flag, and after his return, disciplined and saddened by scenes of courage and sacrifice, the clarion notes of the young orator easily commanded the emotions of his hearers. No one ever wearied when he spoke. His lightest word, sent thrilling to the rim of a vast audience, swayed it with the magic of control. He was not then at the fulness of his power or reputation, but delegates had heard enough to desire his presence in the important campaign of 1866, and to stimulate his activity they made him a candidate.

The platform declared that while the constitutional authority of the Federal government cannot be impaired by the act of a State or its people, a State may, by rebellion, so far rupture its relations to the Union as to suspend its power to exercise the rights which it possessed under the Constitution; that it belonged to the legislative power of the government to determine at what time a State may safely resume the exercise of its rights; and that the doctrine that such State is itself to judge when it is in proper condition to resume its place in the Union is false, as well as the other doctrine that the President was alone sole judge of the period when such suspension shall be at an end.

If these propositions created no surprise, the refusal squarely to meet the suffrage issue created much adverse comment. One resolution expressed a hope that the adoption of the Fourteenth Amendment would tend to the equalisation of all political rights among citizens of the Union, but although Greeley submitted a suffrage plank, as he did in the preceding year, Curtis carefully avoided an expression favourable even to the colored troops.

"Extreme opinions usually derive a certain amount of strength from logical consistency," wrote Raymond. "Between the antecedent proposition of an argument and its practical conclusion there is ordinarily a connection which commends itself to the advocates of principle. But the radicalism which proposes to reconstruct the Union has not this recommendation. Its principles and its policy are not more alike than fire and water. What it contends for theoretically it surrenders practically."^[318] Although this was clearly a just criticism, the radicalism of Congress showed more leniency in practice than in theory. The Northern people themselves were not yet ready for negro suffrage, and had the South promptly accepted the Fourteenth Amendment and the congressional plan of reconstruction, it is doubtful if the Fifteenth Amendment would have been heard of.

Conservative Republicans, however, were too well satisfied with their work at Philadelphia to appreciate this tendency of Congress. The evidence of reconciliation had been spectacular, if not sincere, and they believed public opinion was with them. The country, it was argued, required peace; the people have made up their minds to have peace; and to insure peace the Southern States must enjoy their constitutional right to seats in Congress. "This is the one question now before the country," said the *Post*; "and all

men of every party who desire the good of the country and can see what is immediately necessary to produce this good, will unite to send to Congress only men who will vote for the immediate admission of Southern representatives."^[319] In the opinion of such journals the situation presented a rare opportunity to the Democratic party. By becoming the vehicle to bring real peace and good will to the country, it would not only efface its questionable war record, but it could "spike the guns" of the Radicals, control Congress, sustain the President, and carry the Empire State. This was the hope of Raymond and of Weed, back of whom, it was said, stood tens of thousands of Republicans.

To aid in the accomplishment of this work, great reliance had been placed upon the tour of the President. Raymond reluctantly admitted that these anticipations were far from realised,^[320] although the managers thought the tour through New York, where the President had been fairly discreet, was of value in marshalling the sentiment of Republicans. Besides, it seemed to them to show, in rural districts and towns as well as in the commercial centres, a decided preference for a policy aimed to effect the union of all the States according to the Constitution.

To encourage the coöperation of Republicans, the Democrats, led by Dean Richmond, agreed, temporarily at least, to merge their name and organisation in that of the National Union party. This arrangement was not easily accomplished. The *World* hesitated and the *Leader* ridiculed, but when the Democracy of the State approved, these journals acquiesced.^[321] In obedience to this understanding the Democratic State committee called a National Union State convention, and invited all to participate who favoured the principles enunciated by the Philadelphia convention. The obscuration of State policies and partisan prejudices made this broad and patriotic overture, devoted exclusively to a more perfect peace, sound as soft and winning as the spider's invitation to the fly. "If the action of the convention is in harmony with the spirit of the call," wrote Raymond, "it cannot fail to command a large degree of popular support."^[322] As county delegations equally divided between Republicans and Democrats arrived at Albany on September 11, it was apparent that the invitation had been accepted at its face value. Although no Republican of prominence appeared save Thurlow Weed, many Republicans of repute in their respective localities answered to the roll call. These men favoured John A. Dix for

governor. To them he stood distinctly for the specific policy announced at Philadelphia. In his opening address at that convention he had sounded the key-note, declaring a speedy restoration of the Union by the admission of Southern representatives to Congress a necessary condition of safe political and party action. Besides, Dix had been a Democrat all his life, a devoted supporter of the government during the war, and it was believed his career would command the largest measure of public confidence in the present emergency.

This had been the opinion of Dean Richmond, whose death on August 27 deprived the convention of his distinguished leadership. This was also the view of Edwards Pierrepont, then as afterward a powerful factor in whatever circle he entered. Although a staunch Democrat, Pierrepont had announced, at the historic meeting in Union Square on April 20, 1861, an unqualified devotion to the government, and had accepted, with James T. Brady and Hamilton Fish, a place on the union defence committee. Later, he served on a commission with Dix to try prisoners of state, and in 1864 advocated the election of Lincoln. There was no doubt about Pierrepont. He had shown himself an embodied influence, speaking with force, and usually with success. He possessed the grit and the breadth of his ancestors, one of whom was a chief founder of Yale College, and his presence in the State convention, although he had not been at Philadelphia, encouraged the hope that it would concentrate the conservative sentiment and strength of New York, and restore Democracy to popular confidence. Stimulated by his earnestness, the up-State delegates, when the convention opened, had practically settled Dix's nomination.

There were other candidates. A few preferred Robert H. Pruyn of Albany, a Republican of practical energy and large political experience, and until lately minister to Italy, while others thought well of Henry C. Murphy of Brooklyn, a Democrat and State senator of recognised ability. But next to Dix the favourite was John T. Hoffman, then mayor of New York. It had been many years since the Democrats of the metropolis had had a State executive. Edwards Pierrepont said that "no man in the convention was born when the last Democratic governor was elected from New York or Brooklyn."[\[323\]](#) This, of course, was hyperbole, since Pierrepont himself could remember when, at the opening of the Erie Canal, Governor DeWitt Clinton, amidst the roar of artillery and the eloquence of many orators,

passed through the locks at Albany, uniting the waters of Lake Erie with those of the Hudson. Perhaps the thought of Clinton, climbing from the mayoralty to the more distinguished office of governor, added to the desire of Hoffman, for although the latter's capacity was limited in comparison with the astonishing versatility and mental activity of Clinton, he was not without marked ability.

Hoffman's life had been full of sunshine and success. He was a distinguished student at Union College, an excellent lawyer, an effective speaker, and a superb gentleman. Slenderly but strongly built, his square, firm chin and prominent features, relieved by large brown eyes, quickly attracted attention as he appeared in public. "In the winter of 1866," wrote Rhodes, "I used frequently to see him at an early morning hour walking down Broadway on his way to the City Hall. Tall and erect, under forty and in full mental and physical vigor, he presented a distinguished appearance and was looked at with interest as he passed with long elastic strides. He was regarded as one of the coming men of the nation. He had the air of a very successful man who is well satisfied with himself and confident that affairs in general are working for his advantage."[\[324\]](#)

Not always overstocked with eligibles whom it could admire and trust, Tammany, proud of the young man's accomplishments, elected him in 1860, at the age of thirty-two, recorder of the city, the presiding officer of what was then the principal criminal court. Here he acquitted himself, especially in the draft riot of 1863, with such credit that Republicans and Democrats united in re-electing him, and in 1865, before the expiration of his second term as recorder, Tammany made him mayor. It was a hard, close contest. Indeed, success could not have come to Tammany without the aid of Hoffman's increasing popularity. This office, however, plunged him at once into partisan politics, and gave to his career an uncertain character, as if a turn of chance would decide what path of political life he was next to follow. Now, at the age of thirty-eight, Tammany proposed making him governor.

But Hoffman represented neither the principles nor the purposes of the Philadelphia convention. The success of that movement depended largely upon the pre-eminent fitness of the men who led it. The question was, would the State be safer in the hands of a well-known Democratic

statesman like Dix than in the control of Fenton and the Radicals? Dix stood for everything honest and conservative. For more than three decades his prudence had been indissolubly associated with the wise discretion of William L. Marcy and Silas Wright, while Hoffman, the exponent of unpurged Democracy, charged with promoting its welfare and success, was the one man whom conservative Republicans wished to avoid, and whom, in their forcible presentation of Dix, they were driving out of the race.

Democratic leaders saw the situation with alarm. They had endorsed the Philadelphia movement to get into power,—not to give it to Dix and the Conservatives. The President's reconstruction policy, benefiting their party in the South and thus strengthening it in national elections, had been adopted with sincerity, but they did not seriously propose to merge their organisation in the State with another, giving it the reins and the whip. "The New York delegation to Philadelphia," said the *World*, "was appointed by a gathering of politicians at Saratoga, who neither represented, had any authority to bind, nor made any pretence of binding the Democratic organisation of the State."^[325] Indeed, it was treated as a surprising revelation that conservative Republicans and Dix Democrats should come to Albany with such a notion. However, the Dix appeal, developing wonderful strength, could not be reasoned with, and in their desperation the Democrats sought an adjournment until the morrow. This the convention refused, granting only a recess until four o'clock. In the meantime Dix's chances strengthened. It was plain that his nomination, on lines approved by Seward, meant a split in Republican ranks, and the up-State delegates, fearing delay, stood for early action. Then came the inevitable trick. On reassembling a motion to adjourn was voted down three to one, but Sanford E. Church, the chairman, declaring it carried, put on his hat and quickly left the hall. It was an audacious proceeding. Two-thirds of the convention stood aghast, and Church, the next morning, found it necessary to make an abject apology. Nevertheless, his purpose had been accomplished. Adjournment gave Tammany the time fiercely to assail Dix, who was now charged with consigning Democrats to Fort Lafayette, suppressing Democratic legislatures, and opposing Seymour in 1864. John Morrissey, the pugilist and congressman, declared that Dix could not poll twenty thousand votes in New York City. Meanwhile Democratic leaders, closing the door against Weed and the Conservatives, quietly agreed upon Hoffman.

Had Dean Richmond lived a month longer this *coup d'état* would probably not have occurred. In vigour of intellect, in terseness of expression, and in grasp of questions presented for consideration, Richmond was recognised as the first unofficial man in America, and he had long thought it time for the Democratic party to get into step with the progress of events.

The next morning, as prearranged, Edwards Pierrepont took the floor, and after characterising the assembly as a Democratic convention whose programme had been settled in advance by Democrats, he formally and apparently with the assent of Dix coolly withdrew the latter's name, moving that the nomination of John T. Hoffman be made by acclamation.^[326] This was carried with shouts of wild exultation. Many Dix supporters, anticipating the outcome, had silently left the hall, but enough remained to hear, with profound astonishment, the confession of Pierrepont that he had united with Tammany for the nomination of Hoffman before the meeting of the Philadelphia convention. Why, then, it was asked, did he advocate Dix the day before? and upon whose authority did he withdraw Dix's name? After such an exposure it could not be said of Pierrepont that he was without guile. "It was the occasion of especial surprise and regret," wrote Weed, "that even before the National Union State convention had concluded its labours, Judge Pierrepont should have assumed that it was a Democratic convention, and that its programme had been settled in advance by Democrats. This was not less a surprise when I remembered that on the day previous to that announcement, Judge Pierrepont concurred fully with me in the opinion that the nomination of General Dix for governor was expedient and desirable."^[327]

But the worst blow to a union of political interests was yet to come. To afford the people safety in their persons, security in their property, and honesty in the administration of their government, a Republican Legislature had placed the affairs of New York City largely in control of Boards and Commissions. Tammany naturally resented this invasion of home rule, and after reaffirming the principles of the Philadelphia movement, the convention declared that "recent legislation at Albany has usurped a supreme yet fitful control of the local affairs which counties and municipalities are entitled to regulate."^[328] To Conservatives nothing could have been more offensive than such a declaration. "There are thousands of Republicans," said Raymond, "who long for a restoration of the Union by

the admission to their seats in Congress of loyal men from loyal States, but who will be quite likely to prefer taking their chances of securing this result from the action of the Republican party, modified as it may be by reflection and moderate counsels, rather than seek it in the way marked out for them by the Albany Democratic convention."[\[329\]](#)

Thus the clash began. Conservatives resented the evident intention of the Democrats to strengthen their party at the expense of the Philadelphia movement. "We desire to call special attention," said a Buffalo paper, "to the necessity of carrying out in good faith the understanding which was entered into at the Philadelphia convention that all old party antecedents and future action should be merged in the National Union organisation. It was not contemplated then, or since, to strengthen the Democratic party by that movement, and any effort in that direction now cannot fail to be mischievous."[\[330\]](#) Before the month of September expired Raymond warned the *World* that he was not pledged to the action of the Albany convention. "No Republican went into it for any such purpose," he said. "No hint of putting it to any such use was given in the call or in any of its preliminary proceedings. The convention was called to give effect to the principles and policy of the Philadelphia convention, and Republicans who approved those principles concurred in the call. But how did this give that convention the right to commit them in favour of measures alien from its ostensible purpose, and at war with their entire political action? It is utterly preposterous to suppose that they can coöperate with the Democratic party in the accomplishment of any such design."[\[331\]](#)

Five days later Raymond announced his support of the Republican ticket.[\[332\]](#) It was significant of his sincerity that he declined to run again for Congress. Thomas E. Stewart, a conservative Republican, was easily elected in the Sixth District, and Raymond could have had the same vote, but without "the approval of those who originally gave me their suffrage," he said, "a seat in Congress ceases to have any attraction. With the Democratic party, as it has been organised and directed since the rebellion broke out, I have nothing in common."[\[333\]](#) It is impossible not to feel a high respect for the manner in which Raymond, having come to this determination, at once acted upon it. He resented no criticism; he allowed no gleam of feeling to creep into his editorials. Few men could have avoided the temptation to assume the tone of the wronged one who endures

much and will not complain. Instinctively, however, Raymond felt the bad taste and unwisdom of such a style, and he joined heartily and good-naturedly in the effort to elect Reuben E. Fenton.

Thurlow Weed, on the other hand, remained a Conservative. Indeed, he went a step farther in the way of irreconciliation, preferring Hoffman and Tammany, he said, to "the reckless, red-radicalism which rules the present Congress.... The men who now lead the radical crusade against the President," he continued, explanatory of his course, "attempted during the war to divide the North. That calamity was averted by the firmness and patriotism of conservative Republicans. In 1864 the same leaders, as hostile to Mr. Lincoln as they are to President Johnson, attempted to defeat his election by a flank movement at Cleveland. Mr. Greeley wrote private letters to prominent Republicans inviting their coöperation in a scheme to defeat Mr. Lincoln's election. The same leaders went to Washington last December with the deliberate intention to quarrel with the President, who up to that day and hour had followed in the footsteps of his illustrious predecessor. Their denunciations have been systematic and fiendish. If, under a keen sense of injustice, he has since erred in judgment or temper, none will deny the sufficiency of the provocation. That it would have been wiser, though less manly, to forbear, I admit. But no nature, merely human, excepting, perhaps, that of Abraham Lincoln, can patiently endure wanton public indignities and contumely."[\[334\]](#)

After the October elections it became apparent that the North would support Congress rather than the President. One cause of distrust was the latter's replacement of Republican office-holders with men noted for disloyalty during the war. Weed complained that the appointment of an obnoxious postmaster in Brooklyn "has cost us thousands of votes in that city."[\[335\]](#) During the campaign Johnson removed twelve hundred and eighty-three postmasters, and relatively as many custom-house employés and internal revenue officers.[\[336\]](#) Among the latter was Philip Dorsheimer of Buffalo. Indeed, the sweep equalled the violent action of the Council of Appointment in the days when DeWitt Clinton and Ambrose Spencer, resenting opposition to Morgan Lewis, sent Peter B. Porter to the political guillotine for supporting Aaron Burr. Such wholesale removals, however, did not arrest the progress of the Republican party. After Johnson's "swing around the circle," Conservatives were reduced to a few prominent men

who could not consistently retrace their steps, and to hungry office-holders who were known as "the bread and butter brigade."^[337] The *Post*, a loyal advocate of the President's policy, thought it a melancholy reflection "That its most damaging opponent is the President, who makes a judicious course so hateful to the people that no argument is listened to, and no appeals to reason, to the Constitution, to common sense, can gain a hearing."^[338] Henry Ward Beecher voiced a similar lament. The great divine had suffered severe criticism for casting his large influence on the side of Johnson, and he now saw success melting away because of the President's vicious course. "Mr. Johnson just now and for some time past," he wrote, "has been the greatest obstacle in the way of his own views. The mere fact that he holds them is their condemnation with a public utterly exasperated with his rudeness and violence."^[339] A few weeks later the Brooklyn minister, tired of the insincerity of the President and of his Philadelphia movement, opened the campaign with a characteristic speech in support of the Republican candidates.^[340]

In animation, frequent meetings, and depth of interest, the campaign resembled a Presidential contest. The issues were largely national. As one of the disastrous results of Johnson's reconstruction policy, Republicans pointed to the New Orleans and Memphis massacres, intensified by the charge of the Southern loyalists that "more than a thousand devoted Union citizens have been murdered in cold blood since the surrender of Lee."^[341] The horrors of Andersonville, illuminated by eye witnesses, and the delay to try Jefferson Davis, added to the exasperation. On the other hand, Democrats traced Southern conditions to opposition to the President's policy, charging Congress with a base betrayal of the Constitution in requiring the late Confederate States to ratify the Fourteenth Amendment as a condition precedent to the admission of their representatives. The great debate attracted to the rostrum the ablest and best known speakers. For the Republicans, Roscoe Conkling, sounding the accepted key-note, now for the first time made an extended tour of the State, speaking in fourteen towns and cities. On the other hand, true to the traditions of his life, John A. Dix threw his influence on the side of the President.

Hoffman, also, patiently traversed the State, discussing constitutional and legal principles with the care of an able lawyer. There was much in Hoffman himself to attract the enthusiasm of popular assemblages. Kind

and sympathetic, with a firm dignity that avoided undue familiarity, he was irresistibly fascinating to men as he moved among them. He had an attractive presence, a genial manner, and a good name. He had, too, a peculiar capacity for understanding and pleasing people, being liberal and spontaneous in his expressions of sympathy, and apparently earnest in his attachment to principle. He was not an orator. He lacked dash, brilliant rhetoric, and attractive figures of speech. He rarely stirred the emotions. But he pleased people. They felt themselves in the presence of one whom they could trust as well as admire. The Democratic party wanted a new hero, and the favourite young mayor seemed cut out to supply the want.

However, Hoffman did not escape the barbed criticism of the Republican press. Raymond had spoken of his ability and purity, and of his course during the war as patriotic.^[342] Weed, also, had said that "during the rebellion he was loyal to the government and Union."^[343] To overcome these certificates of character, the *Tribune* declared that "Saturn is not more hopelessly bound with rings than he. Rings of councilmen, rings of aldermen, rings of railroad corporations, hold him in their charmed circles, and would, if he were elected, use his influence to plunder the treasury and the people."^[344] It also charged him with being disloyal. In 1866 and for several years later the standing of pronounced Copperheads was similar to that of Tories after the Revolution, and it seriously crippled a candidate for office to be classed among them. Moreover, it was easy to discredit a Democrat's loyalty. To most members of the Union party the name itself clothed a man with suspicion, and the slightest specification, like the outcropping of a ledge of rocks, indicated that much more was concealed than had been shown. On this theory, the Republican press, deeming it desirable, if not absolutely essential, to put Hoffman into the disloyal class, accepted the memory of men who heard him speak at Sing Sing, his native town, in 1864. As they remembered, he had declared that "Democrats only had gone to war;" that "volunteering stopped when Lincoln declared for an abolition policy;" and that he "would advise revolution and resistance to the government" if Lincoln was elected without Tennessee being represented in the electoral college.^[345] Other men told how "at one of the darkest periods of the war, Hoffman urged an immediate sale of United States securities, then under his control and held by the sinking fund of the city."^[346] In the

Tribune's opinion such convenient recollections of unnamed and unknown men made him a "Copperhead."[\[347\]](#)

Although New York indicated the same direction of the popular will that had manifested itself in Pennsylvania and other October States, the heavy and fraudulent registration in New York City encouraged the belief that Tammany would overcome the up-State vote.[\[348\]](#) However, the pronounced antagonism to the President proved too serious a handicap, and the Radicals, electing Fenton by 13,000 majority,[\[349\]](#) carried both branches of the Legislature, and twenty out of thirty-one congressmen. It was regarded a great victory for Fenton, who was really opposed by one of the most formidable combinations known to the politics of the State. Besides the full strength of the Democratic party, the combined liquor interest antagonised him, while the Weed forces, backed by the Johnsonised federal officials, were not less potent. Indeed, Seward publicly predicted Republican defeat by 40,000 majority.[\[350\]](#)

The result also insured the election of a Republican to the United States Senate to succeed Ira Harris on March 4, 1867. Candidates for the high honour were numerous. Before the end of November Horace Greeley, having suffered defeat for Congress in the Fourth District, served notice of his desire.[\[351\]](#) George William Curtis had a like ambition. Lyman Tremain, too, was willing. Charles J. Folger, the strong man of the State Senate, belonged in the same class, and Ransom Balcom of Binghamton, who had achieved an enviable reputation as a Supreme Court judge, also had his friends. But the three men seriously talked of were Ira Harris, Noah Davis, and Roscoe Conkling.

Harris had been something of a disappointment. He had performed the duties of judge and legislator with marked ability, but in Washington, instead of exercising an adequate influence on the floor of the Senate, he contented himself with voting, performing committee work, and attending to the personal wants of soldiers and other constituents. President Lincoln, referring to the Senator's persistency in pressing candidates for office, once said: "I never think of going to sleep now without first looking under my bed to see if Judge Harris is not there wanting something for somebody."

[\[352\]](#)

Davis had been on the Supreme bench since 1857, and although he had had little opportunity to develop statesmanship, his enthusiastic devotion to the Union had discovered resources of argument and a fearless independence which were destined to win him great fame in the trial of William M. Tweed. People liked his nerve, believed in his honesty, confided in his judgment, and revelled in the retorts that leaped to his lips. There was no question, either, how he would stand if called to vote upon the impeachment of the President, a proceeding already outlined and practically determined upon by the majority in Congress. This could not be said with confidence of Ira Harris. Although his radicalism had stiffened as the time for a re-election approached, he had not always been terribly in earnest. It was not his nature to jump to the support of a measure that happened to please the fancy of the moment. Yet his votes followed those of Senator Fessenden, and his voice, if not strong in debate, expressed the wisdom and judgment of a safe counsellor.

In the House of Representatives Conkling had displayed real ability. Time had vindicated his reasons for demanding a bankrupt law, and his voice, raised for economy in the public expense, had made him of special service during the war. He voted to reduce the mileage of congressmen, he opposed the creation of wide-open commissions, and he aided in uncovering frauds in the recruiting service. In the darkest hour of rebellion he approved Vallandigham's arrest and refused to join a movement to displace Lincoln for another candidate. On his return to Congress, after his defeat in 1862, he had passed to the Committee on Ways and Means, and to the Joint Committee on Reconstruction. Of the Radicals no one surpassed him in diligence and energy. He voted to confiscate the property of rebels, he stood with Stevens for disfranchising all persons who voluntarily adhered to the late insurrection until July 4, 1870, and he would agree to no plan that operated to disfranchise the coloured population. Indeed, to the system of constructive legislation which represented the plan of reconstruction devised by Congress, he practically devoted his time.

Of the New York delegation Conkling was admittedly the ablest speaker, although in a House which numbered among its members James A. Garfield, Thaddeus Stevens, and James G. Blaine, he was not an admitted star of the first magnitude. Blaine's serious oratorical castigation, administered after a display of offensive manners, had disarmed him except in resentment.^[353] The *Times* spoke of him as of "secondary rank,"^[354] and the *Tribune*, the great organ of the party, had declined to put upon him the seal of its approval. Besides, his vanity and arrogance, although not yet a fruitful subject of the comic literature of the day, disparaged almost as much as his brilliant rhetoric exalted him. Careful observers, however, had not failed to measure Conkling's ability. From Paris, William Cullen Bryant wrote his friends to make every effort to nominate him, and Parke Godwin extended the same quality of support.^[355] His recent campaign, too, had made men proud of him. Although disaffected Republicans sought to drive him from public life, and the *Tribune* had withheld its encouragement, he gained a great triumph.

But men talked geography. Seward and Preston King had represented western New York, and since Morgan had succeeded King, a western man, it was argued, should succeed Harris. This strengthened Noah Davis. Never

in the history of the State, declared his friends, had a United States senator been taken from territory west of Cayuga Bridge, a section having over one million people, and giving in the recent election 27,000 Republican majority. On this and the strength of their candidate the western counties relied, with the further hope of inheriting Harris' strength whenever it left him. On the other hand, Harris sought support as the second choice of the Davis men. Greeley never really got into the race. Organisation would probably not have availed him, but after serving notice upon his friends that their ardent and button-holing support would not be sanctioned by him, the impression obtained that Greeley was as ridiculous as his letter.^[356] When Lyman Tremain withdrew from the contest he threw his influence to Conkling. This jolted Harris. Then Andrew D. White changed from Curtis to the Oneidan. Curtis understood the situation too well to become active. "The only chance," he wrote, "is a bitter deadlock between the three, or two, chiefs. The friends of Davis proposed to me to make a combination against Conkling, the terms being the election of whichever was stronger now,—Davis or me,—and the pledges of the successful man to support the other two years hence. I declined absolutely."^[357] As Harris weakened, Reuben E. Fenton, hopeful of becoming Edwin D. Morgan's successor in 1869, restrained any rush to Davis.

The potential influence of Ellis H. Roberts, editor of the *Utica Herald*, a paper of large circulation in northern and central New York, proved of great assistance to Conkling. Roberts was of Welsh origin, a scholar in politics, strong with the pen, and conspicuously prominent in the discussion of economic issues. When in Congress (1871-75) he served upon the Ways and Means Committee. In 1867 his friends sent him to the Assembly especially to promote the election of Utica's favourite son, and in his sincere, earnest efforts he very nearly consolidated the Republican press of the State in Conkling's behalf. During the week's fierce contest at Albany he marshalled his forces with rare skill, not forgetting that vigilance brings victory.^[358]

Thus the strife, without bitterness because free from factional strife, remained for several days at white-heat. "On reaching here Tuesday night," Conkling wrote his wife, "the crowd took and held possession of me till about three o'clock the next morning. Hundreds came and went, and until Thursday night this continued from early morning to early morning again.

The contest is a very curious and complex one. Great sums of money are among the influences here. I have resolutely put down my foot that no friend of mine, even without my knowledge, shall pay a cent, upon any pretext nor in any strait, come what will. If chosen, it will be by the men of character, and if beaten this will be my consolation. The gamblers say that I can have \$200,000 here from New York in a moment if I choose, and that the members are fools to elect me without it."[\[359\]](#) As evidence of the want of faith in legislative virtue, the *Times* gave the answer of a veteran lobbyist, who was asked respecting the chances of Freeman Clarke. "Who's Clark?" he inquired. "Formerly the comptroller of the currency," was the reply. "Oh, yes," said the lobbyist; "and if he controlled the currency now, he would have a sure thing of it."[\[360\]](#)

Conkling's winning card was his forensic ability. In the United State Senate, since the days of Seward, New York had been weak in debating power, and the party's desire to be represented by one who could place the Empire State in the front rank of influence appealed strongly to many of the legislators. Andrew D. White, therefore, raised a whirlwind of applause at the caucus when he declared, in seconding Conkling's nomination, that what the Empire State wanted was not judicial talent "but a voice."[\[361\]](#)

Nevertheless, so evenly did the members divide that it took five ballots to make a nomination. Conkling led on the first ballot and Davis on the second. On the third, Conkling stood one ahead, and three on the fourth, with Harris clinging to six votes. The disposition of these six would make a senator, and by gaining them Conkling became the nominee on the fifth ballot.[\[362\]](#) Had they gone to Noah Davis, Fenton's way to the Senate in 1869 must have been blocked. But the Governor was watchful. At the critical moment on the last ballot, one vote which had been twice thrown for Davis went back to Folger. The Chautauquan did not propose to take any chances.

CHAPTER XIII

THE RISE OF TWEEDISM

1867

THE election of Roscoe Conkling to the United States Senate made him the most prominent, if not the most influential politician in New York. "No new senator," said a Washington paper, "has ever made in so short a time such rapid strides to a commanding position in that body."^[363]

Conkling was not yet established, however. His friends who wished to make him chairman of the Republican State convention which assembled at Syracuse on September 24, 1867, discovered that he was not beloved by the Radical leaders. He had a habit of speaking his own mind, and instead of confining his thoughts to the committee room, or whispering them in the ears of a few alleged leaders, it was his custom to take the public into his confidence. Horace Greeley, jealous of his prerogative, disapproved such independence, and Governor Fenton, the *Tribune's* protégé, had apprehensions for his own leadership. Besides, it was becoming more apparent each day that the men who did not like Greeley and preferred other leadership to Fenton's, thought well of Conkling. He was not a wild partisan. Although a stiff Radical he had no reason to feel bitter toward men who happened to differ with him on governmental policies. His life did not run back into the quarrels between Greeley and Thurlow Weed, and he had no disposition to be tangled up with them; but when he discovered that Greeley had little use for him, he easily formed friendships among men who had little use for Greeley. It was noticeable that Conkling did not criticise Raymond's erratic run after Andrew Johnson. He heard Shellabarger's stinging reply, he listened to the editor's hopeless appeal for support, and he voted against the resolution of confidence in the President, but he added nothing to Raymond's humiliation. Perhaps this accounted for the latter's appreciation of the young Senator. At all events, the *Times* complimented while the *Tribune* remained silent. It was evident the great Republican organ did not intend advertising the ability of the strenuous, self-asserting Senator, who was rapidly becoming a leader.

The existence of this jealousy quickly betrayed itself to Conkling's admirers at the State convention. On the surface men were calm and responsive. But in forming the committee on permanent organisation Fenton's supporters, who easily controlled the convention, secretly arranged to make Lyman Tremaine chairman. When this plan came to the ears of the Conkling men, one of them, with the shrewdness of a genuine politician, surprised the schemers by moving to instruct the committee to report the Senator for permanent president. This made it necessary to accept or squarely to reject him, and wishing to avoid open opposition, the Governor's managers allowed the convention to acquiesce in the motion amid the vociferous cheers of the Senator's friends.

Conkling's speech on this occasion was one of interest. He outlined a policy for which, he contended, his party in the Empire State ought to stand. This was a new departure in New York. Heretofore, its chosen representatives, keeping silent until a way had been mapped out in Washington or elsewhere, preferred to follow. Conkling preferred to lead. There was probably not a Republican in the State capable of forming an opinion who did not know that from the moment Conkling became a senator the division of the party into two stout factions was merely a question of time. That time had not yet come, but even then it was evident to the eye of a close observer that the action of the Radicals, led by Fenton, turned in a measure upon their distrust of Conkling and his supporters.

This was manifest in the cool treatment accorded the New York City delegates who represented the bolting Republicans of the year before. Conkling's friends, disposed to be liberal, argued that the vote of a "returning sinner" counted as much on election day as that of a saint. On the other hand, the Fenton forces, while willing to benefit by the suffrage of Conservatives, were disinclined to admit to the convention men tainted with the sin of party treason, who would naturally strengthen their adversaries. In the end, after a fierce struggle which absorbed an entire session, the Conservatives were left out.

Opposition to the State officials who had shown a disposition to favour the Senator was less open but no less effective. The exposure of canal frauds in the preceding winter, showing that for a period of six years trifling causes had been deemed sufficient to displace low bids for high ones, thus greatly

enriching a canal ring at the expense of the State, involved only the Canal Commissioner. Indeed, every reason existed why Barlow and his soldier associates whose army records had strengthened their party in 1865 should receive the usual endorsement of a renomination; but to avoid what, it was claimed, might otherwise be regarded an invidious distinction, the Greeley Radicals cleverly secured a new ticket.^[364] "In their zeal to become honest," said Horatio Seymour, "the Republicans have pitched overboard all the officials who have not robbed the treasury."^[365]

The platform no longer revealed differences in the party. It affirmed impartial suffrage, protested against maladministration and corruption in State affairs, supported Congress in its policy of reconstruction, and rebuked all tampering with the financial obligations of the Union. Upon these plain, simple issues Conservatives and Radicals stood united. Those who, in 1865, thought the restoration of the Union on the President's plan would have been wise, conceded that under the changed conditions in 1867 it would be impracticable as well as unsafe and impolitic. Indeed, in his conduct of the *Times*, Raymond was again in accord with the Republicans, but he did not seek to renew his former relations with the party. Being complimented for "keeping in the background,"^[366] he replied that "when, a year ago, he declined a re-election to Congress, it was for the purpose of devoting himself wholly to the editorship of the *Times*, a position more to his taste than any other, and which carries with it as much of influence, honour, and substantial reward as any office in the gift of Presidents or political parties."^[367] Had he appreciated the truth of this wise statement in 1864 his sun might not have set in a cloud. "His parliamentary failure," says Blaine, "was a keen disappointment to him, and was not improbably one among many causes which cut short a brilliant and useful life."^[368]

The passing of Raymond and the advent of John T. Hoffman as a factor in the State illustrate the curious work often wrought by political changes. Raymond's efforts in behalf of reconciliation and peace happened to concur in point of time with the demands of Tammany for Hoffman and home-rule, and the latter proved the more potent.

Hoffman's appearance in State politics marked the beginning of a new era. The increased majority in New York City in 1866, so disproportionate to other years, and the naturalisation of immigrants at the rate of one thousand

a day, regardless of the period of their residence in the country,^[369] indicated that a new leader of the first magnitude had appeared, and that methods which differentiated all moral principles had been introduced. For ten years William Marcy Tweed had been sachem or grand sachem of Tammany and chairman of its general committee. In climbing the ladder of power he had had his ups and downs. He endured several defeats, notably for assistant alderman, for re-election to Congress after a service of one term, and for sheriff of New York County. But his popularity suffered no eclipse. Ever since he led the ropes as a volunteer fireman, carrying a silver-mounted trumpet, a white fire coat, and a stiff hat, the young men of his class had made a hero of the tall, graceful, athletic chief. His smiles were winning and his manners magnetic. From leading a fire company he quickly led the politics of his district and then of his ward, utilising his popularity by becoming in 1859 a member of the Board of Supervisors, and in 1863 deputy street commissioner. As supervisor he influenced expenditures and the making of contracts, while the street deputyship gave him control of thousands of labourers and sent aldermen after him for jobs for their ward supporters. Thus intrenched he dropped chair-making, a business inherited from his father, put up the sign of lawyer, and became known to friends and foes as Boss Tweed, a title to which he did not object.

Like Hoffman, Tweed had a most agreeable personality. Always scrupulously neat in his dress and suave in manner, he possessed the outward characteristics of a gentleman, being neither boastful nor noisy, and never addicted to the drink or tobacco habit. To his friends the warmth of his greeting and the heartiness of his hand-shake evidenced the active sympathies expressed in numberless deeds of kindness and charity. Yet he could be despotic. If he desired a motion carried in his favour he neglected to call for negative votes, warning opponents with significant glances of the danger of incurring his displeasure. Once, when his ruling as chairman of a Tammany nominating convention raised a storm of protests, he blocked the plans of his adversaries by adjourning the meeting and turning off the gas.

Although Tweed, perhaps, was often at fault in his estimate of men who frequently deceived him, he selected his immediate lieutenants with intelligent care. In 1857 he had George G. Barnard elected recorder and Peter B. Sweeny district attorney. About the same time Richard B. Connolly became county clerk. When Barnard's term expired in 1860 he advanced

him to the Supreme Court and took up Hoffman for recorder. Later Hoffman became mayor and Connolly city comptroller. After Hoffman's second promotion A. Oakey Hall was made mayor. In his way each of these men contributed strength to the political junta which was destined to grow in influence and power until it seemed invincible. Hall had been a versifier, a writer of tales in prose, a Know-nothing, a friend of Seward, and an anti-Tammany Democrat. As a clubman, ambitious for social distinction, he was known as "elegant Oakey." Although "without ballast," as Tweed admitted, he was indispensable as an interesting speaker of considerable force, who yielded readily to the demands of a boss. Connolly, suave and courtly, was at heart so mean and crafty that Tweed himself held him in the utmost contempt as a "Slippery Dick." But he was a good bookkeeper. Besides, however many leeches he harboured about him, his intimate knowledge of Tweed's doings kept him in power. Perhaps Barnard, more in the public eye than any other, had less legal learning than wit, yet in spite of his foppish dress he never lacked sufficient dignity to float the appearance of a learned judge. He was a handsome man, tall and well proportioned, with peculiarly brilliant eyes, a jet black moustache, light olive complexion, and a graceful carriage. Whenever in trouble Tweed could safely turn to him without disappointment. But the man upon whom the Boss most relied was Sweeny. He was a great manipulator of men, acquiring the cognomen of Peter Brains Sweeny in recognition of his admitted ability. He had little taste for public life. Nevertheless, hidden from sight, without conscience and without fear, his sly, patient intrigues surpassed those of his great master. The *Tribune* called him "the Mephistopheles of Tammany."[\[370\]](#)

The questionable doings of some of these men had already attracted the attention of the press. It was not then known that a thirty-five per cent. rake-off on all bills paid by the city was divided between Tweed and Connolly, or that Sweeny had stolen enough to pay \$60,000 for his confirmation as city chamberlain by the Board of Aldermen;[\[371\]](#) but the prompt subscription of \$175,000 by a few members of Tammany for the erection of a new hall on Fourteenth Street, the cornerstone of which was laid on July 4, 1867, showed that some folks were rapidly getting rich.[\[372\]](#) In the year after Hoffman's defeat for governor the aim of Tweed and his lieutenants was to carry city elections and control State conventions, with dreams of making

Hoffman governor and then President, and of electing Tweed to the United States Senate.

With this ambitious scheme in view the Tammany braves, reaching Albany on October 3, 1867, demanded that Hoffman be made president of the Democratic State convention. It was a bold claim for a defeated candidate. After Fenton's election in 1864 Seymour had deemed it proper to remain in the background, and for two years did not attend a State convention. He had now reappeared, and the up-State delegates, delighted at his return, insisted upon his election as president. Instantly this became the issue. The friends of the Governor pointed to his achievements and to his distinguished position as the great apostle of Democracy. On the other hand, Tammany, with its usual assurance, talked of its 50,000 majority given the Democratic ticket in 1866, declared that Seymour had had enough, and that Hoffman needed the endorsement to secure his re-election as mayor in the following December. Thus the contest raged. Tammany was imperious and the country delegates stubborn. One year before these men had allowed their better judgment to be coerced into a condemnation of John A. Dix because of his alleged ill treatment of Democrats; but now, standing like a stone wall for Seymour, they followed their convictions as to the best interests of the party. In the end Hoffman became temporary chairman and Seymour president. The generous applause that greeted Hoffman's appearance must have satisfied his most ardent friend until he witnessed the spontaneous and effusive welcome accorded Seymour. If it was noisy, it was also hearty. It had the ring of real joy, mingled with an admiration that is bestowed only upon a leader who captivates the imagination by recalling glorious victory and exciting high hopes of future success.[373]

The selection of candidates provoked no real contests,[374] but the platform presented serious difficulties. The Democratic party throughout the country found it hard to digest the war debt. Men who believed it had been multiplied by extravagance and corruption in the prosecution of an unholy war, thought it should be repudiated outright, while many others, especially in the Western States, would pay it in the debased currency of the realm. To people whose circulating medium before the war was mainly the bills of wild-cat banks, greenbacks seemed like actual money and the best money they had ever known. It was attractive and everywhere of uniform value. Moreover, as the Government was behind it the necessity for gold and silver

no longer appealed to them. The popular policy, therefore, made the 5-20 bonds payable in greenbacks instead of coin. Of the whole interest-bearing debt of \$2,200,000,000, there were outstanding about \$1,600,000,000 of 5-20's, or securities convertible into them, and of these \$500,000,000 became redeemable in 1867. Their redemption in gold, worth from 132 to 150, it was argued, would not only be a discrimination in favour of the rich, but a foolish act of generosity, since the law authorising the bonds stipulated that the interest should be paid in "coin" and the principal in "dollars." As greenbacks were lawful money they were also "dollars" within the meaning of the legal tender act, and although an inflation of the currency, made necessary by the redemption of bonds, might increase the price of gold and thus amount to practical repudiation, it would in nowise modify the law making the bonds payable in paper "dollars." This was known as the "Ohio idea." It was a popular scheme with debtors, real estate owners, shopkeepers, and business men generally, who welcomed inflation as an antidote for the Secretary of the Treasury's contraction of the currency. Democratic politicians accepted this policy the more readily, too, because of the attractive cry—"the same currency for the bondholder and the ploughboy."

There was much of this sentiment in New York. Extreme Democrats, taught that the debt was corruptly incurred, resented the suggestion of its payment in gold. "Bloated bondholders" became a famous expression with them, to whom it seemed likely that the \$700,000,000 of United States notes, if inflated to an amount sufficient to pay the bonds, would ultimately force absolute repudiation. These views found ready acceptance among delegates to the State convention, and to put himself straight upon the record, John T. Hoffman, in his speech as temporary chairman, boldly declared "the honour of the country pledged to the payment of every dollar of the national debt, honestly and fully, in the spirit as well as in the letter of the bond."[\[375\]](#)

Seymour, with his usual dexterity, declined to commit himself or his party to any decided policy. Although he would "keep the public faith," and "not add repudiation to the list of crimes which destroy confidence in republican governments," his arguments shed no light on the meaning of those words. He declared that "waste and corruption had piled up the national debt," and that it was "criminal folly to exempt bonds from taxation." Then, entering into a general discussion of finance, he arraigned the war party for its

extravagance, infidelity, and plundering policy. "Those who hold the power," he said, "have not only hewed up to the line of repudiation, but they have not tried to give value to the public credit. It is not the bondholder, it is the office holder who sucks the blood of the people. If the money collected by the government was paid to lessen our debt we could command the specie of the world. We could gain it in exchange for our securities as the governments of Europe do. Now, they are peddled out at half price in exchange for dry-goods and groceries. The reports of the Secretary of the Treasury show that we could swiftly wipe out our debt if our income was not diverted to partisan purposes. Do not the columns of the press teem with statements of official plunder and frauds in every quarter of our land, while public virtue rots under this wasteful expenditure of the public fund? It is said it is repudiation to force our legal tenders upon the bondholders. What makes it so? The low credit of the country. Build that up; make your paper as good as gold, and this question cannot come up. The controversy grows out of the fact that men do not believe our legal tenders ever will be as good as gold. If it is repudiation to pay such money, it is repudiation to make it, and it is repudiation to keep it debased by waste and by partisan plans to keep our country in disorder and danger."[\[376\]](#)

Perhaps no American ever possessed a more irritating way of presenting the frailties of an opposite party. The unwholesome sentiment of his Tweddle Hall and draft-riot speeches, so shockingly out of key with the music of the Union, provoked the charge of sinning against clear light; but ordinarily he had such a faculty for skilfully blending truth with hyperbole in a daring and spirited argument that Greeley, who could usually expose the errors of an opponent's argument in a dozen sentences, found it woven too closely for hasty answer. On this occasion his speech compelled the committee on resolutions, after an all day and night session, to refer the matter to Samuel J. Tilden and two associates, who finally evaded the whole issue by declaring for "equal taxation." This meant taxation of government bonds without specification as to their payment. John McKeon of New York City attacked the words as "equivocal" and "without moral effect," but the influence of Seymour and Tilden carried it with practical unanimity.

The power of Seymour, however, best exhibited itself in the treatment accorded Andrew Johnson. The conventions of 1865 and 1866 had sustained the President with energy and earnestness, endorsing his policy,

commending his integrity, and encouraging him to believe in the sincerity of their support. In recognition Johnson had displaced Republicans for Democrats until the men in office resembled the appointees of Buchanan's administration. The proceedings of the convention of 1867, however, contained no evidence that the United States had a Chief Executive. Nothing could have been more remorseless. The plan, silently matured, was suddenly and without scruple flashed upon the country that Andrew Johnson, divested of respect, stripped of support, and plucked of offices, had been coolly dropped by the Democracy of the Empire State.

The campaign opened badly for the Republicans. Weighted with canal frauds the party, with all its courage and genius, seemed unequal to the odds against which it was forced to contend. The odious disclosures showed that the most trifling technicalities, often only a misspelled or an interlined word, and in one instance, at least, simply an ink blot, had been held sufficient to vacate the lowest bids, the contracts afterward being assigned to other bidders at largely increased amounts. So insignificant were these informalities that in many cases the official who declared the bids irregular could not tell upon the witness stand wherein they were so, although he admitted that in no instance did the State benefit by the change. Indeed, without cunning or reason, the plunderers, embracing all who made or paid canal accounts, declared bids informal that contracts at increased prices might be given to members of a ring who divided their ill-gotten gains. These increases ranged from \$1,000 to \$100,000 each, aggregating a loss to the State of many hundreds of thousands of dollars. "The corruption is so enormous," said the *World*, "as to render absurd any attempt at concealment."[\[377\]](#)

Republicans offered no defence except that their party, having had the courage to investigate and expose the frauds and the methods of the speculators, could be trusted to continue the reform. To this the *World* replied that "a convention of shoddyites might, with as good a face, have lamented the rags hanging about the limbs of our shivering soldiers, or a convention of whisky thieves affect to deplore the falling off of the internal revenue."[\[378\]](#) Moreover, Democrats claimed that the worst offender was still in office as an appointee of Governor Fenton,[\[379\]](#) and that the Republican nominee for canal commissioner had been guilty of similar transactions when superintendent of one of the waterways.[\[380\]](#) These charges became the

more glaring because Republicans refused to renominate senators who had been chiefly instrumental in exposing the frauds. "They take great credit to themselves for having found out this corruption in the management of the canals," said Seymour. "But how did they exhibit their hatred of corruption? Were the men who made these exposures renominated? Not by the Republicans. One of them is running upon our ticket."^[381] On another occasion he declared that "not one of the public officers who are charged and convicted by their own friends of fraud and robbery have ever been brought to the bar of justice."^[382] The severity of such statements lost none of its sting by the declaration of Horace Greeley, made over his own signature, that Republican candidates were "conspicuous for integrity and for resistance to official corruption."^[383]

The practical failure of the constitutional convention to accomplish the purpose for which it assembled also embarrassed Republicans. By the terms of the Constitution of 1846 the Legislature was required, in each twentieth year thereafter, to submit to the people the question of convening a convention for its revision, and in 1866, an affirmative answer being given, such a convention began its work at Albany on June 4, 1867. Of the one hundred and sixty delegates, ninety-seven were Republicans. Its membership included many men of the highest capacity, whose debates, characterised by good temper and forensic ability, showed an intelligent knowledge of the needs of the State. Their work included the payment of the canal and other State debts, extended the term of senators from two to four years, increased the members of the Assembly, conferred the right of suffrage without distinction of colour, reorganised the Court of Appeals with a chief justice and six associate justices, and increased the tenure of supreme and appellate judges to fourteen years, with an age limit of seventy.

Very early in the life of the convention, however, the press, largely influenced by the New York *Tribune*, began to discredit its work. Horace Greeley, who was a member, talked often and always well, but the more he talked the more he revealed his incapacity for safe leadership. He seemed to grow restive as he did in Congress over immaterial matters. Long speeches annoyed him, and adjournments from Friday to the following Tuesday sorely vexed him, although this arrangement convenienceed men of large business interests. Besides, committees not being ready to report, there was

little to occupy the time of delegates. Nevertheless, Greeley, accustomed to work without limit as to hours or thought of rest, insisted that the convention ought to keep busy six days in the week and finish the revision for which it assembled. When his power to influence colleagues had entirely disappeared, he began using the *Tribune*, whose acrid arguments, accepted by the lesser newspapers, completely undermined all achievement. Finally, on September 24, the convention recessed until November 12.

Democrats charged at once that the adjournment was a skulking subterfuge not only to avoid an open confession of failure, but to evade submitting negro suffrage to a vote in November. The truth of the assertion seemed manifest. At all events, it proved a most serious handicap to Republicans, who, by an act of Congress, passed on March 2, 1867, had forced negro suffrage upon the Southern States. Their platform, adopted at Syracuse, also affirmed it. Moreover, their absolute control of the constitutional convention enabled them, if they had so desired, to finish and submit their work in the early autumn. This action subjected their convention resolve for "impartial suffrage" to ridicule as well as to the charge of cowardice. If you shrink from giving the ballot to a few thousand negroes at home, it was asked, why do you insist that it should be conferred on millions in the South? If, as you pretend, you wish the blacks of this State to have the ballot, why do you not give it to them? How can you blame the South for hesitating when you hesitate? "It is manifest," said the *World*, "that the Republicans do not desire the negroes of this State to vote. Their refusal to present the question in this election is a confession that the party is forcing on the South a measure too odious to be tolerated at home."^[384]

This charge, perhaps, was the most disturbing influence Republicans had to meet in the campaign. Responsibility for canal frauds made them wince, since it appealed strongly and naturally to whatever there was of discontent among the people, but their apparent readiness to force upon the South what they withheld in New York seemed so unreasonable and unjust that it aided materially in swelling the strength of the Democrats.

James T. Brady, Henry C. Murphy, John T. Hoffman, and Samuel J. Tilden made the campaign attractive, speaking with unsparing severity to the great audiences gathered in New York City. Although somewhat capricious in his sympathies, Brady seemed never to care who knew what he thought on any

subject, while the people, captivated by his marvellously easy mode of speech, listened with rapture as he exercised his splendid powers. It remained for Seymour, however, to give character to the discussion in one of his most forcible philippics. He endeavoured to show that the ballot, given to a few negroes in New York, could do little harm compared to the enfranchisement of millions of them in the Southern States. The Radicals, he said, not only propose to put the white men of the South under the blacks, but the white men of the North as well. To allow three millions of negroes, representing ten Southern States, to send twenty senators to Washington, while more than half the white population of the country, living in nine Northern States, have but eighteen senators, is a home question. "Will you sanction it?" he asked. "Twenty senators, recollect, who are to act in relation to interests deeply affecting you. Can you afford to erect such a government of blacks over the white men of this continent? Will you give them control in the United States Senate and thus in fact disfranchise the North? This to you is a local question. It will search you out just as surely as the tax-gatherer searches you out." [385]

Republicans acknowledged their weakness. An opposition that invited attention to disclosures as sensational and corrupt as they were indefensible had deeper roots than ordinary political rivalry, while the question of manhood suffrage, like a legacy of reciprocal hate, aroused the smouldering prejudices that had found bitter expression during the discussion of emancipation. Moreover, the feeling developed that the narrow and unpatriotic policy which ruled the Syracuse convention had displaced good men for unsatisfactory candidates. This led to the substitution of Thomas H. Hillhouse for comptroller, whose incorruptibility made him a candidate of unusual strength. But the sacrifice did not change the political situation, aggravated among other things by hard times. The wave of commercial depression which spread over Europe after the London financial panic of May, 1866, extended to this country during the last half of 1867. A reaction from the inflated war prices took place, quick sales and large profits ceased, and a return to the old methods of frugality and good management became necessary. In less than two years the currency had been contracted \$140,000,000, decreasing the price of property and enhancing the face value of debts, and although Congress, in the preceding February, had

suspended further contraction, business men charged financial conditions to contraction and the people held the party in power responsible.

Indeed, the people had become tired of Republican rule, and their verdict changed a plurality of 13,000, given Fenton in 1866, to a Democratic majority of nearly 48,000, with twenty-two majority on joint ballot in the Legislature. New York City gave the Democrats 60,000 majority. Thousands of immigrants had been illegally naturalised, and a fraudulent registration of 1,500 in one ward indicated the extent of the enormous frauds that had been practised by Boss Tweed and his gang;^[386] but the presence of large Democratic gains in the up-State counties showed that Republican defeat was due to other causes than fraudulent registration and illegal voting. "Outside the incapables and their miserable subalterns who managed the Syracuse convention," said one Republican paper, "a pervading sentiment existed among us, not only that we should be beaten, but that we needed chastisement."^[387] Another placed the responsibility upon "a host of political adventurers, attracted to the party by selfish aggrandisements."^[388] The *Tribune* accepted it as a punishment for cowardice on the negro suffrage question. "To say that we are for manhood suffrage in the South and not in the North is to earn the loathing, contempt, and derision alike of friends and foes."^[389] Thus had Republican power disappeared like Aladdin's palace, which was ablaze with splendour at night, and could not be seen in the morning.

CHAPTER XIV

SEYMOUR AND HOFFMAN

1868

THE fall elections of 1867 made a profound impression in the Empire State. Pennsylvania gave a small Democratic majority, Ohio defeated a negro suffrage amendment by 50,000, besides electing a Democratic legislature, and New York, leading the Democratic column, surprised the nation with a majority of nearly 48,000. In every county the Republican vote had fallen off. It was plain that reconstruction and negro suffrage had seriously disgruntled the country. The policy of the Republicans, therefore, which had hitherto been one of delay in admitting Southern States to representation in Congress, now changed to one of haste to get them in, the party believing that with negro enfranchisement and white disfranchisement it could control the South. This sudden change had alarmed conservatives of all parties, and the Democratic strength shown at the preceding election encouraged the belief that the radical work of Congress might be overthrown. "The danger now is," wrote John Sherman, "that the mistakes of the Republicans may drift the Democratic party into power."[\[390\]](#)

The action of Congress after the removal of Edwin M. Stanton, then secretary of war, did not weaken this prediction. The Senate had already refused its assent to the Secretary's suspension, and when the President, exercising what he believed to be his constitutional power, appointed Adjutant-General Thomas in his place, it brought the contest to a crisis. Stanton, barricaded in the War Office, refused to leave, while Thomas, bolder in talk than in deeds, threatened to kick him out.[\[391\]](#) In support of Stanton a company of one hundred men, mustered by John A. Logan, a member of Congress, occupied the basement of the War Department. Not since the assassination of Lincoln had the country been in such a state of excitement. Meanwhile former propositions of impeachment were revived, and although without evidence of guilty intent, the House, on February 14, resolved that Andrew Johnson be impeached of high crimes and misdemeanours. This trial, which continued for nearly three months, kept the country flushed with passion.

New York Democrats greatly enjoyed the situation. To them it meant a division of the Republican party vastly more damaging than the one in 1866. Opposition to Grant's candidacy also threatened to widen the breach. The Conservatives, led by Thurlow Weed, wishing to break the intolerant control of the Radicals by securing a candidate free from factional bias, had pronounced for the Soldier's nomination for President as early as July, 1867, [392] and although the current of Republican journalism as well as the drift of party sentiment tended to encourage the movement, the Radicals opposed it. Grant's report on the condition of the South in 1865, and his attendance upon the President in 1866 during the famous swing-around-the-circle, had provoked much criticism. Besides, his acceptance of the War Office after Stanton's suspension indicated marked confidence in the Chief Executive. Indeed, so displeasing had been his record since the close of the war that the *Tribune* ridiculed his pretensions, predicting that if any man of his type of politics was elected it would be by the Democrats.[393] Even after the loss of the elections the *Tribune* continued its opposition. "We object to the Grant movement," it said. "It is of the ostrich's simple strategy that deceives only himself. There are times in which personal preference and personal popularity go far; but they are not these times. Does any one imagine that General Grant, supported by the Republicans, would carry Maryland or Kentucky, under her present Constitution, against Seymour or Pendleton?" [394] Many agreed with Greeley. Indeed, a majority of the Radicals, deeming Grant unsound on reconstruction and the negro, preferred Chief Justice Chase.

Very unexpectedly, however, conditions changed. Stanton's suspension in August, 1867, led to Grant's appointment as secretary of war, but when the Senate, early in the following January, refused to concur in Johnson's action, Grant locked the door of the War Office and resumed his post at army headquarters. The President expressed surprise that he did not hold the office until the question of Stanton's constitutional right to resume it could be judicially determined. This criticism, delivered in Johnson's positive style, provoked a long and heated controversy, involving the veracity of each and leaving them enemies for life. The quarrel delighted the Radicals. It put Grant into sympathy with Congress, and Republicans into sympathy with Grant. Until then it was not clear to what party he belonged. Before the war he acted with the Democrats, and very recently the successors of the

old Albany Regency had been quietly preparing for his nomination.^[395] Now, however, he was in cordial relation with Republicans, whose convention, held at Syracuse on February 5, 1868, to select delegates to the National convention, indorsed his candidacy by acclamation. The Conservatives welcomed this action as their victory. Moreover, it was the first formal expression of a State convention. Republicans of other Commonwealths had indicated their readiness to accept Grant as a candidate, but New York, endorsing him before the termination of his controversy with the President, anticipated their action and set the party aflame. Indeed, it looked to Republicans as if this nomination assured success at a moment when their chances had seemed hopeless.

In like manner the convention recommended Reuben E. Fenton for Vice-President. Fenton had made an acceptable governor. Under his administration projects for lengthening the locks on the Erie Canal and other plans for extending the facilities of transportation were presented. Another memorable work was the establishment of Cornell University, which has aptly been called "the youngest, the largest, and the richest" of the nearly thirty colleges in the State. Even the *Times*, the great organ of the Conservatives, admitted that the Governor's "executive control, in the main, has been a success."^[396] Opposition to his promotion, however, presented well-defined lines. To Thurlow Weed he represented the mismanagement which defeated the party,^[397] and to Conkling he appealed only as one on whom to employ with effect, when occasion offered, his remarkable resources of sarcasm and rhetoric. The Governor understood this feeling, and to avoid its influence delegates were instructed to vote for him as a unit, while three hundred devoted friends went to Chicago. Daniel E. Sickles became chairman of the delegation.

The Republican convention convened at Chicago on May 20, and amidst throat-bursting cheers and salvos of artillery Ulysses S. Grant was nominated for President by acclamation. For Vice-President a dozen candidates were presented, including Henry Wilson of Massachusetts, Reuben E. Fenton of New York, Benjamin Wade of Ohio, and Schuyler Colfax of Indiana. Fenton's friends, finding the Northern States pre-empted by other candidates, turned to the South, hoping to benefit as Wade's strength receded. Here, however, it was manifest that Wilson would become the Buckeye's residuary legatee. Fenton also suffered from the over-zeal of

friends. In seconding his nomination an Illinois delegate encountered John A. Logan, who coolly remarked that Fenton would get three votes and no more from his State. To recover prestige after this blow Daniel E. Sickles, in a brief speech, deftly included him with Morton of Indiana, Curtin of Pennsylvania, Andrew of Massachusetts, and other great war governors. In this company Fenton, who had served less than four months at the close of the war, seemed out of place, and Sickles resumed his seat undisturbed by any demonstration except by the faithful three hundred.[398] Fenton's vote, however, was more pronounced than the applause, although his strength outside of New York came largely from the South, showing that his popularity centred in a section whose representatives in National Republican conventions have too often succumbed to influences other than arguments.[399]

The echo of Fenton's defeat seriously disturbed the Syracuse State convention (July 8). The Conservatives of New York City, many of whom had now become the followers of Conkling, objected to the Fenton method of selecting delegates, and after a bitter discussion between Matthew Hale of Albany and Charles S. Spencer, the Governor's ardent friend, the convention limited the number of delegates from a city district to the Republican vote actually cast, and appointed a committee to investigate the quarrel, with instructions to report at the next State convention.

The selection of a candidate for governor also unsettled the Republican mind. Friends of Lyman Tremain, Charles H. Van Wyck, Frederick A. Conkling (a brother of the Senator), Stewart L. Woodford, and John A. Griswold had not neglected to put their favourites into the field at an early day, but to all appearances Horace Greeley was the popular man among the delegates. Although Conkling had snuffed out his senatorial ambition, he had been the directing power of the February convention, and was still the recognised guide-post of the party. Besides, the withdrawal of Tremain, Van Wyck, and Conkling practically narrowed the rivalry to Greeley and Griswold. Indeed, it seemed as if the ambition of the editor's life was at last to be satisfied. Weed was in Europe, Raymond still rested "outside the breastworks," and the Twenty-third Street organisation, as the Conservatives were called, sat on back seats without votes and without influence.

Greeley did not go to Syracuse. But his personal friends appeared in force, led by Reuben E. Fenton, who controlled the State convention. Greeley believed the Governor sincerely desired his nomination. Perhaps he was also deceived in the strength of John A. Griswold. The people, regarding Griswold's change from McClellan to Lincoln as a political emancipation, had doubled his majority for Congress in 1864 and again in 1866. The poor loved him, the workmen admired him, and business men backed him. Though but forty-six years old he had already made his existence memorable. In their emphasis orators expressed no fear that the fierce white light which beats upon an aspirant for high office would disclose in him poor judgment, or any weakness of character. To these optimistic speeches delegates evinced a responsiveness that cheered his friends.

But the real noise of the day did not commence until Chauncey M. Depew began his eulogy of the great editor. The applause then came in drifts of cheers as appreciative expressions fell from the lips of his champion. It was admitted that Depew's speech adorned the day's work.^[400] He referred to Greeley as "the embodiment of the principles of his party," "the one man towering above all others in intellect," who "has contributed more than any other man toward the enfranchisement of the slaves," and "with his pen and his tongue has done more for the advancement of the industrial classes." In conclusion, said the speaker, "he belongs to no county, to no locality; he belongs to the State and to the whole country, because of the superiority of his intellect and the purity of his patriotism."^[401] As the speaker finished, the applause, lasting "many minutes,"^[402] finally broke into several rounds of cheers, while friends of Griswold as well as those of Greeley, standing on chairs, swung hats and umbrellas after the fashion of a modern convention. Surely, Horace Greeley was the favourite.

The roll-call, however, gave Griswold 247, Greeley 95, Woodford 36. For the moment Greeley's friends seemed stunned. It was worse than a defeat—it was utter rout and confusion. He had been led into an ambush and slaughtered. The *Tribune*, in explaining the affair, said "it was evident in the morning that Griswold would get the nomination. His friends had been working so long and there were so many outstanding pledges." Besides, it continued, "when the fact developed that he had a majority, it added to his strength afterward."^[403] Why, then, it was asked, did Greeley's friends put him into a contest already settled? Did they wish to humiliate him? "Had

Greeley been here in person," said the *Times*, with apparent sympathy, "the result might have been different."^[404] The *Nation* thought otherwise. "In public," it said, "few members of conventions have the courage to deny his fitness for any office, such are the terrors inspired by his editorial cowskin; but the minute the voting by ballots begins, the cowardly fellows repudiate him under the veil of secrecy."^[405] The great disparity between the applause and the vote for the editor became the subject of much suppressed amusement. "The highly wrought eulogium pronounced by Depew was applauded to the echo," wrote a correspondent of the *Times*, "but the enthusiasm subsided wonderfully when it came to putting him at the head of the ticket."^[406] Depew himself appreciated the humour of the situation. "Everybody wondered," said the eulogist, speaking of it in later years, "how there could be so much smoke and so little fire."^[407] To those conversant with the situation, however, it was not a mystery. Among conservative men Greeley suffered discredit because of his ill-tempered criticisms, while his action in signing Jefferson Davis's bail-bond was not the least powerful of the many influences that combined to weaken his authority. It seemed to shatter confidence in his strength of mind. After that episode the sale of his *American Conflict* which had reached the rate of five hundred copies a day, fell off so rapidly that his publishers lost \$50,000.^[408]

The platform approved the nomination of Grant and Colfax, held inviolate the payment of the public debt in the spirit as well as the letter of the law, commended the administration of Fenton, and demanded absolute honesty in the management and improvement of the canals; but adopting "the simple tactics of the ostrich" it maintained the most profound silence in regard to suffrage of any kind—manhood, universal, impartial, or negro.^[409]

The day the Syracuse convention avoided Greeley, the National Democratic convention which had assembled in Tammany's new building on July 4, accepted a leader under whom victory was impossible. It was an historic gathering. The West sent able leaders to support its favourite greenback theory, the South's delegation of Confederate officers recalled the picturesque scenes at Philadelphia in 1866, and New England and the Middle States furnished a strong array of their well-known men. Samuel J. Tilden headed the New York delegation, Horatio Seymour became permanent president, and in one of the chairs set apart for vice presidents,

William M. Tweed, "fat, oily, and dripping with the public wealth,"^[410] represented the Empire State.

The chairmanship of the committee on resolutions fell to Henry C. Murphy of Brooklyn. Murphy was a brave fighter. In 1832, when barely in his twenties, he had denounced the policy of chartering banks in the interest of political favourites and monopolists, and the reform, soon after established, made him bold to attack other obnoxious fiscal systems. As mayor of Brooklyn he kept the city's expenditures within its income, and in the constitutional convention of 1846 he stood with Michael Hoffman in preserving the public credit and the public faith. To him who understood the spirit of the Legal Tender Act of 1862, it seemed rank dishonesty to pay bonds in a depreciated currency, and he said so in language that did not die in the committee room. But opposed to him were the extremists who controlled the convention. These Greenbackers demanded "that all obligations of the government, not payable by their express terms in coin, ought to be paid in lawful money," and through them the Ohio heresy became the ruling thought of the Democratic creed.

Although New York consented to the Pendleton platform, it determined not to sacrifice everything to the one question of finance by permitting the nomination of the Ohio statesman. There were other candidates. Andrew Johnson was deluded into the belief that he had a chance; Winfield S. Hancock, the hero of the famous Second Army Corps, who had put himself in training while department commander at New Orleans, believed in his star; Salmon P. Chase, chief justice of the United States Supreme Court, having failed to capture the nomination at Chicago, was willing to lead whenever and by whomsoever called; while Thomas A. Hendricks of Indiana, then a United States senator and supporter of the "Ohio idea," hoped to succeed if Pendleton failed. Of these candidates Seymour favoured Chase. If nominated, he said, the Chief Justice would disintegrate the Republican party, carry Congress, and by uniting conservative Republicans and Democrats secure a majority of the Senate. It was known that the sentiments of Chase harmonised with those of Eastern Democrats except as to negro suffrage, and although on this issue the Chief Justice declined to yield, Seymour did not regard it of sufficient importance to quarrel about. Indeed, it was said that Seymour had approved a platform, submitted to Chase by Democratic progressionists, which accepted negro suffrage.^[411]

Samuel J. Tilden, appreciating the importance of defeating Pendleton, at once directed all the resources of a cold, calculating nature to a solution of the difficult problem. To mask his real purpose he pressed the name of Sanford E. Church until the eighth ballot, when he adroitly dropped it for Hendricks. It was a bold move. The Hoosier was not less offensive than the Buckeye, but it served Tilden's purpose to dissemble, and, as he apprehended, Hendricks immediately took the votes of his own and other States from the Ohioan. This proved the end of Pendleton, whose vote thenceforth steadily declined. On the thirteenth ballot California cast half a vote for Chase, throwing the convention into wild applause. For the moment it looked as if the Chief Justice, still in intimate correspondence with influential delegates, might capture the nomination. Vallandigham, who preferred Chase to Hendricks, begged Tilden to cast New York's vote for him, but the man of sheer intellect was not yet ready to show his hand. Meanwhile Hancock divided with Hendricks the lost strength of Pendleton. Amidst applause from Tammany, Nebraska, on the seventeenth and eighteenth ballots, cast three votes for John T. Hoffman. This closed the fourth day of the convention, the eighteenth ballot registering 144½ votes for Hancock, 87 for Hendricks, 56½ for Pendleton, and 28 scattering.

On the morning of the fifth and last day, the New York delegation, before entering the convention, decided by a vote of 37 to 24 to support Chase provided Hendricks could not be nominated. Seymour favoured the Chief Justice in an elaborate speech, which he intended delivering on the floor of the convention, and for this purpose had arranged with a delegate from Missouri to occupy the chair. It was known, too, that Chase's strength had increased in other delegations. Eleven Ohio delegates favoured him as their second choice, while Maine, Massachusetts, Rhode Island, Georgia, and Wisconsin could be depended upon. Indeed, it was in the air that the Chief Justice would be nominated. When the convention opened, however, a letter several days old was read from Pendleton withdrawing from the contest. This quickly pushed Hendricks to 107. On the twenty-first ballot he rose to 132 and Hancock fell off to 135½, while four votes for Chase, given by Massachusetts, called out hisses[412] as well as applause, indicating that the ambitious Justice was not entirely *persona grata* to all of the Westerners. To the confused delegates, worn out with loss of sleep and the intense heat, the situation did not excite hopes of an early settlement. New York could not

name Chase since Pendleton's withdrawal had strengthened Hendricks, while the nomination of a conservative Union soldier like Hancock, so soon after the close of the war, would inevitably exasperate the more radical element of the party. Thus it looked as if the motion to adjourn to meet at St. Louis in September presented the only escape. Pending a roll-call, however, this motion was declared out of order, and the voting continued until the Ohio delegation, having returned from a conference, boldly proposed the name of Horatio Seymour. The delegates, hushed into silence by the dominating desire to verify rumours of an impending change, now gave vent to long, excited cheering. "The folks were frantic," said an eyewitness; "the delegates daft. All other enthusiasms were as babbling brooks to the eternal thunder of Niagara. The whole mass was given over to acclaims that cannot even be suggested in print."[\[413\]](#)

Seymour had positively declined a score of times. As early as November, 1867, after the Democratic victories of that month, he had addressed a letter to the *Union*, a Democratic paper of Oneida, stating that for personal reasons which he need not give, he was not and could not be a candidate. Other letters of similar purport had frequently appeared in the press. To an intimate friend he spoke of family griefs, domestic troubles, impaired health, and the impossibility of an election. Besides, if chosen, he said, he would be as powerless as Johnson, a situation that "would put him in his grave in less than a year."[\[414\]](#) In the whole convention there was not a man who could truthfully say that the Governor, by look, or gesture, or inflection of voice, had encouraged the hope of a change of mind. Within forty-eight hours every Democrat of influence had sounded him and gone away sorrowful. Now, when order was restored, he declined again. His expressions of gratitude seemed only to make the declaration stronger. "I do not stand here," he said, "as a man proud of his opinion or obstinate in his purposes, but upon a question of duty and of honour I must stand upon my own convictions against the world. When I said here, at an early day, that honour forbade my accepting a nomination, I meant it. When I said to my friends I could not be a candidate, I meant it. And now, after all that has taken place here, I could not receive the nomination without placing myself in a false position. Gentlemen, I thank you for your kindness, but your candidate I cannot be."[\[415\]](#)

Vallandigham replied that in times of great public exigency personal consideration should yield to the public good, and Francis Kernan, disclaiming any lot or part in Ohio's motion, declared that others than the New York delegation must overcome the sensitiveness of the chairman. Still, he said, Horatio Seymour ought to abide the action of the convention. These speeches over, the roll-call monotonously continued, each State voting as before until Wisconsin changed from Doolittle to Seymour. In an instant the chairman of each State delegation, jumping to his feet, changed its vote to the New Yorker. The pandemonium was greater than before, in the midst of which Seymour, apparently overwhelmed by the outcome, retired to a committee room, where Church, Joseph Warren of the *Buffalo Courier*, and other friends urged him to yield to the demands of the Democracy of the country. He was deeply affected. Tears filled his eyes, and he piteously sought the sympathy of friends.^[416] Soon after he left the building. Meanwhile Tilden rose to change the vote of the Empire State from Hendricks to Seymour. "It is fit on this occasion," he said, "that New York should wait for the voice of all her sister States. Last evening I did not believe this event possible. There was one obstacle—Horatio Seymour's earnest, sincere, deep-felt repugnance to accept this nomination. I did not believe any circumstance would make it possible except that Ohio, with whom we have been unfortunately dividing our votes, demanded it. I was anxious that whenever we should leave this convention there should be no heart-burnings, no jealousy, no bitter disappointment; and I believe that in this result we have lifted the convention far above every such consideration. And I believe further that we have made the nomination most calculated to give us success."^[417]

This did not then seem to be the opinion of many men outside the convention. The nomination did not arouse even a simulated enthusiasm upon the streets of the metropolis.^[418] In Washington Democratic congressmen declared that but one weaker candidate was before the convention,^[419] while dispatches from Philadelphia and Boston represented "prominent Democrats disgusted at Seymour and the artifices of his friends."^[420] Even Tammany, said the *Times*, "quailed at the prospect of entering upon a canvass with a leader covered with personal dishonour, as Seymour had said himself he would be, if he should accept. Men everywhere admit that such a nomination, conferred under such

circumstances, was not only pregnant with disaster, but if accepted stained the recipient with personal infamy."^[421]

Not since the Democratic party began holding national conventions had the tactics practised at New York been equaled. The convention of 1844 must always be ranked as a masterpiece of manipulation, but its diplomacy was played to defeat Van Buren rather than nominate a candidate. In 1852 circumstances combined to prevent the nomination of the convention's first or second choice, and in the end, as a ball-player at the bat earns first base through the errors of a pitcher, Franklin Pierce benefited. But in 1868 nothing was gained by errors. Although there was a chief candidate to defeat, it was not done with a bludgeon as in 1844. Nor were delegates allowed to stampede to a "dark horse" as in 1852. On the contrary, while the leading candidate suffered slow strangulation, the most conspicuous man in the party was pushed to the front with a sagacity and firmness that made men obey the dictates of a superior intelligence, and to people who studied the ballots it plainly appeared that Samuel J. Tilden had played the game.

Tilden had not sought prominence in the convention. He seldom spoke, rarely figured in the meeting of delegates, and except to cast the vote of the New York delegation did nothing to attract attention. But the foresight exhibited in changing from Church to Hendricks on the eighth ballot discovered a mind singularly skilled in controlling the actions of men. The play appeared the more remarkable after the revelation of its influence. New York did not want Hendricks. Besides, up to that time, the Hoosier had received less than forty votes, his own State refusing to unite in his support. Moreover, since adjoining States save Michigan warmly advocated Pendleton, all sources of growth seemed closed to him. Yet Tilden's guiding hand, with infallible sagacity, placed New York's thirty-three votes on Indiana and absolutely refused to move them. To dispose of Hendricks, Vallandigham and other Ohio delegates offered to support Chase, and if the chairman of the New York delegation had led the way, a formidable coalition must have carried the convention for the Chief Justice. But the man whose subtle, mysterious influence was already beginning to be recognised as a controlling factor in the party desired Seymour, and to force his nomination he met at Delmonico's, on the evening of the fourth day, Allen G. Thurman, George E. Pugh, Washington McLean, George W. McCook, and George W. Morgan, Ohio's most influential delegates, and

there arranged the *coup d'état* that succeeded so admirably. This scheme remained a profound secret until the Ohio delegation retired for consultation after the twenty-first ballot, so that when Seymour was addressing the New York delegation in behalf of Chase, Tilden knew of the pending master-stroke. "The artful Tilden," said Alexander Long, a well-known politician of the day, "is a candidate for the United States Senate, and he thinks that with Seymour the Democrats can carry both branches of the New York Legislature."[\[422\]](#)

Tilden disclaimed all instrumentality in bringing about the nomination. "I had no agency," he wrote, "in getting Governor Seymour into his present scrape."[\[423\]](#) He likewise professed ignorance as to what the convention would do. "I did not believe the event possible," he said, "unless Ohio demanded it."[\[424\]](#) This admission, frankly conceding the necessity of Ohio's action which he had himself forced, shattered the sincerity of Tilden's disclaimer.

Seymour also had difficulty in preserving the appearance of sincerity. The press claimed that when he saw the nomination coming to him with the approval of Pendleton's supporters he quickly retired instead of further insisting upon his declination. This insinuation allied his dramatic performance with Tilden's tactics, and he hesitated to expose himself to such a compromising taunt. In this emergency Tilden endeavoured very adroitly to ease his mind. "My judgment is," he wrote a mutual friend, "that acceptance under present circumstances would not compromise his reputation for sincerity or be really misunderstood by the people; that the case is not analogous to the former instances which have made criticism possible; that the true nature of the sacrifice should be appreciated, while on the other hand the opposite course would be more likely to incite animadversion; that, on the whole, acceptance is the best thing. I think a decision is necessary, for it is not possible to go through a canvass with a candidate declining. I am sincerely willing to accept such action as will be most for the honour of our friend; at the same time my personal wish is acceptance. You may express for me so much on the subject as you find necessary and think proper."[\[425\]](#)

On August 4, when Seymour finally accepted, he neither apologised nor explained. "The nomination," he wrote, "was unsought and unexpected. I

have been caught up by the overwhelming tide which is bearing us on to a great political change, and I find myself unable to resist its pressure." [426] Those who recalled the Governor's alleged tortuous course at Chicago and again at Albany in 1864 did not credit him with the candour that excites admiration. "Such men did not believe in the sincerity of Seymour's repeated declinations," said Henry J. Raymond, "and therefore accepted the final result with the significant remark, 'I told you so.'" [427] Horace Greeley was more severe. "The means by which Horatio Seymour obtained his nomination," he wrote, "are characteristic of that political cunning which has marked his career. The whole affair was an adroit specimen of political hypocrisy, by which the actual favourite of the majority was not only sold, but was induced to nominate the trickster who had defeated him." [428]

After Seymour's nomination the first expression of the campaign occurred in Vermont. Although largely Republican the Democrats made an unusually animated contest, sending their best speakers and furnishing the needed funds. Nevertheless, the Republicans added 7,000 to their majority of the preceding year. This decisive victory, celebrated in Albany on September 2, had a depressing influence upon the Democratic State convention then in session, ending among other things the candidacy of Henry C. Murphy for governor. The up-State opponents of the Tweed ring, joined by the Kings County delegation, hoped to make a winning combination against John T. Hoffman, and for several days Murphy stood up against the attacks of Tammany, defying its threats and refusing to withdraw. But he wilted under the news from Vermont. If not beaten in convention, he argued, defeat is likely to come in the election, and so, amidst the noise of booming cannon and parading Republicans, he allowed Hoffman to be nominated by acclamation. [429]

In the selection of a lieutenant-governor Tammany did not fare so well. Boss Tweed, in return for Western support of Hoffman, had declared for Albert P. Laning of Buffalo, and until District Attorney Morris of Brooklyn seconded the nomination of another, Laning's friends had boasted a large majority. Morris said he had no objection to Laning personally. He simply opposed him as a conspirator who had combined with Tammany to carry out the programme of a grasping clique. He wished the country delegates who had unconsciously aided its wire-pulling schemes to understand that it sought only its own aggrandisement. It cared nothing for the Democratic

party except as it contributed to its selfish ends. This corrupt oligarchy, continued the orator, his face flushed and his eyes flashing with anger, intends through Hoffman to control the entire patronage of the State, and if Seymour is elected it will grasp that of the whole country. Suppose this offensive ring, with its unfinished courthouse and its thousand other schemes of robbery and plunder, controls the political power of the State and nation as it now dominates the metropolis, what honest Democrat can charge corruption to the opposite party? Did men from the interior of the State understand that Hoffman for governor means a ring magnate for United States senator? That is the game, and if it cannot be played by fair means, trickery and corruption will accomplish it. Kings County, which understands the methods of this clique, has not now and he hoped never would have anything in common with it, and he warned the country members not to extend its wicked sway.^[430]

Morris' speech anticipated the startling disclosures of 1871, and as the orator raised his voice to a pitch that could easily be heard throughout the hall, the up-State delegates became deeply interested in his words. He did not deal in glittering generalities. He was a prosecuting officer in a county adjoining Tammany, and when he referred to the courthouse robbery he touched the spot that reeked with corruption. The Ring winced, but remained speechless. Tweed and his associate plunderers, who had spent three millions on the courthouse and charged on their books an expenditure of eleven, had no desire to stir up discussion on such a topic and be pilloried by a cross-examination on the floor of the convention. A majority of the delegates, however, convinced that Tammany must not control the lieutenant-governor, nominated Allen C. Beach of Jefferson, giving him 77 votes to 47 for Laning.^[431]

In the light of this result Murphy's friends seriously regretted his hasty withdrawal from the contest. Morris intended arraigning Tammany in his speech, nominating the Brooklyn Senator for governor, and the latter's supporters believed that Hoffman, whom they recognised as the personal representative of the Tweed ring, must have gone down under the disclosures of the District Attorney quite as easily as did Laning. This hasty opinion, however, did not have the support of truth. Hoffman's campaign in 1866 strengthened him with the people of the up-counties. To them he had a value of his own. In his speeches he had denounced wrongs and rebuked

corruption, and his record as mayor displayed no disposition to enrich himself at the expense of his reputation. He was careful at least to observe surface proprieties. Besides, at this time, Tammany had not been convicted of crime. Vitriolic attacks upon the Tweed Ring were frequent, but they came from men whom it had hurt. Even Greeley's historic philippic, as famous for its style as for its deadly venom, came in revenge for Tweed's supposed part in defeating him for Congress in 1866.[\[432\]](#)

CHAPTER XV

THE STATE CARRIED BY FRAUD

1868

HORATIO SEYMOUR'S nomination for President worried his Republican opponents in New York. It was admitted that he would adorn the great office, and that if elected he could act with more authority and independence than Chief Justice Chase, since the latter must have been regarded by Congress as a renegade and distrusted by Democrats as a radical. It was agreed, also, that the purity of Seymour's life, his character for honesty in financial matters, and the high social position which he held, made him an especially dangerous adversary in a State that usually dominated a national election. On the other hand, his opponents recalled that whenever a candidate for governor he had not only run behind his ticket, but had suffered defeat three out of five times. It was suggested, too, that although his whole public life had been identified with the politics of the Commonwealth, his name, unlike that of Daniel D. Tompkins, DeWitt Clinton, or Silas Wright, was associated with no important measure of State policy. To this criticism Seymour's supporters justly replied that as governor, in 1853, he had boldly championed the great loan of ten and one-half millions for the Erie Canal enlargement.

As usual national issues controlled the campaign in New York. Although both parties denounced corruption in the repair of the Erie Canal, the people seemed more concerned in a return of good times and in a better understanding between the North and South. The financial depression of the year before had not disappeared, and an issue of greenbacks in payment of the 5-20 bonds, it was argued, would overcome the policy of contraction which had enhanced the face value of debts and decreased the price of property. Pendleton's tour through Maine emphasised this phase of the financial question, and while Democrats talked of "The same currency for ploughboy and bondholder," Republicans insisted upon "The best currency for both ploughboy and bondholder."

The campaign in Maine, however, satisfied Republicans that the Southern question, forced into greater prominence by recent acts of violence, had

become a more important issue than the financial problem. In Saint Mary's parish, Louisiana, a Republican sheriff and judge were shot, editors and printers run out of the county, and their newspaper offices destroyed. But no arrests followed. In Arkansas a Republican deputy sheriff was tied to a negro and both killed with one shot. In South Carolina a colored State senator, standing on the platform of a street car, suffered the death penalty, his executioners publicly boasting of their act. In Georgia negro members of the Legislature were expelled. Indeed, from every Southern State came reports of violence and murder. These stories were accentuated by the Camilla riot in Georgia, which occurred on September 19. With banners and music three hundred Republicans, mostly negroes, were marching to Camilla to hold a mass meeting. Two-thirds of them carried arms. Before reaching the town the sheriff endeavoured to persuade them to lay aside their guns and revolvers, and upon their refusal a riot ensued, in which eight or nine negroes were killed and twenty or thirty wounded. As usual their assailants escaped arrest and injury. General Meade, commander of the department, reported that "the authors of this outrage were civil officers who, under the guise of enforcing the law and suppressing disorder, had permitted a wanton sacrifice of life and blood."[\[433\]](#)

The mere recital of these incidents aroused Northern feeling. It was the old story—murder without arrests or investigation. The knowledge, too, that it was in part the work of the Ku-Klux-Klan, a secret organisation pledged to disfranchise the negro by intimidation, intensified the bitterness. It is probably true that many reported atrocities were merely campaign stories. It is likely, too, that horse thieves and illicit distillers screened their misdeeds behind the Ku-Klux. It is well understood, also, that ambitious carpet-bag agitators, proving bad instructors for negroes just emerging from slavery, added largely to the list of casualties, making crime appear general throughout the South. But whether violence was universal or sporadic Republicans believed it a dangerous experiment to commit the government to the hands of "rebels and copperheads," and in their contest to avoid such an alleged calamity they emphasised Southern outrages and resurrected Seymour's speech to the draft rioters in July, 1863. To give the latter fresh interest Nast published a cartoon entitled "Matched,"[\[434\]](#) which represented Grant demanding the unconditional surrender of Vicksburg, while Seymour, addressing a mob of foreigners wet with the blood of their victims, called

them "my friends." Nast presented another cartoon which disturbed the Democracy. It represented John T. Hoffman standing before a screen behind which a gang of thieves was busily rifling the city treasury. The face of Hoffman only was depicted, but the picture's serious note of warning passed for more than a bit of campaign pleasantries. Frank P. Blair, the Democratic candidate for Vice-President, also furnished a text for bitter invective because of his declaration that "there is but one way to restore the government and the Constitution and that is for the President-elect to declare the Reconstruction Acts null and void, compel the army to undo its usurpations at the South, disperse the carpet-bag State governments, allow the white people to reorganise their own governments and elect senators and representatives."^[435] Republicans charged that this represented the Democratic policy. On the other hand, the closing sentence of Grant's brief letter of acceptance, "Let us have peace," became the shibboleth of his followers, who claimed that the courteous and deferential spirit shown at Appomattox would characterise his administration. Indeed, the issue finally resolved itself to "Blair and Revolution" or "Grant and Peace," and after a contest of unusual bitterness Republicans carried the October States, although with greatly reduced majorities. Pennsylvania gave only 10,000, Ohio 17,000, and Indiana less than 1,000.

Though these elections presaged a Republican victory in November, Democrats, still hopeful of success, renewed their efforts with great energy. Blair went to the rear and Seymour took the stump. With studied moderation Seymour had written his letter of acceptance to catch the wavering Republican voter. He made it appear that the South was saved from anarchy by the military, and that the North, to the sincere regret of many Republicans and their ablest journals, was no longer controlled by the sober judgment of the dominant party's safest leaders. "There is hardly an able man who helped to build up the Republican organisation," he said, "who has not within the past three years warned it against its excesses." These men he pictured as forced to give up their sentiments or to abandon their party, arguing that the latter's policy must be more violent in future unless checked by a division of political power. "Such a division," he said, adroitly seeking to establish confidence in himself, "tends to assure the peace and good order of society. The election of a Democratic Executive and a majority of Democratic members to the House of Representatives

would not give to that party organisation the power to make sudden or violent changes, but it would serve to check those extreme measures which have been deplored by the best men of both political organisations."[\[436\]](#)

Preaching this gospel of peace Seymour passed through Western New York, Pennsylvania, Ohio, Indiana, and Illinois, attempting to overcome the prestige of Grant's great fame, and to stem the tide of Northern prejudice against Southern outrages. Meanwhile Roscoe Conkling, having returned from a pleasure trip to Denver, entered the campaign with earnestness against his brother-in-law. He desired especially to carry Oneida County, to which he devoted his energies in the closing days of the contest, making a schoolhouse canvass that lifted the issue above local pride in its distinguished citizen who headed the Democratic ticket. In going the rounds he met "Black Paddy," a swarthy Irishman and local celebrity, who announced that he had "turned Democrat."

"How so?" asked the Senator.

"Shure, sir," replied the quick-witted Celt, "O'im payin' ye a compliment in votin' for your brother-in-law."[\[437\]](#)

Near the close of the campaign, in accordance with the habit of many years, William H. Seward returned to Auburn to speak to his neighbors and townsmen. No one then realised that this was to be his last political meeting, or that before another presidential election occurred he would have entered upon his long sleep on Fort Hill. But the hall was as full as if it had been so advertised. He was neither an old man, being sixty-seven, nor materially changed in appearance. Perhaps his face was a trifle thinner, his hair lighter, and his jaw more prominent, but his mental equipment survived as in the olden days when the splendid diction hit the tone and temper of the anti-slavery hosts. His speech, however, showed neither the spirit that nerved him in the earlier time, nor the resources that formerly sustained him in vigorous and persuasive argument. He spoke rather in a vein of extenuation and reminiscence, as one whose work, judged by its beginnings, had perhaps ended unsatisfactorily as well as illogically, and for which there was no sufficient reason.[\[438\]](#)

This speech had the effect of widening the breach between him and his old associates, who bitterly resented his apparent indifference in the great

contest, while men of a younger generation, looking at him with wonder and interest, found it hard to realise that he had been one of the most conspicuous and energetic figures in political life. How complete was the loss of his political influence is naïvely illustrated by Andrew D. White. "Mr. Cornell and I were arranging a programme for the approaching annual commencement when I suggested Mr. Seward for the main address. Mr. Cornell had been one of Mr. Seward's lifelong supporters, but he received this proposal coldly, pondered it for a few moments silently, and then said dryly: 'Perhaps you are right, but if you call him you will show to our students the dearest man that ain't buried in the State of New York.'"[439]

Samuel J. Tilden voiced the supreme ante-election confidence of the Democrats. "Speaking from an experience of more than thirty years in political observation and political action," he said, "I do not hesitate to say that in no presidential conflict since the days of Andrew Jackson have omens of victory to any party or any cause been so clear, so numerous, and so inspiring as those which now cheer the party of the national Democracy to battle in the cause of American liberty." [440] The victory of 1867, in the opinion of leading Democrats, had removed the Empire State from the doubtful list, but while proclaiming their confidence of success many of them knew that a confidential circular, issued from the rooms of the Democratic State Committee and bearing the signature of Samuel J. Tilden, instructed certain persons in each of the up-State counties to telegraph William M. Tweed, "the minute the polls close and at his expense," the probable Republican majority.[441] Its purpose was plain. The conspirators desired to know how many fraudulent votes would be needed to overcome the Republican superiority, and their method, then novel and ingenious, avoided all chance of failure to carry the State. Tilden denied knowledge of this circular. He also disclaimed its evil purpose, but preferred to remain silent rather than denounce the forgers.[442]

Forewarned by the returns of 1867 Griswold's supporters, fearing fraud in the metropolis, invoked the aid of the United States Court to prevent the use of forged naturalisation papers, which resulted in the indictment of several men and the publication of fraudulent registry lists. Against such action John T. Hoffman, as mayor, violently protested. "We are on the eve of an important election," said his proclamation. "Intense excitement pervades the whole community. Unscrupulous, designing, and dangerous men, political

partisans, are resorting to extraordinary means to increase it. Gross and unfounded charges of fraud are made by them against those high in authority. Threats are made against naturalised citizens, and a federal grand jury has been induced to find, in great haste and secrecy, bills of indictment for the purpose, openly avowed, of intimidating them in the discharge of their public duties.... Let no citizen, however, be deterred by any threats or fears, but let him assert his rights boldly and resolutely, and he will find his perfect protection under the laws and the lawfully constituted authorities of the State. By virtue of authority invested in me I hereby offer a reward of \$100 to be paid on the arrest and conviction of any person charged ... with intimidating, obstructing or defrauding any voter in the exercise of his right as an elector."[\[443\]](#) Thus did the Tweed Ring strike back.

The result of the election in the country at large deeply disappointed the Democrats. Grant obtained 214 electoral votes in twenty-six States, while Seymour secured 80 in eight States. In New York, however, the conspirators did their word well. Although the Republicans won a majority in both branches of the Legislature and elected eighteen of the thirty-one congressmen, Seymour carried the State by 10,000 and Hoffman by 27,946.

After the election the Union League Club charged that in New York City false naturalisation and fraudulent voting had been practised upon a gigantic scale. It appeared from its report that one man sold seven thousand fraudulent naturalisation certificates; that thousands of fictitious names, with false residences attached, were enrolled, and that gangs of repeaters marched from poll to poll, voting many times in succession. The *Tribune* showed that in twenty election districts the vote cast for Hoffman largely exceeded the registry lists, already heavily padded with fictitious names, and that by comparison with other years the aggregate State vote clearly revealed the work of the conspirators.[\[444\]](#) Instead of being the choice of the people, it said, "Hoffman was 'elected' by the most infamous system of fraud."[\[445\]](#) Andrew D. White wrote that "the gigantic frauds perpetrated in the sinks and dens of the great city have overborne the truthful vote and voice of the Empire State. The country knows this, and the Democratic party, flushed with a victory which fraud has won, hardly cares to deny it."[\[446\]](#) A few months later Conkling spoke of it as a well known fact that John T. Hoffman was counted in. "The election was a barbarous burlesque," he continued. "Many thousand forged naturalisation papers were issued; some

of them were white and some were coffee-coloured. The same witnesses purported to attest hundreds and thousands of naturalisation affidavits, and the stupendous fraud of the whole thing was and is an open secret.... Repeating, ballot-box stuffing, ruffianism, and false counting decided everything. Tweed made the election officers, and the election officers were corrupt. Thirty thousand votes were falsely added to the Democratic majority in New York and Brooklyn alone. Taxes and elections were the mere spoil and booty of a corrupt junta in Tammany. Usurpation and fraud inaugurated a carnival of corrupt disorder; and obscene birds without number swooped down to the harvest and gorged themselves on every side in plunder and spoliation."[\[447\]](#)

When Congress convened a committee, appointed to investigate naturalisation frauds in the city of New York, reported that prior to 1868 the Common Pleas and Superior Courts, controlling matters of naturalisation, annually averaged, from 1856 to 1867, 9,000 new voters, but that after the Supreme Court began making citizens on October 6, 1868, the number rapidly increased to 41,112. Several revelations added interest to this statement. Judge Daly served in the Common Pleas, while McCunn, Barnard, Cardozo, and others whom Tweed controlled, sat in the Supreme and Superior Courts. Daly required from three to five minutes to examine an applicant, but McCunn boasted that he could do it in thirty seconds, with the result that the Supreme Court naturalised from 1,800 to 2,100 per day, whereas the Common Pleas during the entire year acted upon only 3,140. On the other hand, the Supreme and Superior Courts turned out 37,967. "One day last week one of our 'upright judges,'" said the *Nation*, "invited a friend to sit by him while he played a little joke. Then he left off calling from the list before him and proceeded to call purely imaginary names invented by himself on the spur of the moment: John Smith, James Snooks, Thomas Noakes, and the like. For every name a man instantly answered and took a certificate. Finally, seeing a person scratching his head, the judge called out, 'George Scratchem!' 'Here,' responded a voice. 'Take that man outside to scratch,' said his honour to an usher, and resumed the more regular manufacture of voters."[\[448\]](#)

To show that a conspiracy existed to commit fraud, the committee submitted valuable evidence contributed by the clerks of these courts. Instead of printing the usual number of blank certificates based on the

annual average of 9,000, they ordered, between September 16 and October 23, more than seven times as many, or 69,000, of which 39,000 went to the Supreme Court. As this court had just gone into the naturalisation business the order seemed suspiciously large. At the time of the investigation 27,068 of these certificates were unaccounted for, and the court refused an examination of its records. However, by showing that the vote cast in 1868, estimated upon the average rate of the increase of voters, should have been 131,000 instead of 156,000, the committee practically accounted for them. The *Nation* unwittingly strengthened this measured extent of the fraud, declaring on the day the courts finished their work, that of "the 35,000 voters naturalised in this city alone, 10,000 are perhaps rightly admitted, 10,000 have passed through the machine without having been here five years, and the other 15,000 have never been near the courtroom."^[449] A table also published by the committee showed the ratio of votes to the population at each of the five preceding presidential elections to have been 1 to 8, while in 1868 it was 1 to 4.65. "The only fair conclusion from these facts would be," said the *Nation*, "that enormous frauds were perpetrated."^[450]

On the other hand, the Democratic minority of the committee, after examining Hoffman and Tweed, who disclaimed any knowledge of the transactions and affected to disbelieve the truth of the charges, pronounced the facts cited "stale slanders," and most of the witnesses "notorious swindlers, liars, and thieves," declaring that the fraudulent vote did not exceed 2,000, divided equally between the two parties. Moreover, it pronounced the investigation a shameful effort to convict the Democracy of crimes that were really the result of the long-continued misgovernment of the Republicans. If that party controlled the city, declared one critic, it would become as adept in "repeating" as it was in "gerrymandering" the State, whose Legislature could not be carried by the Democrats when their popular majority exceeded 48,000 as in 1867. This sarcastic thrust emphasised the notorious gerrymander which, in spite of the Tammany frauds, gave the Republicans a legislative majority of twenty-four on joint-ballot.

CHAPTER XVI

INFLUENCE OF MONEY IN SENATORIAL ELECTIONS

1869

THE election of a legislative majority in 1868 plunged the Republicans into a fierce contest over the choice of a successor to Edwin D. Morgan, whose term in the United States Senate ended on March 4. In bitterness it resembled the historic battle between Weed and Greeley in 1861. Morgan had made several mistakes. His support of Johnson during the first year of the latter's Administration discredited him, and although he diligently laboured to avoid all remembrance of it, the patronage which the President freely gave had continued to identify him with the Johnsonised federal officials. To overcome this distrust he presented letters from Sumner and Wade, testifying to his loyalty to the more radical element of the party.^[451] A revival of the story of his opposition to Wadsworth in 1862 also embarrassed him. He had overcome it when first elected to the Senate by the sustaining hand of Thurlow Weed, whose position in the management of the party was strengthened by Wadsworth's defeat; but now Weed was absent, and to aid in meeting the ugly charges which rendered his way devious and difficult, Morgan had recourse to Edwin M. Stanton, who wrote that Wadsworth, distinguishing the Senator from his betrayers, repeatedly spoke of him as a true friend and faithful supporter.^[452]

Morgan's strength, though of a negative kind, had its head concealed under the coils of Conkling's position. It was manifest that the latter's admirers were combining to depose Reuben E. Fenton, Morgan's chief competitor for the senatorial toga. Chester A. Arthur, looking into the future, had already recognised the need of a new alignment, and the young Senator evidenced the qualities that appealed to him. There was a common impression that if Morgan were re-elected, he would yield to the greater gifts of Conkling and the purpose, now so apparent, was to crush Fenton and make Conkling the head of an organisation which should include both Senators. John A. Griswold understood this and declined to embarrass Morgan by entering the race.

Fenton at this time was at the height of his power. His lieutenants, headed by Waldo M. Hutchins, the distributor of his patronage, excelled in the gifts of strategy, which had been illustrated in the election of Truman G. Younglove for speaker. They were dominated, also, by the favourite doctrine of political leaders that organisation must be maintained and victory won at any cost save by a revolution in party policy, and they entered the senatorial contest with a courage as sublime as it was relentless. Their chief, too, possessed the confidence of the party. His radicalism needed no sponsors. Besides, his four years' service as governor, strengthened by the veto of several bills calculated to increase the public burdens, had received the unmistakable approval of the people.

Nevertheless he was heavily handicapped. Greeley, still smarting under Fenton's failure to support him for governor in 1868, declared for Marshall O. Roberts, while Noah Davis, surprised at his insincerity, aided Morgan. If Greeley's grievance had merit, Davis' resentment was certainly justified. The latter claimed that after Conkling's election in 1867, Fenton promised to support him in 1869, and that upon the Governor's advice, to avoid the prejudice against a judge who engaged in politics, he had resigned from the Supreme Court and made a winning race for Congress.^[453]

But the *Commercial Advertiser*, a journal then conducted by Conservatives, placed the most serious obstacle in Fenton's pathway, charging that an intimate friend of the Governor had received \$10,000 on two occasions after the latter had approved bills for the New York Dry Dock and the Erie Railroad Companies.^[454] Although the *Sun* promptly pronounced it "a remarkable piece of vituperation,"^[455] and the *Tribune*, declaring "its source of no account," called it "a most scurrilous diatribe,"^[456] the leading Democratic journal of the State accepted it as "true."^[457] The story was not new. In the preceding summer, during an investigation into the alleged bribery of members of the Legislature of 1868, Henry Thompson, an Erie director, was asked if his company paid Governor Fenton any money for approving the bill legalising the acts of its directors in the famous "Erie war." Thompson refused to answer as the question fell without the scope of the committee's jurisdiction. Thereupon Thomas Murphy testified that Thompson told him that he saw two checks of \$10,000 each paid to Hamilton Harris, the Governor's legal adviser, under an agreement that Fenton should sign the bill. Murphy added that afterwards, as chairman of a

Republican political committee, he asked Jay Gould, president of the Erie company, for a campaign contribution, and was refused for the reason that he had already given \$20,000 for Fenton. Harris and Gould knew nothing of the transaction.^[458]

Matthew Hale, chairman of the Senate investigating committee, did not include this testimony in his report, and the startling and improbable publication in the *Commercial Advertiser* must have withered as the sensation of a day, had not the belief obtained that the use of money in senatorial contests played a prominent and important part. This scandalous practice was modern. Until 1863 nothing had been heard of the use of money in such contests. But what was then whispered, and openly talked about in 1867 as Conkling testified, now became a common topic of conversation. "It is conceded on all hands," said the *Times*, editorially, "that money will decide the contest."^[459]

Talk of this kind appealed to the pessimist who believes a legislator is always for sale, but Speaker Younglove, an assemblyman of long experience, knowing that good committee appointments were more potent than other influences, tactfully withheld the announcement of his committees. Such a proceeding had never before occurred in the history of the State, and twelve years later, when George H. Sharpe resorted to the same tactics, William B. Woodin declared that it made Younglove "a political corpse."^[460] Nevertheless, Morgan soon understood that chairmanships and assignments on great committees were vastly more attractive than anything he had to offer, and on January 16 (1869) the first ballot of the caucus gave Fenton 52 votes to 40 for Morgan. A month later, Richard M. Blatchford, then a justice of the United States Supreme Court, wrote Thurlow Weed: "Morgan loses his election because, you being sick, his backbone was missing."^[461]

CHAPTER XVII

TWEED CONTROLS THE STATE

1869-70

WILLIAM M. TWEED had become a State senator in 1867. At this time he held seventeen city offices.^[462] But one more place did not embarrass him, and in entering upon his new career he promptly invoked the tactics that strengthened him in the metropolis. Through the influence of a Republican colleague on the Board of Supervisors he secured appointments upon the important committees of Finance and Internal Affairs, the first passing upon all appropriations, and the second controlling most of the subordinate legislation in the State including Excise measures. This opportunity for reviewing general legislation gave him the advantage of a hawk circling in the sky of missing no chance for plunder. By means of generous hospitality and a natural affability he quickly won the esteem of his fellow senators, many of whom responded to his gentle suggestion of city clerkships for constituents. In his pretended zeal to serve Republicans he had offered, during the recent contest for United States senator, to marshal the Democrats to the support of Charles J. Folger, the leader of the Senate, provided two Republican senators and twelve assemblymen would vote for him.^[463] Persons familiar with Tweed's true character understood that a senator of Folger's integrity and ability would be less in the way at Washington than in Albany, but his apparent desire to help the Genevan did him no harm.

Thus intrenched in the good will of his colleagues Tweed, early in the session, began debauching the tax levies for the city and county of New York. His party controlled the Assembly, and his henchman, William Hitchman, whom he had made speaker, controlled its committees. What the Senate did, therefore, would be approved in the House. The tax levies contained items of expense based upon estimates by the different departments of the municipal and county governments. They were prepared by the comptroller, examined by the city council and county supervisors respectively, and submitted to the Legislature for its approval. In the process they might be swelled by the comptroller and the two boards, but the Legislature, acting as an outside and disinterested party, usually

trimmed them. Tweed, however, proposed to swell them again. Accordingly projects for public improvements, asylums, hospitals, and dispensaries that never existed except on paper, appeared as beneficiaries of county and city. The comptroller concealed these thefts by the issue of stocks and bonds and the creation of a floating debt, which formed no part of his statements.^[464] When the committee on appropriations reported these additions, "the increase," it was claimed in the progress of the discussion, "was called for only by plunderers."

The passage of these vicious appropriations, requiring the help of Republicans, gave rise to numerous charges of bribery and corruption. "It was fully believed here," said the *Tribune*, "that tax levies supplied the means for fabricating naturalisation papers and hiring repeaters whereby Republicans were swindled out of the vote of this State."^[465] Other corrupt practices in connection with important railroad legislation, having special reference to the passage of the so-called "Erie Bill," likewise attracted public attention. But Matthew Hale's investigating committee, after a long and fruitless session in the summer of 1868, expressed the opinion that the crime of bribery could not be proven under the law as it then existed, since both parties to the transaction were liable to punishment. This led to a new statute exempting from prosecution the giver of a bribe which was accepted.

However, the Legislature elected in November, 1868, proved no less plastic in the hands of the Boss, who again corrupted the tax levies. After allowing every just item the committee coolly added six millions,^[466] an amount subsequently reduced to three.^[467] This iniquity was immediately denounced and exposed through pamphlets, journals, and debates. Men frankly admitted that no reason or economic principle justified the existence of such monstrous levies. Indeed, every honest influence, legal, social, and political, opposed it. The press condemned it, good men mourned over it, and wise men unmasked it. But with the help of twenty Republicans, backed by the approval of John T. Hoffman, the bill became a law. This time, however, indignation did not die with the Legislature. The *Tribune*, charging that the twenty Republican assemblymen whose names it published were "bought and paid with cash stolen by means of tax levies," insisted that "the rascals" should not be renominated. "We firmly believe," it added, "that no Republican voted for these levies except for pay ... and we

say distinctly that we do not want victory this fall if it is to be in all respects like the victory of last fall."[\[468\]](#)

Local party leaders, resenting the *Tribune's* declarations, packed conventions, renominated the black-listed legislators, and spread such demoralisation that George William Curtis, Thomas Hillhouse, and John C. Robinson withdrew from the State ticket. As a punishment for his course the State Committee, having little faith in the election of its candidates, substituted Horace Greeley for comptroller in place of Hillhouse.[\[469\]](#) In accepting the nomination Greeley expressed the hope that it never would be said of him that he asked for an office, or declined an honourable service to which he was called.[\[470\]](#)

If corruption had demoralised Republicans, fear of a repetition of the Tweed frauds paralysed them. The plan of having counties telegraph the votes needed to overcome an up-State majority could be worked again as successfully as before, since the machinery existed and the men were more dexterous. Besides, danger of legal punishment had disappeared. The Union League Club had established nothing, the congressional investigation had resulted in no one's arrest, and Matthew Hale's committee had found existing law insufficient. Moreover, Hale had reported that newspaper charges were based simply upon rumours unsupported by proof.[\[471\]](#)

Tweed understood all this, and his confidence whetted an ambition to control the State as absolutely as he did the city. At the Syracuse convention which assembled in September (1869) Tilden represented the only influence that could be vitalised into organised opposition. Tilden undoubtedly despised Tweed. Yet he gave him countenance and saved the State chairmanship.[\[472\]](#)

The campaign pivoted on the acceptance or rejection of the new State constitution, framed by the convention of 1867 and submitted by the Legislature of 1869. From the first the constitutional convention had become a political body. Republicans controlled it, and their insistence upon unrestricted negro suffrage gave colour to the whole document, until the Democrats, demanding its defeat, focused upon it their united opposition. As a candidate for comptroller Horace Greeley likewise became an issue. Democrats could not forget his impatient, petulant, and, as they

declared, unfair charges of election frauds, and every satirist made merry at his expense. To denunciation and abuse, however, Greeley paid no attention. "They shall be most welcome to vote against me if they will evince unabated devotion to the cause of impartial suffrage."^[473] But the people, tired of Republican rule, turned the State over to the Democrats regardless of men.^[474]

Although this result was not unexpected, no one dreamed that the Democracy would win every department of the State government, executive, legislative, and judicial. For seventeen years the Democrats had twice elected the governor and once secured the Assembly, while the Republicans, holding the Senate continuously and the governorship and Assembly most of the time, had come to regard themselves the people's lawmakers and the representatives of executive authority. But Tweed's quiet canvass in the southern tier of counties traversed by the Erie Railroad exhibited rare cunning in the capture of the State Senate. Until this fortress of Republican opposition surrendered, Hoffman's appointments, like those of Seward in 1839, could not be confirmed.

After this election William M. Tweed's supremacy was acknowledged. In 1867 he had captured the Assembly and elected most of the State officials; in 1868, after forcing the nomination of John T. Hoffman, he made him governor by a system of gigantic frauds; and now in 1869, having employed similar tactics in the southern tier of counties, he had carried the Senate by four majority, secured the Assembly by sixteen, and for the third time elected the State officials. This made him leader of the State Democracy. Seymour so understood it, and Tilden knew that he existed only as a figure-head.

Tweed's power became more apparent after the Legislature opened in January, 1870. He again controlled the Assembly committees through William Hitchman, his speaker; he arranged them to his liking in the Senate through Allen C. Beach, the lieutenant-governor; and he sweetened a majority of the members in both houses with substantial hopes of large rewards. This defeated an organisation, called the Young Democracy, which hoped to break his power by the passage of a measure known as the Huckleberry Charter, transferring the duties of State commissions to the Board of Aldermen. Then Tweed appeared with a charter. Sweeny was its

author and home-rule its alleged object. It substituted for metropolitan commissions, devised and fostered by Republicans, municipal departments charged with equivalent duties, whose heads were appointed by the mayor. It also created a department of docks, and merged the election of city and state officials. Its crowning audacity, however, was the substitution of a superintendent of public works for street commissioner, to be appointed by the mayor for a term of four years, and to be removable only after an impeachment trial, in which the entire six judges of the Common Pleas Court must participate. It was apparent that this charter perpetuated whatever was most feared in the system of commissions, and obliterated all trace of the corrective. It was obvious, also, that by placing officials beyond the reach of everybody interested in their good behaviour except the Courts, whose aid could be invoked only by the mayor, and by him only for the extreme offense of malfeasance, it gave a firmer hold to a Ring actuated by the resolute determination to enrich itself at the public expense.

Yet this measure encountered little opposition. The Young Democracy, backed by Tilden and the remnant of the Albany Regency, exposed its dangerous features, the *Times* called it an "abominable charter,"^[475] and Manton Marble bitterly denounced it. But Tweed raised no flag of truce, and after the distribution of a million of dollars the Sweeny charter had an easy passage through both houses, the Senate recording but two votes against it and the Assembly only five.^[476] It was said that five Republican senators received \$40,000 each, and six others \$10,000 each. Six hundred thousand went to a lobbyist to buy assemblymen.^[477] Within three days after its passage (April 5) the Governor had approved it, the Mayor had appointed Tweed to the position of most power, and Sweeny had taken the place of most lucre. Thereafter, as commissioner of public works, the Boss was to be "the bold burglar," and his silent partner "the dark plotter." A week later the departments of police and health, the office of comptroller, the park commission, and the great law bureau had passed into the control of their pals, with Connolly as "sneak-thief" and Hall "the dashing bandit of the gang."^[478] Indeed, a month had scarcely elapsed before the *ad interim* Board of Audit, authorised by the Legislature as an additional scheme for theft, and composed of Tweed, Hall, and Connolly, had ordered the payment of \$6,000,000, and within the year, as subsequent revelations disclosed, its bills aggregated \$12,250,000, of which 66 per cent. went to the thieves.^[479]

John T. Hoffman approved Tweed's measures. During the earlier months of his gubernatorial career his veto of several bills granting aid to railroads gave promise of independence, but after Tweed and Sweeny became directors of the Erie he approved the measure enabling corrupt operators to retain possession of the road for an indefinite period in defiance of the stockholders. It is probable that the real character and fatal tendency of his associates had not been revealed to him. Nevertheless, ambition seems to have blunted a strong, alert mind. The appointment of Ingraham, Cardozo, and Barnard to the General Term of the Supreme Court within the city of New York, if further evidence were needed, revealed the Governor's subserviency. To avoid the Tweed judges as well as interruption to the business of the Courts, the Bar Association asked the Executive to designate outside judges. Tweed understood the real object, and before the lawyers' committee, consisting of Charles O'Connor, Joseph H. Choate, Henry Nicoll, William H. Peckham, and William E. Curtis, could reach Albany, the Governor, under telegraphic instructions from the Boss, appointed the notorious trio. Such revelations of weakness plunged the *Evening Post* and other admirers into tribulation. "The moral of Hoffman's fall," said the *Nation*, "is that respectable citizens must give up the notion that good can be accomplished by patting anybody on the back who, having got by accident or intrigue into high official position, treats them to a few spasms of virtue and independence.... Had Hoffman held out against the Erie Ring he would have had no chance of renomination, all hope of the Presidency would be gone, and he would find himself ostracised by his Democratic associates."[\[480\]](#)

Hoffman knew this as well as the *Nation*, and his obedience made him the favourite of the Democratic State convention which assembled at Rochester on September 21, 1870. It was a Tweed body. When he nodded the delegates became unanimous. Tilden called it to order and had his pocket picked by a gentleman in attendance.[\[481\]](#) "We hope he has a realising sense of the company he keeps," said the *Nation*, "when he opens conventions for Mr. Tweed, Mr. Hall, and Mr. Sweeny."[\[482\]](#) A week later it expressed the opinion that "Tilden's appearance ought to be the last exhibition the country is to witness of the alliance of decent men for any purpose with these wretched thieves and swindlers."[\[483\]](#) The plundering Boss denied so much as a hearing to the Young Democracy whom Tilden encouraged, while their

delegates, without vote or voice or seat, witnessed the renomination of Hoffman by acclamation, and saw the programme, drafted by Tweed, executed with unanimity. Mighty was Tammany, and, mightier still, its Tweed! The Rochester authorities urged the departure of the delegates before dark, and upon their arrival at Jersey City the next morning the local police made indiscriminate arrests and locked up large batches of them, including a Commissioner of Charities and Correction.[\[484\]](#)

CHAPTER XVIII

CONKLING DEFEATS FENTON

1870

THE Republican State convention which assembled at Saratoga on September 7 was not so harmonious as the Tammany body. For several years Senator Morgan and Governor Fenton had represented the two sections of the party, the latter, soon after his inauguration on January 1, 1865, having commenced building his political machine. As an organiser he had few equals. One writer declares him "the ablest after Van Buren."[\[485\]](#) At all events he soon became the head of the party, controlling its conventions and distributing its patronage. After entering the Senate he paid assiduous attention to the President. The repeal of the Tenure-of-Office Act and an effort to secure the confirmation of Alexander T. Stewart for secretary of the treasury opened the way to Grant's heart, and for these and other favours he received the lion's share of appointments. In the meantime his opponents insisted that under cover of loud radical professions he had relied wholly upon trickery for success, banning able men and demoralising the party.[\[486\]](#)

To these criticisms and Conkling's advances the President presented a listening ear. Conkling had not thrust himself upon Grant, but the more the President tired of Fenton's importunities, the more he liked Conkling's wit and sarcasm and forceful speech. As patronage gradually disappeared Fenton redoubled his efforts to retain it, until in his desperation he addressed a letter to the Chief Executive, referring to his own presidential aspirations, and offering to withdraw and give him New York if the question of offices could be satisfactorily arranged.[\[487\]](#) This ended their relations.

Subsequent appointments, however, did not meet with more favour. Fenton declared them fatal to party harmony, since some of the new officials, besides holding confidential relations with Tammany, had been friendly to the Philadelphia movement in 1866 and to Hoffman in 1868. Bitter criticism especially followed the nomination of Thomas Murphy for collector of New York in place of Moses H. Grinnell. "The President appointed Murphy without consulting either Senator," says Stewart, for

thirty years a senator from Nevada. "Grant met him at Long Branch, and being thoroughly acquainted with the country and quite a horseman he made himself such a serviceable friend that the Chief Executive thought him a fit person for collector."^[488] The *New York Times* said, "the President has taken a step which all his enemies will exult over and his friends deplore."^[489] The *Tribune* was more severe. "The objection is not that he belongs to a particular wing of the Republican party," it said, "but that he does not honestly belong to any; that his political record is one of treachery well rewarded; his business record such that the merchants of New York have no confidence in him; and the record of his relations to the government such that, until cleared up, he ought to hold no place of trust under it."^[490] Yet Murphy bore endorsements from men of the highest respectability. "Of those who in writing recommended his appointment or confirmation," said Conkling, "are Edwin D. Morgan, George Opdyke, Henry Clews, John A. Griswold, Charles J. Folger, Matthew Hale, George Dawson, and others. Their signatures are in my possession."^[491]

Nevertheless, Conkling preferred another, and until urged by his friend Stewart to secure Murphy's confirmation "to avoid the possible appointment of a less deserving man," he hesitated to act. "I told him that the struggle to confirm Murphy would enlighten the President as to the political situation in New York, and that he would undoubtedly accord him the influence to which he was entitled. Then, to force the fight, Conkling, at my suggestion, objected to further postponement."^[492] The contest came on July 11, 1870.

Fenton recalled Murphy's malodorous army contracts, spoke of his disloyalty to the party while a member of the State Senate, submitted proof of his unscrupulous business relations with the leaders of Tammany, and denounced his political treachery in the gubernatorial contest of 1866. In this fierce three hours' arraignment the Senator spared no one. He charged that Charles J. Folger and Chester A. Arthur had appeared in Washington in Murphy's behalf, because to the latter's potent and corrupt influence with Tammany, Folger owed his election to the Court of Appeals in the preceding May,^[493] while Arthur, through Murphy's unclean bargaining with Tweed, was fattening as counsel for the New York City Tax Commission.^[494]

In his reply Conkling spoke for an hour in his most vigorous style. "Every sentence," said Stewart, "was replete with logic, sarcasm, reason, and invective. Sometimes the senators would rise to their feet, so great was the effect upon them. Toward the conclusion of his speech Conkling walked down the aisle to a point opposite the seat of Fenton. 'It is true,' he said, 'that Thomas Murphy is a mechanic, a hatter by trade; that he worked at his trade in Albany supporting an aged father and mother and crippled brother, and that while thus engaged another visited Albany and played a very different rôle.' At this point he drew from his pocket a court record, and extending it toward Fenton, he continued,—'the particulars of which I will not relate except at the special request of my colleague.' Fenton's head dropped upon his desk as if struck down with a club. The scene in the Senate was tragic."

[\[495\]](#)

It was a desperate battle. For several weeks heated politicians, with pockets full of affidavits, had hurried to Washington from all parts of New York, and while it was admitted that the appointee was not a shining credit to his backers, the belief obtained that the control of the party in the State depended upon the result. The two Senators so understood it, and their preparation for the contest omitted all amenities. Fenton, regardless of whom he hit, relied upon carefully drawn charges sustained by affidavits; Conkling trusted to a fire of scathing sarcasm, supported by personal influence with his Democratic colleagues and the President's power in his own party. The result showed the senior Senator's shrewdness, for when he ceased talking the Senate, by a vote of 48 to 3, confirmed the appointment.

From Washington the contest was transferred to Saratoga. Fenton, desiring to impress and coerce the appointing power, made a herculean effort to show that although Conkling had the ear of the President, he could control the convention, and his plan included the election of Charles H. Van Wyck for temporary chairman and himself for permanent president. No doubt existed that at this moment he possessed great power. Delegates crowded his headquarters, and a score of lieutenants reported him far in the lead. From Fenton's accession to the governorship a majority of the State Committee had supported him, while chairmen, secretaries, and inspectors of the Republican district organisations in New York City, many of whom held municipal appointments under Tweed, had been welded together in the interest of the Chautauquan's ascendancy. To try to break such a combine

was almost attempting the impossible. Indeed, until the President, in a letter dated August 22, expressed the wish that Conkling might go as a delegate, the Senator had hesitated to attend the convention.^[496] Even on the eve of its meeting he counselled with friends on the policy of not taking his seat, while his backers talked of harmony and proposed George William Curtis for chairman. The confident Fenton, having retired for the night, would listen to no compromise. Meanwhile the senior Senator, accompanied by Thomas Murphy, visited the rooms of the up-State delegates, telling them that a vote for Fenton was a blow at the Administration.^[497] This was the argument of desperation. It meant to one man the loss of a federal office and to another the hope that one might be gained. Such a significant statement, addressed by the favourite of the President to internal revenue and post-office officials, naturally demoralised the Fenton ranks, and when the convention acted Curtis had 220 votes to 150 for Van Wyck.^[498] Promptly upon this announcement Conkling, with great cunning, as if acting the part of a peacemaker, moved that the committee on organisation report Van Wyck for permanent president. The acceptance of this suggestion without dissent settled Fenton, who an hour later heard Conkling named at the head and himself at the foot of the committee on resolutions.

Thus far Conkling's success had been as unexpected as it was dazzling. Heretofore he had been in office but not in power. Now for the first time he had a strong majority behind him. He could do as he liked. He possessed the confidence of the President, the devotion of his followers, and the admiration of his opponents, who watched his tactics in the selection of a candidate for governor with deepest interest. It was a harrowing situation. For several weeks Horace Greeley had been the principal candidate talked of, and although the editor himself did not "counsel or advise" his nomination, he admitted that "he would feel gratified if the convention should deliberately adjudge him the strongest candidate."^[499] Several circumstances added to his strength. Conkling had encouraged his candidacy to checkmate Fenton's support of Marshall O. Roberts. For this reason the President also favoured him. Besides, Stewart L. Woodford, who really expected little, offered to withdraw if Greeley desired it,^[500] while DeWitt C. Littlejohn, always a Titan in the political arena, likewise side-stepped. These influences, as Conkling intended, silenced Fenton and suppressed Roberts.

On the other hand, Greeley's old-time enemies had not disappeared. No one really liked him,[501] while party managers, the shadow of whose ill-will never ceased to obscure his chances, shook their heads. Reasons given in 1868 were repeated with greater emphasis, and to prevent his nomination which now seemed imminent, influences that had suddenly made him strong were as quickly withdrawn. It was intimated that the President preferred Woodford, and to defeat Fenton's possible rally to Roberts use was again made of Curtis. The latter did not ask such preferment, but Conkling, who had made him chairman, promised him the governorship and Curtis being human acquiesced. In the fierce encounter, however, this strategy, as questionable as it was sudden, destroyed Greeley, humiliated Curtis, and nominated Woodford.[502] Conkling's tactics neither commended his judgment nor flattered his leadership. But Conkling did not then possess the nerve openly to make war upon Greeley. On the contrary, after secretly informing his lieutenants of his preference for Curtis, he dodged the vote on the first ballot and supported Greeley on the second, thus throwing his friends into confusion. To extricate them from disorder he sought an adjournment, while Fenton, very adroitly preventing such an excursion to the repair-shop, forced the convention to support Woodford or accept Greeley. The feeling obtained that Conkling had lost the prestige of his early victory, but in securing control of the State Committee he began the dictatorship that was destined to continue for eleven years.

The New York *Times* charged Greeley's defeat upon Fenton, insisting that "the fault is not to be laid at the door of Senator Conkling." [503] Conkling also explained that "Greeley was pertinaciously supported by all those connected with the custom-house. He failed from a want of confidence in him, so general among the delegates that electioneering and persuasion could not prevail against it, and even those who voted for him declared, in many instances, that they did so as a harmless compliment, knowing that he could not be nominated." [504] Greeley himself avoided the controversy, but his acknowledgment of Fenton's loyal support and his sharp censure of Curtis indicated full knowledge of Conkling's strategy, to whom, however, he imputed no "bad faith," since "his aid had not been solicited and none promised." [505] Nevertheless, the great editor did not forget!

CHAPTER XIX

TWEED WINS AND FALLS

1870

THE campaign that followed the control of Tweed and Conkling combined the spectacular and the dramatic. The platform of each party was catchy. Both congratulated Germany for its victories and France for its republic. Cuba also was remembered. But here the likeness ceased. Democrats praised Hoffman, arraigned Grant, sympathised with Ireland, demanded the release of Fenian raiders and the abolition of vexatious taxes, declared the system of protection a robbery, and resolved that a license law was more favourable to temperance than prohibition. On the other hand, Republicans praised the President, arraigned the Governor, applauded payments on the national debt and the reduction of taxation, denounced election frauds and subventions to sectarian schools, and resolved that so long as towns and cities have the right to license the sale of liquor, they should also have the right to prohibit its sale. The live issue, however, was Tammany and the Tweed frauds. Congress had authorised Circuit Courts of the United States to appoint in every election district one person from each party to watch the registration and the casting and the count of votes. It had also empowered United States marshals to appoint deputies to keep order at the polls and to arrest for offences committed in their presence. Against these acts the Democrats vigorously protested, declaring them unconstitutional, revolutionary, and another step toward centralisation, while Republicans pointed out their necessity in the interest of a fair vote and an honest count.

To Conkling the result of the campaign was of the utmost importance. He had suddenly come into power, and success would materially aid him in carrying out his policy of reorganising the party in the metropolis. For many years, under an arrangement with Tammany, Republicans had held important municipal positions. This custom had grown out of the appointment of mixed commissions, created by Republican legislatures, which divided the patronage between the two parties. But since 1865, under Fenton's skilful manipulation, these Tammany-Republicans, as they were called, had become the ardent promoters of the Fenton machine, holding places on the general and district committees, carrying primaries with the

aid of Democratic votes, and resorting to methods which fair-minded men did not approve. Among other things it was charged that Fenton himself had a secret understanding with Democratic leaders.[506] These rumours had aroused the suspicions of many Republicans, who thought it time to dissolve the Tammany partnership, and having obtained control of the State Committee in the late convention, Conkling proposed to reorganise the New York general committee. Fenton was not unmindful of Conkling's purpose. It had been disclosed in the convention, and to defeat it the Chautauquan was indifferent to ways and means. During much of the campaign he absented himself from the State, while threats of avenging the appointment of Murphy and the removal of Grinnell created the apprehension that his faction would secretly oppose the ticket.[507]

Throughout the canvass Conkling was energetic. He spoke frequently. That his temper was hot no one who looked at him could doubt, but he had it in tight control. Although he encountered unfriendly demonstrations, especially in New York, the pettiness of ruffled vanity did not appear. Nothing could be more easy and graceful than his manner on these occasions. His expository statements, lucid, smooth, and equally free from monotony and abruptness, were models of their kind. In dealing with election frauds in New York his utterances, without growing more vehement or higher keyed, found expression in the fire of his eye and the resistless strength of his words. The proud, bold nature of the man seemed to flash out, startling and thrilling the hearer by the power of his towering personality.

Revelations of fraud had been strengthened by the publication of the Eighth Census. In many election districts it appeared that the count was three, four, five, and even six times as large as an honest vote could be. Proofs existed, including in some instances a confession, that in 1868 the same men registered more than one hundred times under different names—one man one hundred and twenty-seven times. Instances were known and admitted in which the same man on the same day voted more than twenty times for John T. Hoffman. "To perpetuate this infamy," declared Conkling, "Mayor Hall has invented since the publication of the census new escapes for repeaters by changing the numbers and the boundaries of most of the election districts, in some cases bisecting blocks and buildings, so that rooms on the same premises are in different districts, thus enabling

colonised repeaters to register and vote often, and to find doors of escape left open by officials who have sworn to keep them closed." The registration for 1870, although twenty thousand less than in 1868, he declared, contained seventeen thousand known fraudulent entries.[508] The newspapers strengthened his arguments. In one of Nast's cartoons Tweed as "Falstaff" reviews his army of repeaters, with Hoffman as sword-bearer, and Comptroller Sweeny, Mayor Hall, James Fisk, Jr., and Jay Gould as spectators.[509] Another pre-election cartoon, entitled "The Power behind the Throne," presented Governor Hoffman crowned and robed as king, with Tweed grasping the sword of power and Sweeny the axe of an headsman. [510]

Democrats resented these attacks. People, still indifferent to or ignorant of Tweed's misdeeds, rested undisturbed. The Citizens' Association of New York had memorialised the Legislature to pass the Tweed charter, men of wealth and character petitioned for its adoption, and the press in the main approved it.[511] Even the *World*, after its bitter attacks in the preceding winter upon the Ring officials, championed their cause.[512] "There is not another municipal government in the world," said Manton Marble, "which combines so much character, capacity, experience, and energy as are to be found in the city government of New York under the new charter." [513] The final Democratic rally of the campaign also contributed to Tammany's glory. Horatio Seymour was the guest of honor and August Belmont chairman. Conspicuous in the list of vice-presidents were Samuel J. Tilden, George Tichnor Curtis, Augustus Schell, and Charles O'Connor, while Tweed, with Hoffman and McClellan, reviewed thirty thousand marchers in the presence of one hundred thousand people who thronged Union Square, attracted by an entertainment as lavish as the fêtes of Napoleon III. To many this prodigal expenditure of money suggested as complete and sudden a collapse to Tweed as had befallen the French Emperor, then about to become the prisoner of Germany. In the midst of the noise Seymour, refraining from committing himself to Tammany's methods, read a carefully written essay on the canals.[514] It was noted, too, that Tilden did not speak.

The election resulted in the choice of all the Democratic candidates, with sixteen of the thirty-one congressmen and a majority in each branch of the Legislature. Hall was also re-elected mayor.[515] Republicans extracted a bit of comfort out of the reduced majority in New York City, but to all

appearances Tammany had tightened its grip. Indeed, on New Year's Day, 1871, when Hoffman and Hall, with almost unlimited patronage to divide, were installed for a second time, the Boss had reason to feel that he could do as he liked. From a modest house on Henry Street he moved to Fifth Avenue. At his summer home in Greenwich he erected a stable with stalls of finest mahogany. His daughter's wedding became a prodigal exhibition of great wealth, and admittance to the Americus Club, his favourite retreat, required an initiation fee of one thousand dollars. To the poor he gave lavishly. In the winter of 1870-71 he donated one thousand dollars to each alderman to buy coal and food for the needy. His own ward received fifty thousand. Finally, in return for his gifts scattered broadcast to the press and to an army of protégés, it was proposed to erect a statue "in commemoration of his services to the Commonwealth of New York." His followers thought him invulnerable, and those who despised him feared his power. In New York he had come to occupy something of the position formerly accorded to Napoleon III by the public opinion of Europe.

Tweed's legislative achievements, increasing in boldness, climaxed in the session of 1871 by the passage of the Acts to widen Broadway and construct the Viaduct Railroad. The latter company had power to grade streets, to sell five millions of its stock to the municipality, and to have its property exempted from taxation,[516] while the Broadway swindle, estimated to cost the city between fifty and sixty millions,[517] enabled members of the Ring to enrich themselves in the purchase of real estate. To pass these measures Tweed required the entire Democratic vote, so that when one member resigned to avoid expulsion for having assaulted a colleague,[518] he found it necessary to purchase a Republican to break the deadlock. The character of Republican assemblymen had materially changed for the better, and the belief obtained that "none would be brazen enough to take the risk of selling out;"[519] but an offer of seventy-five thousand dollars secured the needed vote.[520] Thus did the power of evil seem more strongly intrenched than ever.

Meanwhile the constant and unsparing denunciation of the *New York Times*, coupled with Nast's cartoons in *Harper's Weekly*, excited increasing attention to the Ring. As early as 1869 Nast began satirising the partnership of Tweed, Sweeny, Connolly, and Hall, and in 1870 the *Times* opened its battery with an energy and sureness of aim that greatly disturbed the

conspirators. To silence its suggestive and relentless attacks Tweed sought to bribe its editor, making an offer of one million dollars.^[521] A little later he sent word to Nast that he could have half a million.^[522] Failing in these attempts the Ring, in November, 1870, secured an indorsement from Marshall O. Roberts, Moses Taylor, John Jacob Astor, and three others of like position, that the financial affairs of the city, as shown by the comptroller's books, were administered correctly. It subsequently transpired that some of these men were associated with Tweed in the notorious Viaduct job,^[523] but for the time their certificate re-established the Ring's credit more firmly than ever. "There is absolutely nothing in the city," said the *Times*, "which is beyond the reach of the insatiable gang who have obtained possession of it."^[524]

While Roberts and his associates were certifying to the correctness of Connolly's books, William Copeland, a clerk in the office, was making a transcript of the Ring's fraudulent disbursements. Copeland was a protégé of ex-sheriff James O'Brien, who had quarrelled with Connolly because the latter refused to allow his exorbitant bills, and with the Copeland transcript he tried to extort the money from Tweed. Failing in this he offered the evidence to the *Times*. A little later the same journal obtained a transcript of fraudulent armoury accounts through Matthew J. O'Rourke, a county bookkeeper. When knowledge of the *Times'* possessions reached the Ring, Connolly offered George Jones, the proprietor, five million dollars to keep silent. "I cannot consider your proposition," said Jones.^[525]

The *Times'* publication of the armoury expenses furnished by O'Rourke created a sensation, but the excitement over the Copeland evidence grew into a fierce tempest. These figures, carefully tabulated and printed in large type, showed that the new courthouse, incomplete and miserably furnished, involved a steal of \$8,000,000. One plasterer received \$38,187 for two days' work. Another, during a part of two months, drew nearly \$1,000,000. A carpenter received \$350,000 for a month's labour. A single item of stationery aggregated \$186,495, while forty chairs and three tables cost \$179,729. In supplying aldermen with carriages, mostly for funerals, two liverymen earned \$50,000 in a few days. Advertising in city newspapers amounted to \$2,703,308. Carpets purchased at five dollars per yard would cover City Hall Park three times over. As these disclosures appeared in successive issues the people realised that a gang of very common thieves

had been at work. It was a favourite method to refuse payment for want of money until a claimant, weary of waiting, accepted the suggestion of Connolly's agent to increase the amount of his bill. This turned an honest man into a conspirator and gave the Ring the benefit of the raise.[526]

On September 4, 1871, a mass meeting of indignant citizens, held in Cooper Union, created the Committee of Seventy, and charged it with the conduct of investigations and prosecutions. Before it could act vouchers and cancelled warrants, covering the courthouse work for 1869 and 1870, had been stolen from the comptroller's office.[527] This increased the excitement. At last Connolly, to escape becoming a scape-goat, appointed Andrew H. Green deputy comptroller, and the Governor designated Charles O'Connor to act in behalf of the Attorney-General. Thus the Committee of Seventy passed into complete control of the situation, and under the pressure of suits and arrests the Ring rapidly lost its power and finally its existence. On October 26, 1871, Tweed was arrested and held to bail in the sum of \$1,000,000, Jay Gould becoming his chief bondsman. Soon after Sweeny retired from the Board of Park Commissioners, Connolly resigned as comptroller, and Tweed gave up the offices of grand sachem of Tammany, director of the Erie Railway, and commissioner of public works. Of all his associates Mayor Hall alone continued in office, serving until the end of 1872, the close of his term.[528]

Having anticipated a little it may not be improper to anticipate a little more, and say what became of other members of this historic Ring. When the public prosecutor began his work Sweeny and Connolly fled to Europe.[529] After one mistrial, Tweed, found guilty on fifty-one counts, was sent to prison for twelve years on Blackwell's Island, but at the end of a year the Court of Appeals reversed the sentence, holding it cumulative. Being immediately rearrested Tweed, in default of bail fixed at \$3,000,000, remained in jail until his escape in December, 1875. Disguised by cutting his beard and wearing a wig and gold spectacles, he concealed his whereabouts for nearly a year, going to Florida in a schooner, thence to Cuba in a fishing smack, and finally to Spain, where he was recognised and returned to New York on a United States man-of-war. He re-entered confinement on November 23, 1876, and died friendless and moneyless in Ludlow Street jail on April 12, 1878.

Meantime the Legislature of 1871 had ordered the impeachment of Barnard and Cardozo of the Supreme Court, and McCunn of the Superior Court. Their offences extended beyond the sphere of Tweed's operations, indicating the greed of a Sweeny and the disregard of all honorable obligations. Cardozo, the most infamous of the trio, called the Machiavelli of the Bench, weakened under investigation and resigned to avoid dismissal. Barnard and McCunn, being summarily removed, were forever disqualified from holding any office of trust in the State. McCunn died three days after sentence, while Barnard, although living for seven years, went to his grave at the early age of fifty.

The aggregate of the Ring's gigantic swindles is known only approximately. Henry F. Taintor, the auditor employed by Andrew H. Green, estimated it between forty-five and fifty millions; an Aldermanic committee placed it at sixty millions; and Matthew J. O'Rourke, after thorough study, fixed it at seventy-five millions, adding that if his report had included the vast issues of fraudulent bonds, the swindling by franchises and favours granted, and speculation by blackmail and extortion, the grand total would aggregate two hundred millions. Of the entire sum stolen only \$876,000 were recovered.

[530]

CHAPTER XX

CONKLING PUNISHES GREELEY

1871

"It were idle," said Horace Greeley, soon after the election in November, 1870, "to trace the genealogy of the feud which has divided Republicans into what are of late designated Fenton and Conkling men. Suffice it that the fatal distraction exists and works inevitable disaster. More effort was made in our last State convention to triumph over Senator Fenton than to defeat Governor Hoffman, and in selecting candidates for our State ticket the question of Fenton and anti-Fenton was more regarded by many than the nomination of strong and popular candidates. Since then every Fenton man who holds a federal office has felt of his neck each morning to be sure that his head was still attached to his shoulders."[\[531\]](#)

Conkling's effort to obtain control of the State Committee provoked this threnody. Subsequently, without the slightest warning, Fenton's naval officer, general appraiser, and pension agent were removed.[\[532\]](#) But as the year grew older it became apparent that designs more fatal in their consequences than removals from office threatened the Fenton organisation. It was not a secret that the Governor had kept his control largely through the management of politicians, entitled "Tammany Republicans," of whom "Hank" Smith, as he was familiarly called, represented an active type. Smith was a member of the Republican State committee and of the Republican general city committee. He was also a county supervisor and a Tweed police commissioner. Moreover, he was the very model of a resourceful leader, acute and energetic, strong and unyielding, and utterly without timidity in politics. In supporting Fenton he appointed Republicans to city offices, took care of those discharged from the custom-house, and used the police and other instruments of power as freely as Thomas Murphy created vacancies and made appointments.[\[533\]](#) In his despotic sway he had shown little regard for opposition leaders and none whatever for minorities, until at last a faction of the general city committee, of which Horace Greeley was then chairman, petitioned the State committee for a reorganisation. So long as Fenton controlled State conventions and State committees, Smith's iron rule easily suppressed such seceders; but when the

State committee revealed a majority of Conkling men, with Cornell as chairman, these malcontents found ready listeners and active sympathisers.

Alonzo B. Cornell, then thirty-nine years old, had already entered upon his famous career. From the time he began life as a boy of fifteen in an Erie Railroad telegraph office, he had achieved phenomenal success in business. His talents as an organiser easily opened the way. He became manager of the Western Union telegraph lines, the promoter of a steamboat company for Lake Cayuga, and the director of a national bank at Ithaca. Indeed, he forged ahead so rapidly that soon after leaving the employ of the Western Union, Jay Gould charged him with manipulating a "blind pool" in telegraph stocks.^[534] His education and experience also made him an expert in political manipulation, until, in 1868, he shone as the Republican candidate for lieutenant-governor. After his defeat and Grant's election, he became surveyor of the port of New York, a supporter of Conkling, and the champion of a second term for the President. His silence, deepened by cold, dull eyes, justified the title of "Sphinx," while his massive head, with bulging brows, indicated intellectual and executive power. He was not an educated man. Passing at an early age from his studies at Ithaca Academy into business no time was left him, if the disposition had been his, to specialise any branch of political economic science. He could talk of politics and the rapid growth of American industries, but the better government of great cities and the need of reform in the national life found little if any place among his activities. In fact, his close identification with the organisation had robbed him of the character that belongs to men of political independence, until the public came to regard him only an office-holder who owed his position to the favour of a chief whom he loyally served.

Very naturally the scheme of the malcontents attracted Cornell, who advised Horace Greeley that after careful and patient consideration the State Committee,^[535] by a vote of 20 to 8, had decided upon an entire reorganisation of his committee. Cornell further declared that if their action was without precedent so was the existing state of political affairs in the city, since never before in the history of the party had the general committee divided into two factions of nearly equal numbers, one ordering primaries for the election of a new committee, and the other calling upon the State committee to direct an entire reorganisation. However, he continued,

abundant precedent existed for the arbitrary reorganisation of assembly, district, and ward committees by county committees. Since the State committee bore the same official relation to county committees that those committees sustained to local organisations within their jurisdiction, it had sufficient authority to act in the present crisis.[\[536\]](#)

Conscious of the motive inspiring Cornell's action, Greeley replied that the State committee was the creature of State conventions, delegated with certain powers confined to the interval of time between such conventions. It executed its annual functions and expired. When contesting delegations from rival general committees had presented themselves in 1868, the State convention, rather than intrust the reorganisation to the State committee, appointed a special committee for the purpose, and when, in 1869, that committee made its report, the State convention resolved that the general committee of 1870 should thereafter be the regular and the only organisation. Nor was that all. When a resolution was introduced in the State convention of 1870 to give the State committee power to interfere with the general committee, the convention frowned and peremptorily dismissed it. Neither did the State committee, Greeley continued, take anything by analogy. County committees had never assumed to dissolve or reorganise assembly or district committees, nor had the power ever been conceded them, since assembly and district committees were paramount to county committees. But aside from this the general committee had other and greater powers than those of county committees, for the State convention in 1863, in 1866, and again in 1869 ordered that Republican electors in each city and assembly district should be enrolled into associations, delegates from each of which composed the general committee. No such power was conceded to county committees.[\[537\]](#)

Although this statement seemed to negative its jurisdiction to interfere, the State committee, exposing the real reason for its action, based its right to proceed on the existence of improper practices, claiming that certain officers and members of the Greeley and district committees held positions in city departments under the control of Tammany, and that when members of Republican associations were discharged from federal offices by reason of Democratic affiliations, they were promptly appointed to places under Democratic officials.[\[538\]](#) To this the Greeley committee replied that Republicans holding municipal offices did so under a custom growing out

of mixed commissions of Republicans and Democrats, which divided certain places between the two parties—a custom as old as the party itself, and one that had received the sanction of its best men. Indeed, it continued, George Opdyke, a member of the State committee, had himself, when mayor, appointed well-known Democrats on condition that Republicans should share the minor offices,[539] and a Republican governor and Senate, in placing a Tammany official at the head of the street-cleaning department, invoked the same principle of division.[540] Several members of the State committee had themselves, until recently, held profitable places by reason of such an understanding without thought of their party fealty being questioned. It was a recognition of the rights of the minority. As to the wisdom of such a policy the committee did not express an opinion, but it suggested that if members of the general committee or of district associations, holding such city places, should be charged with party infidelity, prompt expulsion would follow proof of guilt. It declared itself as anxious to maintain party purity and fidelity as the State committee, and for the purpose of investigating all charges it appointed a sub-committee.[541]

It was manifest from the first, however, that no investigation, no purging of the rolls, no compromise would avail. The charge had gone forth that "Tammany Republicans" controlled the Greeley committee, and in reply to the demand for specifications the State committee accused Henry Smith and others with using Tammany's police, taking orders from Sweeny, and participating in Ring enterprises to the detriment of the Republican party. [542] "These men," said the *Times*, "are receiving the devil's pay, and consequently, it is to be presumed, are doing the devil's work. Republicans under Tammany cannot serve two masters. A Republican has a right to serve Tweed if he chooses. But he ought not at the same time to be taken into the confidence of Republicans who wage war against Tammany for debasing the bench, the bar, and every channel of political life." [543]

To articles of this character Greeley replied that the Republicanism of Cornell and Smith did not differ. They had graced the same ticket; they had gone harmonious members of the same delegation to the last State convention; and they were fellow members of the State committee, created by that convention, Smith being aided thither by Cornell's vote.[544] In the presence of such evidence the Fenton faction declared that there was neither soundness nor sincerity in the *Times'* statements or in the State committee's

charges. Nevertheless, it was known then and publicly charged afterward that, although thoroughly honest himself, Greeley had long been associated with the most selfish politicians in the State outside of Murphy and the Tammany Ring.^[545] Thus the accusation against "Tammany Republicans" became a taking cry, since the feeling generally obtained that it was quite impossible for a man to perform service for Tweed and be a faithful Republican. Formerly the question had assumed less importance, but Tammany, identified with fraudulent government, a corrupt judiciary, and a dishonest application of money, could no longer be treated as a political organisation. Its leaders were thieves, it was argued, and a Republican entering their service must also be corrupt. In his letter to John A. Griswold, Conkling openly charged the Greeley committee with being corrupted and controlled by Tammany money.^[546]

The controversy, bitter enough before, became still more bitter now. Conscious that all was lost if the State committee succeeded, the Greeley organisation, by a vote of 99 to 1, declined to be reorganised. "The determination of the State committee to dissolve the regular Republican organisation of the city of New York and to create another, without cause and without power," it said, "is an act unprecedented in its nature, without justification, incompatible with the principles and life of the Republican party, and altogether an act of usurpation, unmitigated by either policy or necessity."^[547] Greeley alone appeared willing to yield. He offered a resolution, which, while describing the State committee's order as an injustice and a wrong, agreed to obey it; but an adverse majority of 91 to 9 showed that his associates interpreted his real feelings.^[548]

Thus the break had come. It was not an unusual event for the general city committee to quarrel. For many years Republican contentions in the metropolis had occupied the attention of the party throughout the State. In fact a State convention had scarcely met without being wearied with them. But everything now conspired to make the spirit of faction unrelenting and to draw the line sharply between friend and foe. The removal of Grinnell, the declaration of Greeley against Grant's renomination,^[549] the intense bitterness between Conkling and Fenton, and the boast of the State committee that it would control the State convention and substitute its own creature for the Greeley committee, all coalesced against harmony and a compromise.

Moreover, even the appearance of relations between Greeley and Conkling had ceased. "Mr. Conkling's frenzy," said the *Tribune*, "generally comes on during executive session, when, if we may be allowed the metaphor, he gets upon stilts and supports his dignity.... We can see the pose of that majestic figure, the sweep of that bolt-hurling arm, the cold and awful gleam of that senatorial eye, as he towers above the listening legislators." It spoke of him as the "Pet of the Petticoats," the "Apollo of the Senate," the "darling of the ladies' gallery," who "could look hyacinthine in just thirty seconds after the appearance of a woman." Then it took a shot at the Senator's self-appreciation. "No one can approach him, if anybody can approach him, without being conscious that there is something great about Conkling. Conkling himself is conscious of it. He walks in a nimbus of it. If Moses' name had been Conkling when he descended from the Mount, and the Jews had asked him what he saw there, he would promptly have replied, 'Conkling!' It is a little difficult to see why Mr. Conkling did not gain a reputation during the war. Many men took advantage of it for the display of heroic qualities. But this was not Conkling's opportunity. Is he a man to make a reputation while his country is in danger? He was not. Probably he knew best when to hitch his dogcart to a star. Such a man could afford to wait. Wrapped in the mantle of his own great opinion of himself, he could afford to let his great genius prey upon itself until the fulness of time."[\[550\]](#) Of course, after this there could be no relations between the editor and the senator. These editorials recalled the Blaine episode, and although not so steeped in bitterness, as a character-study they did not differ from the prototype.

This was the condition of affairs when the Republican convention met at Syracuse on September 27. Except Greeley every prominent leader in the State attended. The question whether the rival general committee created by the State organisation should be recognised involved the whole party, and the audience assembled surpassed any previous attendance. The presence of a multitude of federal officials as delegates and leaders indicated that the Administration at Washington also took a deep interest. There was much doubt and solicitude as to the result, for no opportunity had been given the factions to measure strength since the convention of 1870. The nomination of a minority candidate for speaker of the Assembly in the preceding January had been claimed as a Fenton victory, but the selection of James W.

Husted, then at the threshold of a long and conspicuous career, did not turn on such a hinge. Husted had strength of his own. Although never to become an orator of great power and genuine inspiration, his quickness of perception, coupled with the manners of an accomplished gentleman, brilliant in conversation and formidable in debate, made him a popular favourite whose strength extended beyond faction. Now, however, the issue was sharply drawn, and when Alonzo B. Cornell called the convention to order, the opposing forces, marshalled for a fight to the finish, announced Andrew D. White and Chauncey M. Depew as their respective candidates for temporary chairman. White's recent appointment as a commissioner to San Domingo had been a distinct gain to the President's scheme of annexation, and he now appeared at the convention in obedience to Cornell's solicitation.^[551] To gain a bit of advantage Depew, in the interest of harmony, he said, withdrew in favour of G. Hilton Scribner of Westchester, who had headed a young men's association formed to allay strife between the rival senators. The suggestion being accepted, Depew then moved to make Scribner and White temporary and permanent chairmen. Upon the temporary chairman depended the character of the committees, and Cornell, with a frown upon his large, sallow, cleanly shaven face, promptly ruled the motion out of order. When a Fenton delegate appealed from the Chair's ruling, he refused to put the question.

Instantly the convention was upon its feet. Demands for roll-call and the shouts of a hundred men stifled the work of the gavel. Police interference increased the noise. In the midst of the confusion the stentorian voice of John Cochrane, a Fenton delegate, declared "the roll entirely wrong."^[552] This aggravated the situation. Finally, when delegates and chairman had physically exhausted themselves, Waldo M. Hutchins was allowed to suggest that in all cases of contested seats the names of delegates be passed. To this Cornell reluctantly agreed amidst loud applause from the Fenton faction, which desired its action interpreted as an unselfish concession in the interest of harmony; but the tremendous surprise subsequently displayed upon the announcement of White's election by 188 to 159 revealed its insincerity. It had confidently counted on twenty-one additional votes, or a majority of thirteen.^[553] Thus, in a moment, were brightest hopes and fairest prospects blasted.

It was easy to speculate as to the cause of this overthrow. To declare it the triumph of patronage; to assert that delegates from Republican strongholds supported Fenton and that others from counties with overwhelming Democratic majorities sustained Conkling; to stigmatise the conduct of Cornell as an unprecedented exhibition of tyranny, and to charge White with seeking the votes of Fenton members on the plea that his action would promote harmony,[554] probably did not economise the truth. Explanations, however, could not relieve the anguish of defeat or nerve the weak to greater effort. Many delegates, filled with apprehension and anxious to be on the winning side, thought annihilation more likely than any sincere and friendly understanding, a suspicion that White's committee appointments quickly ratified. Although the Fenton faction comprised nearly one-half the convention, the Committee on Credentials stood 12 to 2 in favour of Conkling. Of course the famous president of Cornell University did not select this committee. He simply followed custom and fathered the list of names Cornell handed him.[555] "But in blindly consenting to be thus used by the State committee," wrote Greeley, "he became the instrument of such an outrage as no respectable presiding officer of any prominent deliberative body has ever committed." [556]

To the Fenton faction this severe criticism of a presumably fair man seemed justified after his jug-handle committee had made its jug-handle report. It favoured seating all contesting delegates outside of the City, admitted the Greeley delegates and their opponents with the right to cast half of one vote, and recognised the organisation established by the State committee as the regular and the only one. By this time the dullest delegate understood the trend of affairs. Indeed, dismissals and appointments in the civil service had preceded the assembling of the convention until politicians understood that the way to preferment opened only to those obedient to the new dictator. Accordingly, on the next roll-call, the weak-kneed took flight, the vote standing 202 to 116. Upon hearing the astounding result a Fenton delegate exclaimed, "Blessed are they that expect nothing, for they shall not be disappointed." [557]

In discussing the resolution to abolish the Greeley committee the question narrowed itself to members holding office under Tammany, the Greeley organisation maintaining that it had simply inherited the custom, not created it, while Cornell and his associates, having "Hank" Smith in mind, declared

it impossible to avoid the custom without destroying the committee. To some of the Conkling leaders this seemed unnecessarily severe. Having showed their teeth they hesitated to lacerate the party, especially after the mad rush to the winning side had given them an overwhelming majority. At last, it fell to Hamilton Ward, a friend of the Senator, for six years a member of Congress, a forcible speaker, and still a young man of nerve, who was to become attorney-general and a judge of the Supreme Court, to propose as a substitute that the State committee be directed to consolidate and perfect the two city organisations. The Fenton people promptly acquiesced, and their opponents, after eliminating Smith by disallowing a member of the organisation to hold office under Tammany, cheerfully accepted it.

This compromise, thus harmoniously perfected in the presence and hearing of the convention, was loudly applauded, and the chairman had risen to put the motion when Conkling interrupted, "Not yet the question, Mr. President!" Until then the Senator had been a silent spectator. Indeed, not until the previous roll-call did he become a member of the convention. But he was now to become its master. His slow, measured utterances and deep chest-tones commanded instant attention. If for a moment, as he calmly declared opposition to the substitute, he seemed to stand alone, his declaration that a horde of Tammany ballot-box stuffers, pirates, and robbers had controlled and debauched the Republican organisation in the city of New York called forth the loudest applause of the evening. His next statement, that the time had come when such encroachments must cease, renewed the cheering. Having thus paid his respects to the Greeley committee, Conkling argued that a new State committee could not do in the four weeks preceding election what it had taken the old committee months to accomplish. The campaign must be made not with a divided organisation, but with ranks closed up. Reading from an editorial in the *Tribune*, he claimed that it approved the committee's report, and he begged the convention to take the editor at his word, shake hands, bury animosities and disappointments, make up a ticket equally of both factions, and accept the reorganisation of the city committee, so that double delegations might not appear at the next national convention to parade their dissensions. He disclaimed any unkind feeling, and in favouring the admission of both city delegations, he said, he supposed he had worked in the interest of harmony.

This appeal has been called one of Conkling's "most remarkable speeches." [558] Unlike the Senator's usual efforts laboured preparation did not precede it. The striking passage and the impressive phrase are entirely wanting. Epigrammatic utterances are the supreme test of a great orator or poet, but Conkling's speech of September 27 added nothing to that vocabulary. It may be said to lack every element of a well-ordered oration. As preserved in the newspapers of the day [559] it is hard, if not impossible, to find sufficient rhetorical merit to entitle it to a place in any volume of ordinary addresses. It wanted the persuasive power that allures by an exquisite choice of words, or charms by noble and sympathetic elocution. Even the style of his appeal for harmony was too self-assured and his faith in his own superiority too evident. Nevertheless, of the living who heard his explosive exclamation, "Not yet the question, Mr. President," and the flaming sentences arraigning the Greeley Republicans as partners of Tammany, it lingers in the memory as a forceful philippic, full of pose and gesture and dramatic action. Its influence, however, is not so clear. The power of patronage had already twice carried the convention, and that this incentive would have done so again had Conkling simply whispered to his lieutenants, must be evident to all who read the story. Ward's motion was lost by 154 to 194, the Conkling vote being eight less than on the preceding roll-call. [560]

Conkling desired a solid delegation at the next Republican National Convention, and the recognition of the organisation established by the State committee assured it, whereas the Ward amendment, by including the Greeley constituency, inspired the fear of a divided one. [561] Perhaps the failure of his friends to appreciate this fear justified Conkling's interference, but a single word of dissent was sufficient to alarm them, while a less arrogant and dominating spirit might easily have avoided making the bitter assault which provoked a storm of hostile criticism. Greeley's stinging retort illuminated the Senator's insincerity. "Conkling declared it right," said the editor, "to abolish the regular organisation because corrupted and controlled by Tammany money, and then invited its delegates to an equal share in making the platform and selecting a ticket. If he believed what he said, he was guilty of party treason in the offer; if he did not, he added the folly of insult to the crime of foul slander." [562] This was the view of the Greeley delegates, and refusing to accept the offered terms, Moses H. Grinnell,

Marshall O. Roberts, and their associates, amid ironical cheers, withdrew from the convention.

After this business progressed smoothly and easily. There were no divisions, no debates, and no questions of importance. Nominations aroused little enthusiasm,^[563] and the platform which Greeley called "the miracle of clumsiness,"^[564] indorsed the administration of President Grant, denounced the crimes of the Tweed ring, and recommended local option. Meanwhile the seceders, assembled in Wild's Opera House, gave vent to bitter criticism and the whispered scandal of hotel lobbies.^[565] When this proceeding finally ended they separated with the consciousness that their last performance, at least, had made them ridiculous.

CHAPTER XXI

TILDEN CRUSHES TAMMANY

1871

WHILE Conkling was disposing of Greeley and the Fenton organisation, Samuel J. Tilden prepared to crush Tammany. Tweed had reason to fear Tilden. In 1869 he accused the Ring of being "opposed to all good government."^[566] Afterward, in 1870, the defeat of the Young Democracy's charter added to his bitterness. On the evening of the day on which that vote occurred, Tweed jeered Tilden as the latter passed through the hotel corridor, while Tilden, trembling with suppressed emotion, expressed the belief that the Boss would close his career in jail or in exile.^[567] One wonders that Tilden, being a natural detective, should have delayed strenuous action until the *Times'* exposure, but when, at last, a knowledge of the colossal frauds suddenly opened the way to successful battle, he seized the advantage with the skill and persistency of a master.

In his crusade he did not unite with Republicans, for whom he had no liking. He was not only an intense partisan, but he had a positive genius for saying bitter things in the bitterest way. To him the quarter of a century covered by Van Buren, Marcy, and Wright, shone as an era of honour and truth, while the twenty-four years spanned by the Republicans and the party from whence they sprung brought shame and disgrace upon the State. "The Republicans made the morals of the legislative bodies what they have recently become. When Seward and Weed took the place of Wright, Marcy, and Flagg, public and official morality fell in the twinkling of an eye. Even our city government, until 1870, was exactly what a Republican legislature made it. The league between corrupt Republicans and corrupt Democrats, which was formed during Republican ascendancy, proved too strong for honest men. The charter of 1870 which I denounced in a public speech, had the votes of nearly all the Republicans and Democrats."^[568] Still, he admitted that Tammany was synonymous with Democracy, and that its corruption, especially since its blighting influence had become so notorious and oppressive, impeded and dishonoured the party. Under its rule primaries had been absurdities and elections a farce. Without being

thoroughly reorganised, therefore, the party, in his opinion, could not exist.
[569]

In this spirit Tilden entered upon the great work of his life. Two classes of Democrats faced him—the more clamorous reformers and the enemies of all reform. To the latter reorganisation seemed a reckless step. It argued that the loss of the Tammany vote meant the dissolution of the party, and that a great organisation ought not to be destroyed for the wrong of a few individuals, since the party was not responsible for them. Besides, the executive power of the State, with its vast official patronage scattered throughout all the counties, would oppose such a policy. On the other hand, the first class, possessing little faith in the party's ability to purge itself, threatened to turn reform into political revolution. It desired a new party. Nevertheless, Tilden did not hesitate. He issued letters to thousands of Democrats, declaring that "wherever the gangrene of corruption has reached the Democratic party we must take a knife and cut it out by the roots;"[570] he counselled with Horatio Seymour and Charles O'Connor; he originated the movement that ultimately sent a reform delegation to the State convention; he consented to stand for the Assembly; and finally, to secure the fruit of three months' work, he raised one-half the funds expended by the Democratic reform organisation.

The Ring had not been an indifferent observer of these efforts. While it cared little for the control of a State convention without a governor to nominate, its continued existence absolutely depended upon a majority in the Senate. Tweed planned to carry the five senatorial districts in the city, and to re-elect if possible the eight Republican senators whom he had used the year before.[571] This would insure him control. To achieve his purpose word was sent to Tilden early in August that he could name the delegates to the State convention and the candidates upon the State ticket if he would not interfere with Tammany's legislative nominations. If Tilden had not before distrusted Tweed, such a proposition must have aroused his suspicion. But Tilden, conscious of the need of an anti-Tweed legislature, had surmised the Ring's plan as early as Tweed devised it, and he replied with firmness that everything beside the legislative ticket was of minor importance to him. Similar propositions, presented by powerful men from all parts of the State with the plea that a compromise would "save the party," received the same answer.[572] Meanwhile, he laboured to shorten

the life of the Ring. To him Richard Connolly appealed for protection against Tweed's treachery, and at Tilden's suggestion the comptroller turned over his office to Andrew H. Green, thus assuring the protection of the records which subsequently formed the basis of all civil and criminal actions. Tilden's sagacity in procuring the opinion of Charles O'Connor also secured the Mayor's acquiescence in Green's possession of the office, while his patient investigation of the Broadway Bank accounts discovered the judicial proofs that opened the prison doors.

These were fatal blows to the Ring. The leading Democratic papers of the interior, notably the *Buffalo Courier* and *Albany Argus*, came boldly out demanding the dismissal of the shameless robbers who were disgracing the name and destroying the future of their party. Moreover, Tilden, like an avenging angel, with all the skill and knowledge of his kind, had united into one great reform party the four Democratic organisations of the city, pledged to oppose Tammany.^[573] This formidable combination, having complied with every requirement of the State committee, selected delegates to the State convention. The hearts of Tweed and his associates may well have sunk within them as they studied this list. There were able lawyers like William E. Curtis; powerful merchants like Havermeyer; influential editors like Ottendorfer; solid business men like Schell; and determined members of the Committee of Seventy like Roswell D. Hatch, who had been conspicuous in tracking the thieves. But the name that must have shone most formidably in the eyes of Tweed was that of Charles O'Connor. It stood at the head of the list like a threatening cloud in the sky, ready to bring ruin upon the Ring. The moral support of his great legal fame, affirming the validity of Andrew H. Green's possession of the comptroller's office, had intimidated O'Gorman, Tweed's corporation counsel, and shattered the plot to forcibly eject Tilden's faithful friend under colour of judicial process. Thus the reform party seemed to be in the ascendant. With confidence Tilden expressed the belief that the State convention would repudiate Tammany.^[574]

Although it had become well known that Tilden would not compromise, Tweed lost none of his former prestige. His control of the State convention which assembled at Rochester on October 4 (1871) seemed as firm as on that day in 1870 when he renominated John T. Hoffman. It was still the fashion to praise all he said and all he did. Before his arrival the Reformers

claimed a majority, but as the up-State delegates crowded his rooms to bend the obsequious knee he reduced these claims to a count, finding only forty-two disobedient members. He was too tactful, however, to appear in the convention hall. His duty was to give orders, and like a soldier he pitched his headquarters near the scene of action, boasting that his friends were everywhere ready for battle.

In his opening speech Tilden touched the Ring frauds with the delicacy of a surgeon examining an abscess, and the faint response that greeted his condemnation of corruption satisfied him that the convention did not appreciate the danger of party blood-poisoning. The truth of this diagnosis more fully appeared when Tammany, "in the interest of harmony," waived its right to participate in the proceedings. The whirlwind of applause which greeted this "unselfish act" had scarcely subsided when a delegate from Kings county, acting for Tweed, moved the previous question on a resolution reciting that hereafter, on the call of the roll, the city of New York be omitted since it presented no delegation bearing the prestige of regularity. This threw the Reformers into an animated counsel. They knew of the proposed withdrawal of Tammany, which seemed to them to smooth the way for the acceptance of their credentials, but the resolution came with startling suddenness. It narrowed the question of their admission to a mere technicality and cut off debate. Tilden, appreciating the ambush into which he had fallen, exhausted every expedient to modify the parliamentary situation, knowing it to be in the power of the convention to accept another delegation regardless of its regularity, as the Republicans had done at Syracuse in the previous week. But the delegates derisively laughed at his awkward predicament as they adopted the resolution by a vote of 90 to 4.

By this act the convention clearly indicated its purpose to treat the fraud issue as a local matter and to keep it out of the State campaign. It intended to denounce the crime and the criminals, and to allow no one to become a delegate who had aided or in anywise profited by the conspiracy, but it would not recognise a delegation which desired to reorganise the party in the metropolis by humiliating a great association whose regularity had been accepted for many years, and which had finally turned the State over to the Democracy. This view had the support of every office-holder and of every appointee of the Executive, whose great desire to "save the party" had its inspiration in a greater desire to save themselves. On the other hand, the

minority argued that allowing Tammany voluntarily to withdraw from the convention was equivalent to its endorsement, thus giving its nominations regularity. This would compel the Democratic masses, in order to participate in the primaries, to vote its ticket. Tilden sought to avoid this regularity just as Conkling had destroyed the Greeley committee, and if office-holders had supported him as they did the Senator he must have won as easily.

The convention's treatment of Horatio Seymour also exhibited its dislike of the reformer. Seymour came to the convention to be its president, and upon his entrance to the hall had been hailed, amidst tumultuous cheers, as "Our future president in 1872." While waiting the conclusion of the preliminary proceedings he observed Francis Kernan sitting outside the rail with the rejected Reformers. Hesitatingly, and in the hope, he said, of arousing no unpleasant discussion, he moved the admission of the veteran Democrat, whom he described as grown gray in the party harness, and whose very presence was a sufficient credential to his title to a seat. Kernan, being in sympathy with Tilden, was *non persona grata* to Tammany, and Seymour had scarcely resumed his seat when the ubiquitous delegate from Kings, with a flourish of rhetoric, promptly substituted another, who, he alleged, was the regularly elected delegate as well as "the friend of that great Democrat, John T. Hoffman." The convention, frantic with delight at the mention of the Governor's name, saw the Oneidan grow lividly pale with chagrin at this exhibition of Tammany's manners. Seymour had lived long in years, in fame, and in the esteem of his party. He could hardly have had any personal enemies. He possessed no capricious dislikes, and his kindly heart, in spite of a stateliness of bearing, won all the people who came near him. To be thus opposed and bantered in a Democratic assembly was a deep humiliation, and after expressing the hope that the Tammany man would fight for the Democratic party as gallantly in future as he had fought against it in the past, the illustrious statesman withdrew his motion. When, later, his name was announced as presiding officer of the permanent organisation, the convention discovered to its dismay that Seymour, feigning sickness, had returned to Utica.[\[575\]](#)

At the end of the day's work it was plain that Tweed had controlled the convention. The Reformers had been excluded, the committee on contested seats had refused them a hearing, Seymour was driven home, and a eulogy

of Tammany's political services had been applauded to the echo. The platform did, indeed, express indignation at the "corruption and extravagance recently brought to light in the municipal affairs of the city of New York," and condemned "as unworthy of countenance or toleration all who are responsible," but the contrast between the acts of the convention and the words of its platform made its professions of indignation seem incongruous if not absolutely empty. When one speaker, with rhetorical effect, pronounced the frauds in New York "the mere dreams of Republican imagination" delegates sprang to their feet amidst ringing cheers. In the joy of victory, Tweed, with good-natured contempt, characterised Seymour, Tilden, and Kernan as "three troublesome old fools."[\[576\]](#)

After adjournment the Reformers made no concealment of their bitter dissatisfaction. Oswald Ottendorfer, editor of the most powerful German Democratic organ then in the State, threatened to issue an address denouncing their betrayal, and William E. Curtis, referring to the refusal of the credentials' committee, declared that a voice from the Democratic masses of New York, seeking relief from a gang of thieves, was stronger, higher, and more sublime than mere questions of technicality. Under the spur of this threatened revolt, the convention, when it reconvened the next day, listened to the Reformers. Their recital was not a panegyric. Ottendorfer said that the operation of the previous question exposed the party to the suspicion that Tammany's seats would be open for their return after the storm of indignation had subsided. O'Connor, in a letter, declared that absolute freedom from all complicity in the great official crime and an utter intolerance of all persons suspected of sympathy with it must be maintained, otherwise its action would inflict a fatal wound upon the party. Curtis characterised the question as one of life or death to a great community weighed down by oppression and crime, and maintained that the convention, if it sought to avoid its duty by the subterfuge already enacted, would show both sympathy and complicity with the oligarchy of terror and infamy. These statements did not please the Ring men, who, with much noise, passed contemptuously out of the hall.

Riotous interruption, however, did not begin until Tilden announced that the real point of the controversy was to estop Tammany, after nominating five senators and twenty-one assemblymen, from declaring the Democratic masses out of the party because they refused to vote for its candidates. The

whip of party regularity was Tweed's last reliance, and when Tilden proclaimed absolution to those who disregarded it, the friends of Tammany drowned his words with loud calls to order. The excitement threatened to become a riot, but Tilden, caring as little for disapprobation as the son of Tisander in the story told by Herodotus, calmly awaited silence. "I was stating," he continued, without the slightest tremor of a singularly unmusical voice, "what I considered the objection to Tammany Hall, aside from the cloud that now covers that concern, and I am free to avow before this convention that I shall not vote for any one of Mr. Tweed's members of the Legislature. And if that is to be regarded the regular ticket, I will resign my place as chairman of the State committee and help my people stem the tide of corruption. When I come to do my duty as an elector, I shall cast my vote for honest men."[\[577\]](#) Then, to show his independence if not his contempt of the Tweed-bound body, Tilden suddenly waived aside the question of the Reformers' admission and moved to proceed to the nomination of a State ticket.[\[578\]](#)

The convention was stunned. It became dizzy when he denied Tammany's right to be regarded as the regular organisation, but his proclamation, defiantly and clearly made, that hereafter he should bolt its nominations even if the convention refused to impeach its regularity, struck a trenchant blow that silenced rather than excited. Such courage, displayed at such a critical moment, was sublime. An organised revolt against an association which had for years been accepted as regular by State conventions meant the sacrifice of a majority and an invitation to certain defeat, yet he hurled the words of defiance into the face of the convention with the energy of the Old Guard when called upon to surrender at Waterloo. The course taken by Tilden on this memorable occasion made his own career, and also a new career for his party. From that hour he became the real leader of the Democracy. Although more than a twelvemonth must pass before his voice gave the word of command, his genius as a born master was recognised.

The attitude of the Reformers strengthened the Republicans, whose distractions must otherwise have compassed their defeat. Murphyism and Tweedism resembled each other so much that a contest against either presented a well-defined issue of political morality. The greater importance of the Tammany frauds, however, obscured all other issues. To preserve their organisation in the up-State counties the Democrats made creditable

local nominations and professed support of the State ticket, but in the city the entire voting population, irrespective of former party alignments, divided into Tammany and anti-Tammany factions. As the crusade progressed the details of the great crime, becoming better understood, made Tammany's position intolerable. Every respectable journal opposed it and every organisation crucified it. In a double-page cartoon, startling in its conception and splendidly picturesque, Nast represented the Tammany tiger, with glaring eyes and distended jaws, tearing the vitals from the crushed and robbed city, while Tweed and his associates sat enthroned.^[579] "Let's stop those damned pictures," proposed Tweed when he saw it. "I don't care so much what the papers write about me—my constituents can't read; but they can see pictures."^[580]

On October 26 all doubt as to the result of the election was dissipated. Until then belief in Tweed's direct profit in the Ring's overcharges was based upon presumption. No intelligent man having an accurate knowledge of the facts could doubt his guilt, since every circumstance plainly pointed to it, but judicial proof did not exist until furnished by the investigation of the Broadway Bank, which Tilden personally conducted. His analysis of this information disclosed the fact that two-thirds of the money paid under the sanction of the Board of Audit had passed into the possession of public officials and their accomplices, some of it being actually traced into Tweed's pocket, and upon this evidence, verified by Tilden's affidavit, the Attorney-General based an action on which a warrant issued for Tweed's arrest. This announcement flashed over the State eleven days before the election. It was a powerful campaign document. People had not realised what an avenging hand pursued Tammany, but they now understood that Tweed was a common thief, and that Tilden, by reducing strong suspicion to a mathematical certainty, had closed the mouths of eulogists and apologists.

The result of the election carried dismay and confusion to Tammany. Its register, its judges, its aldermen, a majority of its assistant aldermen, fourteen of its twenty-one assemblymen, and four of its five senators were defeated, while Tweed's majority fell from 22,000 in 1869 to 10,000. As expected the Republicans reaped the benefit of the anti-Tammany vote, carrying the State by 18,000 majority and the Legislature by 79 on joint

ballot.[\[581\]](#) To obliterate Tweedism, Tilden had overthrown his party, but he had not fallen, Samsonlike, under the ruin.

CHAPTER XXII

GREELEY NOMINATED FOR PRESIDENT

1872

ALTHOUGH the Tammany exposure had absorbed public attention, the Republican party did not escape serious criticism. Reconstruction had disappointed many of its friends. By controlling the negro vote Republican administrations in several Southern States had wrought incalculable harm to the cause of free-government and equal suffrage. The State debt of Alabama had increased from six millions in 1860 to forty millions, that of Florida from two hundred thousand to fifteen millions, and that of Georgia from three millions to forty-four millions. "I say to-day, in the face of heaven and before all mankind," declared Tilden, "that the carpet-bag governments are infinitely worse than Tweed's government of the city of New York."[\[582\]](#)

Following such gross misgovernment the reactionary outbreaks influenced Congress to pass the so-called Ku-Klux Act of April 20, 1871, designed to suppress these outrages. This measure, although not dissimilar to others which protected the negro in his right of suffrage, met with stout Republican opposition, the spirited debate suddenly heralding a serious party division. Trumbull held it unconstitutional, while Schurz, reviewing the wretched State governments of the South, the venal officials who misled the negro, and the riotous corruption of men in possession of great authority, attacked the policy of the law as unwise and unsound.

Not less disturbing was the failure of Congress to grant universal amnesty. To this more than to all other causes did the critics of the Republican party ascribe the continuance of the animosities of the war, since it deprived the South of the assistance of its former leading men, and turned it over to inexperienced, and, in some instances, to corrupt men who used political disabilities as so much capital upon which to trade. The shocking brazenness of these methods had been disclosed in Georgia under the administration of Governor Bullock, who secured from Congress amnesty for his legislative friends while others were excluded. Schurz declared "When universal suffrage was granted to secure the equal rights of all, universal amnesty ought to have been granted to make all the resources of

political intelligence and experience available for the promotion of the welfare of all."[\[583\]](#)

The South had expected the President to develop a liberal policy. The spirit displayed at Appomattox, his "Let us have peace" letter of acceptance, and his intervention in Virginia and Mississippi soon after his inauguration, encouraged the belief that he would conciliate rather than harass it. His approval of the Ku-Klux law, therefore, intensified a feeling already strained to bitterness, and although he administered the law with prudence, a physical contest occurred in the South and a political rupture in the North. The hostility of the American people to the use of troops at elections had once before proved a source of angry contention, and the criticism which now rained upon the Republican party afforded new evidence of the public's animosity.

These strictures would have awakened no unusual solicitude in the minds of Republicans had their inspiration been confined to political opponents, but suddenly there came to the aid of the Democrats a formidable array of Republicans. Although the entering wedge was a difference of policy growing out of conditions in the Southern States, other reasons contributed to the rupture. The removal of Motley as minister to England, coming so soon after Sumner's successful resistance to the San Domingo scheme, was treated as an attempt to punish a senator for the just exercise of his right and the honest performance of his duty. Nine months later Sumner was discontinued as chairman of the Committee on Foreign Relations. If doubt existed as to the ground of Motley's removal, not a shadow clouded the reason for Sumner's deposition. The cause assigned was that he no longer maintained personal and social relations with the President and Secretary of State, but when Schurz stigmatised it as "a flimsy pretext" he voiced the opinion of a part of the press which accepted it as a display of pure vindictiveness. "The indignation over your removal," telegraphed John W. Forney, "extends to men of all parties. I have not heard one Republican approve it."[\[584\]](#) Among Sumner's correspondents Ira Harris noted the popular disapproval and indignation in New York. "Another term of such arrogant assumption of power and wanton acquiescence," said Schurz, "may furnish the flunkies with a store of precedents until people cease to look for ordinary means of relief."[\[585\]](#)

More disturbing because more irritating in its effects was the Administration's disposition to permit the control of its patronage by a coterie of senators, who preferred to strengthen faction regardless of its influence. Under this policy something had occurred in nearly every Northern State to make leading men and newspapers bitter, and as the years of the Administration multiplied censure became more drastic. Perhaps the influence of Conkling presented a normal phase of this practice. The Senator stood for much that had brought criticism upon the party. He approved the Southern policy and the acquisition of San Domingo. He indulged in a personal attack on Sumner, advised his deposition from the Committee on Foreign Affairs, commended the removal of Motley, and voted against the confirmation of E. Rockwood Hoar for associate justice of the Supreme Court.[586] He also opposed civil service reform.

A statesman so pronounced in his views and in control of abundant patronage was not likely to change a contest for personal advantage into a choice of public policies. Such an one appointed men because of their influence in controlling political caucuses and conventions. "The last two State conventions were mockeries," declared Greeley, "some of the delegates having been bought out of our hands and others driven out of the convention.... I saw numbers, under threats of losing federal office, dragooned into doing the bidding of one man." [587] The removal of officials whose names stood high in the roll of those who had greatly honoured their State deeply wounded many ardent Republicans, but not until the appointment and retention of Thomas Murphy did criticism scorn the veil of hint and innuendo. This act created a corps of journalistic critics whose unflagging satire and unswerving severity entertained the President's opponents and amazed his friends. They spoke for the popular side at the moment of a great crisis. Almost daily during the eighteen months of Murphy's administration the press of the whole country, under the lead of the *Tribune*, pictured the collector as a crafty army contractor and the partner of Tweed. "I think the warmest friends of Grant," wrote Curtis, "feel that he has failed terribly as President, not from want of honesty but from want of tact and great ignorance. It is a political position and he knew nothing of politics." [588] The sacrifice of the best men among his cabinet advisers added greatly to this unrest. In one of his letters, Lowell, unintentionally overlooking Hamilton Fish, declared that E. Rockwood

Hoar and Jacob D. Cox were "the only really strong men in the Cabinet." [589] After the latter's forced resignation and the former's sudden exit to make room for a Southern Republican in order to placate carpet-bag senators for the removal of Sumner, the great critics of the Administration again cut loose. "How long," asked Bowles, "does the President suppose the people will patiently endure this dealing with high office as if it were a presidential perquisite, to be given away upon his mere whim, without regard to the claims of the office? It was bad enough when he only dealt so with consulates and small post-offices; but now that he has come to foreign ministers and cabinet officers it is intolerable." [590]

Under these conditions Republicans had been losing strength. In the election of 1870 their numbers, for the first time since 1864, had fallen below a two-thirds majority in the national House, while the Democrats gained four United States senators. In the same year Carl Schurz, with the assistance of the Democrats, had carried Missouri on the issue of universal amnesty. As the disaffection with the Administration became more pronounced, this faction, assuming the name of Liberal Republicans, met in convention at Jefferson City on January 24, 1872, and invited all Republicans who favoured reform to meet in national mass convention at Cincinnati on May 1. This call acted like a lighted match in a pile of shavings, prominent Republicans in every State, including many leading newspapers, giving it instant and hearty response. Among other journals in New York the *Nation* and the *Evening Post* guardedly approved the movement, and the *World*, although a Democratic organ, offered conditional support. The *Tribune* also encouraged the hope that it would eventually swing into line.

Horace Greeley's principles were in substantial accord with those of his party. He had little liking for civil service reform; the integrity of the national debt invoked his unflagging support; and the suppression of the Ku-Klux, although favouring a liberal Southern policy, had received his encouragement. [591] Nor had he said anything in speech or writing disrespectful of the President. He did not favour his renomination, but he had faith in the essential honesty and soundness of Republican voters. Moreover, the demand for "a genuine reform of the tariff" made it impossible to reconcile his policy with that of the Liberal Republicans of Missouri.

Nevertheless, Greeley's position in the Republican party had become intolerable. Conkling controlled the city and State machines, Fenton belonged in a hopeless minority, and Grant resented the *Tribune's* opposition to his succession. Besides, the editor's friends had been deeply humiliated. The appointment of Murphy was accepted as "a plain declaration of war."^[592] The treatment of the Greeley committee, overthrown by the power of patronage, also festered in his heart. "For more than a year," he said, "to be an avowed friend of Governor Fenton was to be marked for proscription at the White House."^[593] Thus, with the past unforgiven and the future without hope, the great journalist declared that "We propose to endure this for one term only."^[594]

From the first it was apparent that the Republican schism, to be successful, needed the support of the *Tribune*. Although its influence had materially suffered during and since the war, it still controlled a great constituency throughout the North, and the longer its chief hesitated to join the new party the more earnest and eloquent did the appeals of the Liberals become. At last, relying upon a compromise of their economic differences, Greeley accepted the invitation to meet the Missouri reformers in convention.^[595] His action was the occasion for much rejoicing, and on April 13 the Liberals of New York City began their campaign amidst the cheers of an enthusiastic multitude assembled at Cooper Institute.^[596] The Fenton leaders, conspicuously posted on the platform, indicated neither a real love of reform nor an absence of office-seekers, but the presence among the vice-presidents of E.L. Godkin of the *Nation* and Parke Godwin of the *Post* removed all doubt as to the sincere desire of some of those present to replace Grant with a President who would discourage the use of patronage by enforcing civil service reform, and encourage good government in the South by enacting universal amnesty. To Schurz's charge that the national Republican convention would be made up of office-holders, Oliver P. Morton declared, three days later in the same hall, that there would be more office-seekers at Cincinnati than office-holders at Philadelphia.^[597]

The managers of the Liberal Republican movement preferred Charles Francis Adams for President. Adams' public life encouraged the belief that he would practise his professed principles, and although isolated from all political associations it was thought his brilliant championship of the North during the temporising of the English government would make his

nomination welcome. David Davis and Lyman Trumbull of Illinois were likewise acceptable, and Salmon P. Chase had his admirers. Greeley's availability was also talked of. His signature to the bail-bond of Jefferson Davis, releasing the ex-president of the Confederacy from prison, attracted attention to his presidential ambition, while his loud declaration for universal amnesty opened the way for a tour of the South. At a brilliant reception in Union Square, given after his return, he described the carpet-bagger as "a worthless adventurer whom the Southern States hate and ought to hate," likening him to the New York legislator "who goes to Albany nominally to legislate, but really to plunder and steal."[\[598\]](#) His excessive zeal for Democratic support led to the intimation that he had economised his epithets in criticising the Tweed ring.[\[599\]](#) As early as February, Nast, with his usual foresight, pictured "H.G., the editor" offering the nomination to "H.G., the farmer," who, rejoicing in the name of Cincinnatus, had turned from the plough toward the dome of the Capitol in the distance.[\[600\]](#) To the charge that he was a candidate for President, Greeley frankly admitted that while he was not an aspirant for office, he should never decline any duty which his political friends saw fit to devolve upon him.[\[601\]](#)

Nevertheless, the men whose earnest efforts had prepared the way for the Liberal movement did not encourage Greeley's ambition. Especially were his great newspaper associates dumb. A week before the convention Bowles of the Springfield *Republican* mentioned him with Sumner and Trumbull as a proper person for the nomination, but Godkin of the *Nation*, Halstead of the Cincinnati *Commercial*, and Horace White of the Chicago *Tribune* remained silent. The *Evening Post* spoke of him as "the simple-minded philanthropist, with his various scraps of so-called principles."[\[602\]](#) Jacob D. Cox, Stanley Matthews, and George Hoadley, the conspicuous Liberal triumvirate of Ohio, repudiated his candidacy, and Schurz, in his opening speech as president of the convention, without mentioning names, plainly designated Adams as the most suitable candidate and Greeley as the weakest.[\[603\]](#)

The first New Yorker to appear at Cincinnati was Reuben E. Fenton, followed by John Cochrane, Waldo M. Hutchins, Sinclair Tousey, and other seceders from the Syracuse convention of 1871. These political veterans, with the cunning practised at ward caucuses, quickly organised the New York delegation in the interest of Greeley. On motion of Cochrane,

Hutchins became chairman of a committee to name sixty-eight delegates, the people present being allowed to report two delegates from their respective congressional districts. These tactics became more offensive when the committee, instead of accepting the delegates reported, arbitrarily assumed the right to substitute several well-known friends of Greeley. Not content with this advantage, the majority, on motion of Cochrane, adopted the unit rule, thus silencing one-third of the delegation.^[604] Henry R. Selden, whose reputation for fair dealing had preceded him, characterised this performance as "a most infamous outrage," and upon hearing a protest of the minority, presented by Theodore Bacon of Rochester, Schurz denounced the proceeding "as extraordinary" and "as indicating that the reform movement, so far as it concerned New York, was virtually in the hands of a set of political tricksters, who came here not for reform, but for plunder."^[605]

Next to the "tricksters" the platform-makers embarrassed the convention. It was easy to recognise the equality of all men before the law, to pledge fidelity to the Union, to oppose the re-election of the President, to denounce repudiation, to demand local self-government for the Southern States, to ask "the immediate and absolute removal of all disabilities imposed on account of the rebellion," and to favour "a thorough reform of the civil service;" but for a tariff reform assemblage to frame a resolution which the apostle of protection could accept required great patience and persistence. The vexatious delay became so intolerable that delegates insisted upon making a ticket before adopting a platform. Cochrane bitterly opposed such a resolution since Greeley's candidacy, if not his support of the movement, depended upon the convention's attitude on the tariff. Indeed, not until the committee on resolutions had accepted what the editor himself dictated was the knotty point finally settled. "Recognising," said the platform, "that there are in our midst honest but irreconcilable differences of opinion with regard to the respective systems of protection and free-trade, we remit the discussion of the subject to the people in their congressional districts and to the decision of Congress thereon, wholly free from executive interference or dictation."

Although the resolution was out of keeping with the spirit of the movement, it seemed proper to pay this extortionate price for Greeley's support, since his conspicuous championship of protection made it impossible for him to

acquiesce in any impairment of that doctrine; but the advantage that such a concession gave his candidacy appears not to have occurred to the leaders who embodied whatever of principle and conviction the convention possessed. Indeed, no scheme of the managers contemplated his nomination. To many persons Greeley's aspiration took the form of "a joke."[\[606\]](#) Nor was his name seriously discussed until the delegates assembled at Cincinnati. Even then the belief obtained that after a complimentary vote to him and other favourite sons, Adams would become their beneficiary. But the work of Fenton quickly betrayed itself. In obedience to a bargain, Gratz Brown of Missouri, at the end of the first ballot, withdrew in favour of Greeley, and although Adams held the lead on the next four ballots, the strength of Davis and Trumbull shrivelled while Greeley's kept increasing. Yet the managers did not suspect a stampede. Eighty per cent. of the New Yorker's votes came from the Middle and Southern States.[\[607\]](#) Moreover, the Trumbull men held the balance of power. After several notable changes Adams still led by half a hundred. On the sixth ballot, however, to the surprise and chagrin of the Adams managers, Trumbull's delegates began breaking to Greeley, and in the confusion which quickly developed into a storm of blended cheers and hisses, Illinois and the Middle West carried the *Tribune's* chief beyond the required number of votes.[\[608\]](#) Gratz Brown was then nominated for Vice-President.

Greeley's nomination astounded the general public as much as it disappointed the Liberal leaders. Bowles called the result "a fate above logic and superior to reason,"[\[609\]](#) but the *Evening Post* thought it due to "commonplace chicanery, intrigue, bargaining, and compromise."[\[610\]](#) Stanley Matthews, who was temporary chairman of the convention, declared himself greatly chagrined at the whole matter. "I have concluded," he said, "that as a politician and a President maker, I am not a success."[\[611\]](#) Hoadly published a card calling the result "the alliance of Tammany and Blair," and William Cullen Bryant, Oswald Ottendorfer of the *Staats-Zeitung*, and other anti-protectionists of New York, made a fruitless effort to put another candidate before the country.[\[612\]](#) In the end the *Nation* and the *Evening Post* supported President Grant.

The nomination deeply mortified the Democrats. They had encouraged the revolt, expecting the selection of Adams, or Trumbull, or David Davis,

whom they could readily adopt, but Greeley, a lifelong antagonist, plunged them into trouble. No other Republican had so continuously vilified them. From his introduction to political life in 1840 he had waged a constant and personal warfare, often using his strong, idiomatic English with the ferocity of a Wilkes. A caricature by Greeley was as much feared as a cartoon by Nast. He spared no one. He had assailed Seymour with a violence that might well seem to have made any form of political reconciliation impossible. With equal skill he had aimed his epithets at every Democratic statesman and politician from Van Buren to Fernando Wood, the sting of his relentless and merciless criticism goading each one into frenzy. For them now to assume to overlook such treatment and accept its author as a political associate and exemplar seemed a mockery. Several Democratic journals, following the lead of the *World*, refused to do so, while others, shrouding their disinclination in a non-committal tone, awaited the assembling of the State convention which met at Rochester on May 15. Seymour did not attend this meeting, and although Tilden carefully avoided an expression of opinion, the delegates, after approving the Cincinnati platform, insisted upon referring the choice of candidates to the national convention, sending John T. Hoffman as a delegate-at-large to represent them.

One month later the Democratic national convention met at Baltimore.^[613] Although the delegates, especially those from the South, indicated a growing sentiment in favour of Greeley, the absence of veteran leaders from the North created much comment. Hendricks of Indiana sent his regrets; Seymour also remained at home; and Tilden, Kernan, and Sanford E. Church found it convenient to be otherwise engaged. But August Belmont appeared, and for the last time, after twelve years of service and defeat as chairman of the national committee, called the convention to order. John T. Hoffman also appeared. He was the best known if not the wisest delegate in the convention, and as he actively joined the Southern leaders in encouraging the new order of things, it was easy to understand how his star might still have been in the ascendant had his political associates been content with power without plunder. Samuel S. Cox, recently characterised by Greeley as "our carpet-bag representative in Congress" who had "cast in his lot with thieves,"^[614] also smoothed the way for his critic's nomination. He could forgive if he did not forget.

Next to Cox sat John Kelly, the new boss of Tammany. The combativeness indicated by the form of the head was accentuated by the conspicuous jaw, the firm, thin-lipped mouth, and the closely cropped hair and beard, already fading into white; but there was nothing rough or rowdyish in his manner or appearance. He dressed neatly, listened respectfully, and spoke in low, gentle tones, an Irish sense of humour frequently illuminating a square, kindly face. It was noticeable, too, that although he began life as a mason and had handled his fists like a professional, his hands were small and shapely. Kelly had served two years as alderman, four years in Congress, and six years as sheriff. He had also represented his county in the national conventions of 1864 and 1868. His character for honesty had not been above suspicion. Men charged that he was "counted in" as congressman, and that while sheriff he had obtained a large sum of money by illegal methods.^[615] In 1868 he suddenly sailed for Europe because of alleged ill-health, where he remained until late in 1871. He was a rich man then.^[616] Now, at the age of fifty-one, he was destined to make himself not less powerful or widely known than the great criminal whom he succeeded.^[617] With the aid of Tilden, O'Connor, and other men conspicuous in the reform movement, he had reorganised Tammany in the preceding April, increasing a new general committee to five hundred members, and with great shrewdness causing the appointment of committees to coöperate with the Bar Association, with the Committee of Seventy, and with the Municipal Taxpayers' Association. These represented regenerated Tammany. Kelly affected extreme modesty, but as he moved about the hall of the national convention, urging the nomination of Greeley, the delegates recognised a master in the art of controlling men.

If any doubt had existed as to Greeley's treatment at Baltimore, it quickly disappeared on the assembling of the convention, for the question of nomination or indorsement alone disturbed it. If it adopted him as its own candidate fear was entertained that Republicans would forsake him. On the other hand, it was claimed that many Democrats who could only be held by party claims would not respect a mere indorsement. Southern delegates argued that if Democrats hoped to defeat their opponents they must encourage the revolt by giving it prestige and power rather than smother it by compelling Liberals to choose between Grant and a Democrat. The wisdom of this view could not be avoided, and after adopting the Cincinnati

platform without change, the convention, by a vote of 686 to 46, stamped the Cincinnati ticket with the highest Democratic authority.^[618] Little heartiness, however, characterised the proceedings. Hoffman, in casting New York's vote, aroused much enthusiasm, but the response to the announcement of Greeley's nomination was disappointing. The *Tribune* attributed it to the intense heat and the exhaustion of the delegates,^[619] but the *Nation* probably came nearer the truth in ascribing it to "boiled crow."^[620] This gave rise to the expression "to eat crow," meaning "to do what one vehemently dislikes and has before defiantly declared he would not do."^[621]

CHAPTER XXIII

DEFEAT AND DEATH OF GREELEY

1872

THE Republicans of New York welcomed the outcome of the Democratic national convention. There was a time in its preliminary stages when the Liberal movement, blending principle and resentment, had assumed alarming proportions. Discontent with the Administration, stimulated by powerful journals, seemed to permeate the whole Republican party, and the haste of prominent men to declare themselves Liberals, recalling the unhappy division in the last State convention and the consequent falling off in the Republican vote, added to the solicitude. Moreover, the readiness of the Democrats to approve the principles of the Missouri reformers suggested a coalition far more formidable than the Philadelphia schism of 1866. That movement was to resist untried Reconstruction, while the Missouri division was an organised protest against practices in the North as well as in the South which had become intolerable to men in all parties. Gradually, however, the Republican revolt in New York disclosed limitations which the slim attendance at Cincinnati accentuated. Several congressional districts had been wholly unrepresented, and few prominent men had appeared at Cincinnati other than free-traders and Fenton leaders. Such an exhibition of weakness had an exhilarating effect upon Republicans, who received the nomination of Greeley with derision.

In this frame of mind the friends of the Administration, meeting in State convention at Elmira on May 15, sent a delegation to Philadelphia, headed by the venerable Gerrit Smith, which boasted that it was without an office-holder. Three weeks later the Republican national convention, amidst great enthusiasm, unanimously renominated Grant for President. A single ballot sufficed also for the selection of Henry Wilson of Massachusetts for Vice-President.^[622] The platform, to offset the Liberals' arraignment, favoured civil service reform, the abolition of the franking privilege, the prohibition of further land grants to corporations, an increase in pensions, and "the suppression of violent and treasonable organisations" in the South.

At their State convention, held in Utica on August 21, Republicans felt no fear of factional feuds since the aggressive Fenton leaders had passed into the Liberal camp. But reasons for alarm existed. The election in 1871, carried by the inspiration of a great popular uprising in the interest of reform, had given them control of the Legislature, and when it assembled honest men rejoiced, rogues trembled, and Tweed failed to take his seat. The people expected the shameless Erie ring and its legislation to be wiped out, corrupt judges to be impeached, a new charter for New York City created, the purity of the ballot-box better protected, canal management reformed, and a variety of changes in criminal practice. But it proved timid and dilatory. At the end of the session the Tweed charter still governed, the machinery of the courts remained unchanged, and reforms in canal management, in elections, and in the city government had been sparingly granted. In cases of proven dishonesty its action was no less disappointing. It allowed a faithless clerk of the Senate to resign without punishment;^[623] it permitted the leaders of the Tammany ring to continue in office; it decided that a man did not disqualify himself for a seat in the Senate by taking bribes;^[624] and it failed to attack the Erie ring until the reign of Jay Gould was destroyed by the bold action of Daniel E. Sickles.^[625] Never did a party more shamelessly fail in its duty. Even credit for the impeachment of the Tweed judges belonged to Samuel J. Tilden. "That was all Tilden's work, and no one's else," said Charles O'Connor. "He went to the Legislature and forced the impeachment against every imaginable obstacle, open and covert, political and personal."^[626]

Such a record did not inspire the party with confidence, and its representatives looked for a head to its State ticket who could overcome its shortcomings. Of the names canvassed a majority seemed inclined to William H. Robertson of Westchester. He had been an assemblyman, a representative in Congress, a judge of his county for twelve years, and a State senator of distinguished service. Although prudent in utterance and somewhat cautious in entering upon a course of action, his indefatigable pursuit of an object, coupled with conspicuous ability and long experience, marked him as one of the strong men of New York, destined for many years to direct the politics of his locality.

Nevertheless, a feeling existed that his course in the Senate had lacked force. The *New York Times* severely criticised it, regarding him too much of

a tenderfoot in pushing the reform movement, and on the eve of the convention it opposed his candidacy.^[627] The *Times*, then the only paper in New York City upon which the party relied with confidence to fight its battles, exerted an influence which could scarcely be overrated. However, it is doubtful if its opposition could have avoided Robertson's nomination had not the name of John A. Dix been sprung upon the convention. It came with great suddenness. No open canvass preceded it. Thurlow Weed, who had proposed it to nearly every convention since 1861, was in Utica, but to Henry Clews, the well-known banker, belonged the credit of presenting it "on behalf of the business men of New York." The captivating suggestion quickly caught the delegates, who felt the alarming need of such a candidate, and the audience, rising to its feet, broke into cheers, while county after county seconded the nomination. One excited delegate, with stentorian voice, moved that it be made by acclamation, and although the Chair ruled the motion out of order, the withdrawal of Robertson's name quickly opened a way for its passage.

This incident produced a crop of trouble. Because Clews happened to be the guest of Conkling, Robertson, grievously disappointed, assumed that the Senator had inspired the *coup d'état*, and from that moment began the dislike which subsequently ripened into open enmity. "As a matter of fact," wrote Clews, "Conkling knew nothing of my intention, but he was either too proud or too indifferent to public sentiment to explain."^[628]

Dix's political course had been a tortuous one. He followed the Van Burens in 1848, becoming the Barnburners' candidate for governor, and immediately preceding the reduction of Fort Sumter advocated the restoration of the Missouri compromise, perpetuating slavery in all territory south of 36° 30'. After the war he joined President Johnson, presided at the famous Philadelphia convention in 1866, and in return received appointments as minister to The Hague and later to France. For several years, under the changing conditions of Weed's leadership, he figured as a possible candidate for governor, first of one party and then of the other, but the Republicans declined to accept him in 1862 and 1864, and the Democrats refused to take him in 1866. After President Grant had relieved him of the French mission by the appointment of Elihu B. Washburne, he inclined like Weed himself to the Liberal movement until the nomination of Greeley, whom they both despised.

Seymour charged Dix with being "a mercenary man," who "rented out his influence gained from political positions to companies of doubtful character for large pay."[\[629\]](#) At a later day he sketched his readiness "to change his politics" for "a large consideration and pay down." It was a drastic arraignment. "Starting out with a view of being an Anti-Mason," wrote Seymour, "he shifted to the Democratic party for the office of adjutant-general. He hesitated between Cass and Van Buren until he was nominated for governor by the Free-Soilers. He went back to the Democratic party for the New York post-office under Pierce. He went over to Buchanan for a place in the cabinet; and from his Free-Soil views he became so violent for the South that he would not vote for Douglas, but supported Breckinridge. After presiding at an anti-war meeting he went over to Lincoln, when he was made a major-general. To get a nomination for the French mission he took part with President Johnson. To get confirmed he left him for Grant. In 1868 he intrigued for a presidential nomination from the Democratic party; as in 1866 he had tried to be nominated by the same party for the office of governor. I think this history shows that he valued his political principles at a high rate, and never sold them unless he got a round price and pay down."[\[630\]](#)

Of the same age as Dix, Weed knew his history perfectly, which during and after the war resembled his own. But he had faith that Dix's war record would more than offset his political vagaries. "When there was danger that Washington would fall into the hands of the rebels," he said, "Dix severed his relations with the Democratic administration, and in concert with Secretary Holt, Mr. Stanton, and Mr. Seward, rendered services which saved the nation's capital. A few weeks afterward, when in command of Fort McHenry, by a prompt movement against a treasonable design of members of the Legislature, he prevented Maryland from joining the Secessionists."[\[631\]](#) Moreover, Weed insisted that conservative Democrats and business men, having confidence in his integrity, would vote for him regardless of party.

The platform, endorsing the National Administration, failed to mention the record of the Legislature. Praise for members of Congress accentuated this omission. To enlarge the canal for steam navigation it favoured an appropriation by the general government.[\[632\]](#)

The Democrats and Liberals met in separate State conventions at Syracuse on September 4. In numbers and enthusiasm the Liberals made a creditable showing. Many Republicans who had assisted at the birth of their party and aided in achieving its victories, adorned the platform and filled the seats of delegates. John Cochrane called the convention to order, Truman G. Younglove, speaker of the Assembly in 1869, acted as temporary chairman, Chauncey M. Depew became its president, and Reuben E. Fenton, with Waldo M. Hutchins, Archibald M. Bliss, Edwin A. Merritt, D.D.S. Brown, and Frank Hiscock, served upon the committee of conference. Among others present were Sinclair Tousey, William Dorsheimer, George P. Bradford, and Horatio N. Twombly. In his speech on taking the chair, Depew, who had attended every Republican State convention since 1858, declared that he saw before him the men whom he had learned to recognise as the trusted exponents of party policy in their several localities.[\[633\]](#)

In apportioning the State offices the Democrats, after much wrangling, conceded to the Liberals the lieutenant-governor, prison inspector, and fifteen of the thirty-four electors. This settlement resulted, amidst much enthusiasm, in the nomination of Depew for lieutenant-governor.

The Democrats experienced more difficulty in selecting a candidate for governor. The withdrawal of Hoffman, who "usually made his appointments to office," said John Kelly, "on the recommendation of the Tammany ring and at the solicitation of the Canal ring," was inevitable,[\[634\]](#) and long before he declined several aspirants had betrayed their ambition.[\[635\]](#) But a decided majority of the delegates, "fully four-fifths" declared the *New York Times*,[\[636\]](#) preferred Sanford E. Church, then chief judge of the Court of Appeals, who became known as the "ring candidate."[\[637\]](#) On the other hand, Kernan had the support of Tilden, against whom the same combination arrayed itself that controlled at Rochester in 1871. Although the Tweed ring had practically ceased to exist, its friendships, rooted in the rural press and in the active young men whom it had assisted to positions in Albany and New York, blocked the way. Besides, Kernan himself had invited open hostility by vigorously supporting Tilden in his crusade against Tammany. Thus the contest became complicated and bitter.

It was an anxious moment for Tilden. Kelly stood for Schell, Kings County presented Church, and Robinson and Beach held their friends firmly in

hand. With the skill of an astute leader, however, Tilden weakened the support of Church by publishing his letters declining to be a candidate, and by invoking the influences which emphasised the division between Beach and Schell, gained Robinson for Kernan. The audacity of such tactics staggered the opposition, and when Beach surrendered, Tammany and Kings hastened into line. This led to Kernan's nomination by acclamation. [638] As further evidence of harmony Kelly moved the appointment of Tilden as a State committeeman-at-large, and subsequently, on the organisation of the committee, continued him as its chairman.

Both conventions endorsed the Cincinnati platform, denounced the Legislature for its failure to expel dishonest members, and charged the National Administration with corruption and favoritism. As a farewell to the Governor, the Democrats resolved that "the general administration of John T. Hoffman meets the approbation of this convention." [639]

Hoffman's political career closed under circumstances that a more heroic soul might have avoided. In his last message he had repudiated the Ring. He had also made some atonement by authorising such suits against it as Charles O'Connor might advise, [640] and by vetoing the Code Amendment Bill, devised by Cardozo and designed to confer authority upon the judges to punish the press for attacking the Ring; but the facts inspiring Nast's cartoon, which pictured him as the Tammany wooden Indian on wheels, pushed and pulled by the Erie and Tweed combination, had fixed the Governor in the popular mind as the blind tool of rings. "I saw him in 1885," says Rhodes, "at the Schweizerhof in Lucerne. Accompanied by his wife he was driving through Switzerland; and in this hotel, full of his own countrymen, he sat neglected, probably shunned by many. The light was gone from his eyes, the vigour from his body, the confidence from his manner; consciousness of failure brooded in their stead. He had not become dissipated. Great opportunities missed; this was the memory that racked him, body and spirit, and left him nerveless and decrepit, inviting death." [641] He died in Germany in 1888.

For mayor of New York, John Kelly nominated Abram R. Lawrence, a lawyer of ability and integrity, whom the Liberals endorsed. The anti-Tammany forces, not yet willing to surrender to the new Boss, divided their strength, the Apollo Hall Democracy nominating James O'Brien, its

founder, while the associations centring about the Committee of Seventy supported William F. Havermeyer, whom the Republicans endorsed. Havermeyer had twice been mayor.[642] He belonged among the enemies of jobbery, and although sixty-seven years of age his mental and physical powers remained unimpaired. The contest, thus narrowed to Lawrence and Havermeyer, assured a good mayor.

The campaign opened encouragingly for Democrats and Liberals. "The antagonisms which civil war has created between the kindred populations of our country," declared Tilden, in his speech at the Syracuse convention, "must be closed up now and forever." [643] This was the key-note of his party, and, apart from the personal question of candidates, was the only serious issue of the campaign. In his letter of acceptance Greeley added a new phrase to the vocabulary of the common people: "I accept your nomination," he said, "in the confident trust that the masses of our countrymen North and South are eager to clasp hands across the bloody chasm." [644]

This was a taking cry, and as the great editor moved across Pennsylvania, Ohio, and Indiana, the general demonstration of interest created considerable uneasiness at Republican headquarters. "His name had been honoured for so many years in every Republican household," says Blaine, "that the desire to see and hear him was universal, and secured to him the majesty of numbers at every meeting." [645] Greeley's friends interpreted these vast audiences as indications of a great tidal wave which would sweep Grant and his party from power. In the latter part of September they confidently counted upon carrying the October States. The South's endorsement of the Thirteenth, Fourteenth, and Fifteenth Amendments, its declaration that the public credit must be sacredly maintained, and its denunciation of repudiation in every form and guise, created the belief that the North and South would, indeed, "clasp hands across the bloody chasm."

In New York, however, although the Democratic leaders stood loyally by their candidate, pushing Kernan boldly to the front wherever Greeley seemed weak, the inequality of the fight was apparent. Tammany and old-time Democrats could not forget that the *Tribune's* editor had classed them with blacklegs, thieves, burglars, gamblers, and keepers of dens of prostitution. [646] Moreover, only three Republican newspapers had declared

for Greeley,[647] while many leaders like Lyman Tremain and James W. Husted, whose criticism of the President had encouraged the belief that they would favour the Cincinnati nominee, preferred Grant.[648] Besides, the business men of the country thought the Republican party without Greeley safer than the Democratic party with Greeley.

After the Cincinnati convention a Republican Congress passed a General Amnesty Act, approved May 22, and in the interest of "a free breakfast table" placed tea and coffee on the free list. The reduction of the public debt at the rate of one hundred millions a year, as well as large annual reductions in the rate of taxation, also inspired confidence, while to the President and his Secretary of State belonged great credit for the Geneva arbitration. This amicable and dignified adjustment of differences between England and the United States, leading to new rules for the future government of Anglo-American relations, and making impossible other than a friendly rivalry between the two nations, sent a thrill of satisfaction through the American people. Until then the settlement of such irritating questions had not come by the peaceful process of law.

As the campaign progressed both sides indulged in bitter personalities. In his Cooper Institute speech, an address of great power, Conkling's invective and sarcasm cut as deeply as Nast's cartoons.[649] Greeley's face, dress, and manners readily lent themselves to caricature. "I have been assailed so bitterly," wrote Greeley, "that I hardly knew whether I was running for President or the Penitentiary." [650] The *Tribune* told of a negro woman who was heard cursing him in the streets of an Ohio river town because he had "sold her baby down South before the war." [651] Grant did not escape. Indeed, he was lampooned until he declared that "I have been the subject of abuse and slander scarcely ever equalled in political history." [652]

Early elections increased Republican confidence. North Carolina, then a doubtful State, gave a Republican majority in August.[653] Vermont and Maine followed in September, and Pennsylvania, Ohio, and Indiana practically settled the question in October. Finally, the election on November 5 gave Greeley, by small majorities, Georgia, Kentucky, Maryland, Missouri, Tennessee, and Texas, or sixty-six electoral votes to two hundred and seventy-two for Grant, whose popular majority exceeded three-quarters of a million. Dix carried New York by 55,451 majority.[654]

Of thirty-two congressmen the Republicans elected twenty-three, with a legislative majority of seventy on joint ballot. To the surprise of Tammany, Havermeyer was elected mayor by over 8,000 plurality, although Greeley carried the city by 23,000 majority.[655] A comparison of the vote with that cast for Seymour in 1868 showed that a marked percentage of Democrats refused to support Greeley, and that a larger percentage did not vote at all. [656] Other slights added to his disappointment. "I was an Abolitionist for years," he said, "when to be one was as much as one's life was worth even here in New York, and the negroes have all voted against me. Whatever of talents and energy I have possessed, I have freely contributed all my life long to Protection; to the cause of our manufactures. And the manufacturers have expended millions to defeat me. I even made myself ridiculous in the opinion of many whose good wishes I desired, by showing fair play and giving a fair field in the *Tribune* to Woman's Rights; and the women have all gone against me." [657]

Before the vote of the State was officially canvassed Greeley had gone to his rest.[658] The campaign had overtaxed his strength, and upon his return from the western speaking tour he watched at the bedside of his wife until her decease on October 30. After the election he resumed editorial charge of the *Tribune*, which he formally relinquished on the 15th of the preceding May, but it was plain that the robust animal spirits which characterised his former days were gone.[659] The loss of his wife, the mortification of defeat, the financial embarrassment of his paper, and the exhaustion of his physical powers had broken him. The announcement of his death, however, although the public got an early intimation of the cruel work which his troubles were making upon a frame that once seemed to be of iron, came with the shock of sudden calamity. The whole country recognised that in the field of his real conquests the most remarkable man in American history had fallen, and it buried him with the appreciation that attends a conqueror. At the funeral President Grant, Vice-President Colfax, and the Vice-President-elect, Henry Wilson, rode in the same carriage.[660]

CHAPTER XXIV

TILDEN DESTROYS HIS OPPONENTS

1873-4

THE Legislature which convened January 6, 1873, re-elected Roscoe Conkling to the United States Senate. There was no delay and no opposition. Cornell was in the watch-tower as speaker of the Assembly and other lieutenants kept guard in the lobbies.^[661] The Republican caucus nominated on the 8th and the election occurred on the 21st.^[662] A few months later (November 8) the President, in complimentary and generous terms, offered Conkling the place made vacant by the death of Chief Justice Chase (May 7). His industry and legal training admirably fitted him for the position, but for reasons not specified he declined the distinguished preferment just as he had refused in December, 1870, the offer of a law partnership with an annual compensation of fifty thousand dollars. Probably the suggestion that he become a presidential candidate influenced his decision, especially as the President favoured his succession.^[663]

At this time Conkling, then forty-four years old, may be said to have reached the height of his power, if not of his fame. His opponents were under his feet. Greeley was dead, Fenton's long and successful career had closed in the gloom of defeat and the permanent eclipse of his influence in public affairs, and others were weakened if not destroyed by their party desertion. Moreover, the re-election of a President whom he had supported and defended with an opulent vocabulary that made his studied addresses models of speech, continued his political control. About half a dozen able lieutenants, holding fat offices in the great patronage centres, revolved with the fidelity of planets, while in every custom-house and federal office in the State trained politicians performed the function of satellites. To harness the party more securely hundreds of young men, selected from the various counties because of their partisan zeal, filled the great departments at Washington. "In obedience to this system," said George William Curtis, "the whole machinery of the government is pulled to pieces every four years. Political caucuses, primary meetings, and conventions are controlled by the promise and expectation of patronage. Political candidates for the lowest or highest positions are directly or indirectly pledged. The pledge is the price

of the nomination, and when the election is determined, the pledges must be redeemed. The business of the nation, the legislation of Congress, the duties of the departments, are all subordinated to the distribution of what is well called spoils."^[664]

President Grant is quoted as declaring that the Senator never sought an appointment from him.^[665] This statement is probably true, but not on the theory of the Latin maxim, *Qui facit per alium, facit per se*.^[666] No occasion existed for him to make requests since his agents, well known to the President, cabinet, and collectors, could obtain the necessary appointments without the Senator's participation or even knowledge. Nevertheless, he relied upon public patronage as an instrument of party and factional success, and uniformly employed it throughout his career. The principal objection of the independent press to his appointment as chief justice implied his devotion to practical politics and an absence of the quality of true statesmanship.^[667] Indeed, in spite of his transcendent gifts, his hold upon party and people was never stronger than the machine's, since the influence of his control tended to transform political action into such subserviency that men of spirit, though loving their party, frequently held aloof from its service.

But Conkling used only the methods inherited with his leadership, and to all appearances the grasp of the Republican party in New York in January, 1873, was as firm as the most ardent partisan could desire. This feeling controlled the State convention at Utica on September 24 to such a degree that its action resembled the partisan narrowness of a ward caucus. Conkling did not attend, but his lieutenants, evidently considering the party vote as a force which only needed exhortation or intimidation to bring out, dropped Barlow, the attorney-general, without the slightest regard to public sentiment, and visited the penalty of party treason upon Thomas Raines, the State treasurer, for his support of Greeley. From a party viewpoint perhaps Raines deserved such treatment, but Francis C. Barlow's conduct of his office had been characterised by the superb daring with which he met the dangers and difficulties of many battlefields, making him the connecting link between his party and the Reform movement. He had prosecuted the Erie spoilers, and was then engaged in securing the punishment of the Tammany ring. O'Connor spoke of his "austere integrity" in refusing to accept millions as a compromise.^[668] Moreover it was conceded that

Barlow, with the possible exception of Tilden and O'Connor, knew more of the canal frauds than any one in the State. The list of suits brought by him showed the rottenness of the whole system of canal management, while a recent letter, denouncing a leader of the Ring, did not veil his hostility to its individual members.^[669] This attack, boldly directed against a prominent Republican, aroused the fierce opposition of the contract manipulators, whose influence sufficed not only to defeat him, but to nominate the very man he had accused.

To add to its shame the party in New York City made a bargain with Apollo Hall, an organisation gotten up by James O'Brien, the ex-sheriff, for the purpose of selling to the highest bidder. In 1871 by skilful manoeuvres the party freed itself from any suspicion of an alliance with this faction, and had thus to a very great extent obtained the direction of the Reform movement; but now, by dropping Barlow, ignoring his disclosures, and accepting O'Brien's offer, already rejected by Tammany with contempt, it sacrificed its hold upon the solid part of the community which had been taught that a vote for the Republican ticket was the only way to obtain the fruits of reform.^[670]

At the Democratic convention which met in Utica on October 1, Thomas Raines, whose adhesion to Greeley had made him a martyr, was nominated by acclamation. Here, however, the enthusiasm ended. The overwhelming defeat of the previous year had sapped the party of confidence, and candidates whom the convention desired refused to accept, while those it nominated brought neither prominence nor strength.^[671] The platform denounced the "salary grab," passed in the closing hours of the last Congress, and condemned the Crédit Mobilier disclosures which had recently startled the country and disgraced Congress.^[672] Through its executive committee the Liberal party indorsed the Democratic nominees except for comptroller and prison inspector. For these offices it preferred the Republicans' choice of Hopkins and Platt.

Meanwhile the financial crash which began on September 18 by the failure of Jay Cooke & Co., spread an intense gloom over the State as well as the country, and although by the middle of October the panic, properly defined, had ended, a commercial crisis continued. By November 1 several railroads had defaulted in the payment of interest on their bonds, cotton and iron

mills had closed, and many labourers were thrown out of employment. Criticism of the Administration's financial policy naturally followed, and men whose purchasing power had ceased turned against the Republicans, giving the State to the Democrats by 10,000 majority. With the aid of the Liberals, Hopkins and Platt received about 4,000 majority. On the question of electing or appointing judges, the people by an overwhelming vote pronounced in favour of election.

As in other "off years" the result of this contest indicated a general drift of political opinion. Ever since the Republican party came into power ebbs and flows had occurred at alternating biennial periods. A Democratic revival in 1862 followed Lincoln's election in 1860; his re-election in 1864 saw a similar revival in 1865; and Grant's decisive vote in 1868 brought a conservative reaction in 1870. It was perhaps natural to expect that after the President's re-election in 1872 something of the kind would happen in 1873. Nevertheless, Samuel J. Tilden saw in the result something more than the usual reaction. He believed the failure of the Republicans to associate themselves intimately with reformers and to manifest a loathing for all corrupt alliances, had added greatly to their burden, and early in the summer of 1874 he determined to run for governor.

On his return from Europe in the early fall of 1873 Tilden had found thoughtful men of both parties talking of him as a successor to Dix. To them the trials of Tweed and his confederates made it plain that substantial reform must begin at Albany, and they wanted a man whose experience and success in dealing with one Ring rendered it certain that he would assault and carry the works of the other. But Tilden was cunning. He betrayed no evidence of his desire until others confessed their unwillingness to take the nomination. To the average office-seeker running against Dix and his plurality of 55,000 was not an attractive race. Meanwhile John Kelly, realising the value of appearing honest, indicated a preference for Tilden.

There was something magnetic about the suggestion. Tilden was able, rich, and known to everybody as the foe of the Tweed ring. Besides he was capable, notwithstanding his infirmity, of making a forceful speech, full of fire, logic and facts, his quick, retentive memory enabling him to enter easily into political controversy. As a powerful reasoner it was admitted that he had few equals at the bar. Indeed, the press, crediting him with courage,

perseverance, and indomitable industry, had pictured him as a successful leader and an ideal reformer. Tilden himself believed in his destiny, and when, at last, the time seemed ripe to avow his candidacy he carried on a canvass which for skill, knowledge of human nature, and of the ins and outs of politics, had rarely been approached by any preceding master. The press of the State soon reflected the growing sentiment in his favour. "In selecting him," said George William Curtis, "the party will designate one of its most reputable members."^[673] The *New York Times* spoke of him as a "man of unsullied honour,"^[674] and the *Tribune* declared that "his career in office, should he be elected, would be distinguished alike by integrity, decorum, administrative ability, and shrewd political management."^[675]

As one county after another instructed its delegates for Tilden, professional politicians exhibited much astonishment. To the Canal ring the trend of public sentiment toward a man of his record and independence was especially ominous. Suddenly, such violent opposition appeared that the *New York Herald*, studying the Democratic papers in the State, declared that outside of New York City only the *Utica Observer*, which was influenced by Kernan, favoured his nomination.^[676] It was openly charged that selfish ambition prompted his prosecution of the Tweed frauds, and that he was a cunning schemer, cold, reticent, and severe. Then men began to dissuade him. Friends counselled him not to take the risk of a nominating convention. Even Seymour, moved perhaps by ambitions of his own, discouraged him. If nominated, he wrote, you must expect the martyr's crown. "There has been a widespread plan to carry the convention against you. It was started last winter, and it shaped laws and appointments. The State officers are against you.... You will find the same combination at Syracuse that controlled at Rochester in 1871.... Our people want men in office who will not steal, but who will not interfere with those who do."^[677] Coupled with this opposition was the suggestion that Sanford E. Church, being in no wise identified with the Ring prosecutions, would make a more available candidate.

Earlier in the year Church, in an interview with Tilden, had declined to become a candidate, but afterward, as in 1872, he grew anxious for the honour, and finally gave Joseph Warren of the *Buffalo Courier* a written consent to accept if nominated with the concurrence of other candidates.^[678] Armed with this statement and with letters of withdrawal from others

associated with the gubernatorial nomination, Warren sought Tilden with confidence. By prearrangement their meeting occurred on September 8 at the Delavan House in Albany. Several were present—Jarvis Lord, a senator from Rochester and an extensive canal contractor, DeWolf of Oswego, and other canal men. In the room adjoining Reuben E. Fenton waited.

Tilden was not surprised at the latter's presence. He knew that in the event of his withdrawal, Fenton intended that the Liberals should nominate Church at their convention which assembled in Albany two days later.^[679] But Tilden, long familiar with the Ring's methods, refused to withdraw. On no theory could they make it appear to be his duty, and the longer they talked the more determined he became. Then John Kelly, in a published interview, gave Church's aspiration its death blow. "DeWolf of Oswego, Warren of Erie, and Senator Lord of Monroe," he said, "belong to what is called the Canal ring.... It has been their policy to control a majority of the canal board to enable them to control the canal contracts.... They have always been very friendly to Judge Church and of great assistance to him personally.... There was friendship existing between the old Tammany ring and this Canal ring."^[680] John Bigelow, the friend of Tilden, subsequently used stronger phrases. "Tilden knew the Canal ring had no more servile instrument in the State than the candidate they were urging. Church was poor; he was ambitious; he was not content with his place on the bench, and was only too ready at all times to combine with anybody on any terms to secure wealth and power."^[681] To Kelly's charges the *Buffalo Courier* retorted that "Tammany Hall under honest John Kelly is exactly the same as Tammany Hall under dishonest William M. Tweed."^[682]

When the Democratic State convention met a week later war existed between Kelly and the Canal ring.^[683] Warren intensified it by giving the *Syracuse Standard* a despatch declaring that Kelly's robberies while sheriff were as criminal as those of Garvey's and Ingersoll's of the Tweed ring.^[684] In the furious assault upon Tilden no reasons appeared other than the fear of the Canal ring that his administration would lead to its discomfiture. Indeed, the flankers of the reform movement found it difficult to agree upon a candidate, and when Amasa J. Parker finally consented to stand he did so to gratify Church's friends in the middle and western portions of the State, who resented the Kelly interview. That the bad blood between the Warren and Kelly factions did not break out in the convention was probably due to

Seymour's conciliatory, tactful remarks. A single ballot, however, banished the thought of setting Tilden aside for some man less obnoxious to the Ring.
[685]

The convention was not less fortunate in its selection of William Dorsheimer of Buffalo for lieutenant-governor. Many delegates, desiring a Democrat who would inspire enthusiasm among the younger men, preferred Smith M. Weed of Clinton, resourceful and brilliant, if unembarrassed by methods; but he succumbed to the earnest appeals of DeWitt C. Littlejohn in behalf of Liberal recognition.[686] Dorsheimer possessed almost all the qualities that go to make up success in politics. He had courage and tact, fascination and audacity, rare skill on the platform, creditable associations, and marked literary attainments. Moreover, he had given up a United States attorneyship to follow Greeley.[687] Not less helpful was the platform, drafted by Seymour, which abounded in short, clear, compact statements, without buncombe or the least equivocation. It demanded the payment of the public debt in coin, the resumption of specie payment, taxation for revenue only, local self-government, and State supervision of corporations. It also denounced sumptuary laws and the third term.

Although John Kelly aided in nominating Tilden, his desire for anti-ring candidates did not extend to the metropolis. William F. Havermeyer's sudden death in November made necessary the election of a mayor, and Kelly, to keep up appearances, selected William H. Wickham, his neighbour, an easy-going diamond merchant, whose membership on the Committee of Seventy constituted his only claim to such preferment.[688] But here all semblance of reform disappeared. James Hayes, charged with making half a million dollars during the Tweed régime, became the candidate for register, and of fifteen persons selected for aldermen nine belonged to the old Ring, two of whom were under indictment for fraud.
[689] Evidently Warren did not betray ignorance when he pronounced the new Tammany no better than the old. The Republicans presented Salem H. Wales for mayor, while the Germans, declining to act with Kelly, selected Oswald Ottendorfer, the editor, a most able and upright citizen who had proven his fidelity to the reform movement.

The Republicans renominated John A. Dix with other State officials elected in 1872,[690] and had the Custom-house sincerely desired the Governor's re-

election, the expediency of a coalition with Ottendorfer's supporters must have appealed to it as highly important. Dix had made an admirable executive. His decisions of questions regardless of men and of the next election excited popular confidence, and the power of public opinion had forced his renomination by acclamation. But his independence could not be forgiven. Moreover, the platform gave him little assistance. It neither denounced corruption, demanded relief from predatory rings, nor disapproved a third term. Except as to resumption and the payment of the public debt in coin, it followed the beaten track of its predecessors, spending itself over Southern outrages. Although several delegates had prepared resolutions in opposition to a third term, no one dared present them after Conkling had finished his eulogy of the President.

The Liberals who assembled at Albany on September 10 had about finished their course as a separate party. Their creed, so far as it represented practical, well-meditated reform, was a respectable, healthy faith, but the magnet which attracted the coterie of Republicans whose leadership gave it whatever influence it exerted in the Empire State was Horace Greeley. When he died their activity ceased. Besides, the renomination of Dix, who had little liking for the organisation and no sympathy with a third term, now afforded them good opportunity to return to the fold. The Albany convention, therefore, represented only a small fraction of the original dissenters, and these adjourned without action until the 29th. On reconvening a long, acrimonious discussion indicated a strong disposition to run to cover. Some favoured Tilden, others Dix, but finally, under the lead of George W. Palmer, the convention, deciding to endorse no one, resolved to support men of approved honesty, who represented the principles of the Cincinnati convention and opposed a third term.^[691]

As the days shortened the campaign became more spirited. Tilden, putting himself in close relation with every school district in the State, introduced the clever device of mailing a fac-simile of one of his communications, thus flattering the receiver with the belief that he possessed an autograph letter. His genius for detail kept a corps of assistants busy, and the effort to inspire his desponding partisans with hope of success made each correspondent the centre of an earnest band of endeavourers. Meanwhile the Democratic press kept up a galling fire of criticism. Dix had escaped in 1872, but now the newspapers charged him with nepotism and extravagance. "Governor

Morgan had two aides in time of war," wrote Seymour, "while Dix has six in time of peace. Morgan had one messenger, Dix has two. Morgan had a secretary at \$2,000; Dix had the pay put up to \$3,500—and then appointed his son.... The people think the Governor gets \$4,000; in fact, under different pretexts it is made \$14,000."^[692] An attempt was also made to connect him with the Crédit Mobilier scandal because of his presidency of the Union Pacific road at the time of the consideration of the Oakes Ames contract.^[693] That the Governor had no interest in or connection with the construction company availed him little. Other men of approved honesty had become involved in the back-salary grab, the Sanborn claims, and the Crédit Mobilier, and the people, quickly distrusting any one accused, classed him with the wrong-doers.

Moreover, Dix laboured under the disadvantage of having apathetic party managers. "They deliberately refused to support him," said his son, "preferring defeat to the re-election of one whom they desired to be rid of."^[694] Conkling, in his speech at Brooklyn,^[695] rebuked the spirit of calumny that assails the character of public men, but he neglected to extol the record of a patriotic Governor, or to speak the word against a third term which would have materially lightened the party burden.

When the opposition press began its agitation of a third term, charging that the country was "drifting upon the rock of Cæsarism,"^[696] few men believed such an idea sincerely entertained. Nevertheless, as the election approached it aroused popular solicitude. Congressmen who hurried to Washington in the hope of being authorised to contradict the accusation, returned without an utterance to disarm their opponents, while the Democrats not only maintained that Grant himself was not averse to using his official position to secure the nomination, but that eighty thousand office-holders were plotting for this end.^[697] As the idea had its inception largely in the talk of a coterie of Grant's political and personal friends, Conkling's eulogies of the President seemed to corroborate the claim. So plainly did the *Times* stagger under the load that rumours of the *Tribune's* becoming a Conkling organ reached the *Nation*.^[698] It could not be denied that next to the commercial depression and the insolence of the Canal ring, the deep-seated dissatisfaction with Grant's administration influenced public sentiment. Excluding the inflation veto the record of his second term had

not improved upon the first, while to many his refusal to disclaim the third-term accusation became intolerable.

The municipal contest in New York City also developed embarrassments. Barring a few appointments Havermeyer had made a fair record, having improved the public school system, kept clean streets, and paid much attention to sanitary conditions. Moreover, he distributed the revenue with care, and by the practice of economy in the public works reduced expenses nearly eight millions. The winter of 1873-4 proved a severe one for the unemployed, however, and to catch their votes Kelly, with great adroitness, favoured giving them public employment. This was a powerful appeal. Fifteen thousand idle mechanics in the city wanted work more than public economy, while thousands in the poorer districts, seeking and receiving food from Tammany, cheered the turbulent orator as he pictured the suffering due to Havermeyer's policy and the hope inspired by Kelly's promises.

Havermeyer's accusations against Kelly also recoiled upon his party. In the course of a bitter quarrel growing out of Kelly's appointment of Richard Croker as marshal,^[699] the Mayor publicly charged "Honest John" with obtaining while sheriff \$84,482 by other than legal methods.^[700] "I think," said Havermeyer, "you were worse than Tweed who made no pretensions to purity, while you avow your honesty and wrap yourself in the mantle of purity."^[701] Kelly's prompt denial, followed by a suit for criminal libel, showed a willingness to try the issue, but Havermeyer's sudden death from apoplexy on the morning of the trial (November 30), leaving his proofs unpublished, strengthened Kelly's claim that "Tammany is the only reform party in existence here to-day."^[702]

The Republican press, apparently with effect, enlarged upon the general excellence of Dix's administration, but early in the campaign the people showed greater liking for reform at home than abhorrence of outrages in the South, and the result proved a political revolution, Tilden receiving a plurality of 50,317 and Dorsheimer 51,488.^[703] Besides the State ticket the Democrats carried the Assembly and eighteen of the thirty-three congressional districts. With the exception of James Hayes, who was defeated for register by over 10,000 majority, Tammany likewise elected its entire ticket.^[704]

Democratic success was not confined to New York. Small majorities were obtained in Ohio and Indiana as well as in Pennsylvania and Massachusetts, and for the first time since 1861 the House of Representatives passed into the control of that party. The financial depression plainly operated to the great advantage of the Democrats, but in allowing Tilden to pre-empt the reform issue when men were intent upon smashing rings, the Republicans opened the door for their destruction. "They [the Republican leaders] have apparently believed the people would submit to anything and everything," said the *Times*, "and that the party was indestructible. If a newspaper warned them in a friendly but firm spirit against the policy of blundering, it was treated with a mixture of the insolence and arrogance which they exhibited toward all opposition."[\[705\]](#)

CHAPTER XXV

RIVALRY OF TILDEN AND CONKLING

1875

IF further evidence of Tilden's supremacy in his party were needed, the election of Francis Kernan to the United States Senate furnished it. It had been nearly thirty years since the Democrats of New York were represented in the Senate, and Tilden sent his staunchest supporter to take the place of Fenton.^[706] This fidelity disturbed the members of the Canal ring, who now anxiously awaited the development of the Governor's policy. The overthrow of the Tammany ring and the memory of Tweed's fate hung about them like the shadow of a great fear.

Tilden did not strike at once. Treating the matter as he did the Tweed disclosures, he secretly studied the methods of the Ring, examined more than one hundred contracts, and employed a civil engineer to verify work paid for with that actually done. So severe was the strain of this labour that in February he suffered a cerebral attack nearly akin to paralysis.^[707] Of the character or purpose of his work no one had any intimation, and guilty men who obsequiously complimented him thought him weak and without the nerve to harm them. But on the 18th of March (1875) he thrilled the State and chilled the Ring with a special message to the Legislature, showing that for the five years ending September 30, 1874, millions had been wasted because of unnecessary repairs and corrupt contracts. Upon ten of these fraudulent contracts the State, it appeared, had paid more than a million and a half, while the proposals at contract prices called for less than half a million. This result, he said in substance, was brought about by a unique contrivance. The engineer designated the quantity and kinds of work to be done, and when these estimates were published by the commissioners, the favoured contractor, learning through collusion what materials would actually be required, bid absurdly low prices for some and unreasonably high rates for others. After the contract was let, changes made in accordance with the previous secret understanding required only the higher priced materials. Thus the contractor secured the work without competition or real public letting.^[708]

The Governor recommended various measures of reform, notably a new letting after any change in the proposals for bids. He also suggested an investigation of the frauds already perpetrated, and for this purpose the Senate confirmed a non-partisan commission,^[709] who quickly reported that the work of one contractor showed fraudulent estimates, false measurements, and a charge of \$150,337.02 for excavations and embankments that were never made. Neither surveys nor estimates preceded the letting of the contract, while in every instance he appeared as the lowest bidder. Eleven additional reports made during the year showed that similar frauds were repeatedly practised by him and other contractors. In each case arrests, indictments, and suits for restitution promptly followed.^[710] It also appeared that the auditor of the canal department, a former Republican candidate for secretary of state, had made use of his office to speculate in canal drafts and certificates.

The excitement over these revelations recalled the indignation following the Tweed disclosures. Every voter in every corner of the State knew of them. Furthermore, the arrests of contractors and officials along the line of the canal multiplied evidence of the Governor's courage. He spared no one. Of the principal officials and ex-officials indicted all save two were Democrats,^[711] but his administration knew no party and expressed no concern. Such creditable public service made a profound impression, and during a visit to the western part of the State in August, the people accorded him the attention given to a conqueror. From Albany to Buffalo crowds everywhere saluted him with bands of music and salvos of artillery, while his addresses, characterised by plainness of speech, deprecated a reactionary policy.

These demonstrations alarmed Republican leaders. They appreciated that his adroitness and energy in accumulating proof of Tweed's guilt had fixed the attention of the country upon him as a presidential candidate, and that the assault on the canal spoilers made his pretensions more formidable. Moreover, they realised that their own failure to lead in canal reform in 1873, evidenced by ignoring Barlow and his incriminating disclosures, yielded Tilden a decided advantage of which he must be dispossessed. To accomplish this two ways opened to them. Regarding the canal scandal as not a party question they could heartily join him in the crusade, thus dividing whatever political capital might be made out of it; or they could disparage his effort and belittle his character as a reformer. The latter being

the easier because the more tolerable, many Republican papers began charging him with insincerity, with trickery, and with being wholly influenced by political aspirations. His methods, too, were criticised as undiplomatic, hasty, and often harsh. Of this policy *Harper's Weekly* said: "Those who say that the Governor's action is a mere political trick, and that he means nothing, evidently forget that they are speaking of the man who, when he once took hold of the Tweed prosecution, joined in pushing it relentlessly to the end."[\[712\]](#)

This was the sentiment of George William Curtis, who presided at the Republican State convention.[\[713\]](#) It also became the policy of the managers whom defeat had chastened. They discerned the signs of the times, and instead of repressing hostility to a third term and dissatisfaction with certain tendencies of the National administration, as had been done in 1874, they deemed it wiser to swim with the current, meeting new influences and conditions by discarding old policies that had brought their party into peril. The delegates, therefore, by a great majority, favoured "a just, generous, and forbearing national policy in the South," and "a firm refusal to use military power, except for purposes clearly defined in the Constitution." They also commended "honest efforts for the correction of public abuses," pledged coöperation "in every honourable way to secure pure government and to bring offenders to justice," and declared "unalterable opposition to the election of any President for a third term."[\[714\]](#) Furthermore, the convention sought candidates of prominence and approved integrity. In the presence of threatened defeat such men were shy. William H. Robertson of Westchester thrice declined the comptrollership, and insistence upon his acceptance did not cease until James W. Husted, springing to his feet, declared that such demands were evidently intended as an insult. Then Edwin D. Morgan proposed George R. Babcock, a distinguished lawyer of Buffalo, who likewise declined. In a short, crisp letter, John Bigelow, chairman of the canal investigating committee, rejected the proffered honour. Finally, the choice fell upon Francis E. Spinner, formerly United States treasurer, and although he sent two unconsenting telegrams, the convention refused to revoke its action. Despite such embarrassments, however, it secured an array of strong, clean men.[\[715\]](#)

A week later the Democrats assembled at Syracuse. They quickly retired an anti-Tammany delegation led by John Morrissey,[\[716\]](#) reaffirmed the

platforms of 1872 and 1874, and nominated John Bigelow for secretary of state. Bigelow, well known as a former editor of the *Evening Post* and more recently minister to France, had always been a Republican. Indeed, Tilden named and a Republican Senate confirmed him as one of two Republicans on a non-partisan board; but for reasons best known to himself Bigelow changed his party in the twinkling of an eye. Associated with him were John D. Van Buren, also upon the canal commission; Lucius Robinson, who won, when comptroller in 1862, great honour in the teeth of much obloquy by paying the State interest in coin; and Charles S. Fairchild, then a young lawyer earning substantial credit, like Bigelow and Van Buren, in the prosecution of the Canal ring.^[717] In naming this ticket Tilden had exhibited his characteristic shrewdness. He exaggerated the partisan aspect of administrative reform, and strengthened his candidacy for President by appropriating the glory.

The Republican press, quickly interpreting his purpose, now changed from praise to censure, scrutinising and criticising every act in his long public career. It reviewed his war record, disclosed his part in the convention of 1864, and hinted at uncanny financial transactions. His service as the figure-head of Tweed's conventions, and his passiveness after possessing knowledge of the infamous circular of 1868 to which his name had been forged, also became the subject of severe censure. Though he neither shared Tweed's corrupt counsels nor sanctioned his audacious schemes, Tilden's abhorrence of wrong, it was argued, seemed insufficient to break his silence. But the accusation that cut the deepest, because without palliation, illuminated his declination to attend the great indignation meeting that appointed the Committee of Seventy. This fact, established by abundant proof as well as by his conspicuous absence, created the belief that had the *Times'* exposure failed fatally to wound the Ring, he would have shrunk from defying Tweed.

In the presence of such a record it was ludicrous to deny that Tilden, although resembling a reformer, was simply an adroit politician, who had cultivated some queer political associates and had countenanced some very shady transactions. Nevertheless, Tilden would not be diverted from the singleness of his purpose. To make the issue a personal one he took the stump and traversed the State from one end to the other, always addressing immense crowds. At Utica the contemporary press estimated the throng at

twenty-five thousand persons. With directness and business brevity he sought to arouse the people to the importance and gravity of the issues at stake. "To-day about one-half of the tax contributed by the farmer," he said, "goes to the State to carry on public affairs.... It is in the power of the Legislature and the Executive at Albany to reduce this State tax one-half if you send the right men.... We began this work last winter. It made great conflict and turmoil, the attempt to remove the fungus-growths which had sprung up all over our State institutions, and which were smothering their vitality.... It is not alone the saving of dollars and cents, for you cannot preserve your present system of government unless you purify administration and purify legislation."[\[718\]](#)

During the anti-slavery struggle Tilden's incapacity to measure the moral force of public sentiment had undoubtedly kept him in error. He failed entirely to appreciate the close connection between rebellion and slavery, and in finally yielding to the war-failure resolution at Chicago in 1864 he did not realise how completely abolition and a restoration of the Union were associated in the hearts of the people. But with the advent of the business period, although his bodily presence was weak and the external elements of popularity were wanting, his subtle, strong mind and great administrative capacity brought him irresistibly to the front, and his shrewd, homely appeals, without mixed metaphors or partisan allusions, reduced the issue of the campaign to the attractive one of saving dollars and cents by protecting the treasury against the raid of canal spoilers.

Conkling did not attend the Saratoga convention.[\[719\]](#) But he did not remain silent during the campaign. The Democratic and independent press, illuminating the story of Louisiana under carpet-bag-negro rule which culminated in the ejection of members of the Legislature by a file of soldiers under command of General Sheridan, had greatly increased the disfavour of the Administration's policy toward the South.[\[720\]](#) So intense had been the excitement following the publication of Sheridan's despatches that a great indignation meeting called out William Cullen Bryant, then past eighty, who addressed it "with the vehemence and fire of a man of thirty."[\[721\]](#) Moreover, the exposure of the Whiskey ring which began under Bristow, then secretary of the treasury, added to the advantage of the Democrats. The chief conspirator figured as Grant's most generous gift-giver, who claimed collusion with the President's private secretary. The

Executive's evident displeasure with Bristow also increased the unrest. Indeed, it seemed a period of exposure. Public opinion had become aroused and inflamed. "Great as are the frauds of Tammany," said Charles A. Dana, "they sink into insignificance not only beside those of the carpet-bag governments of the South, but still more beside those committed by the Republican Administration at Washington."[\[722\]](#)

These revelations, however, did not call more loudly for Conkling's defence of his party than did the popular applause which everywhere greeted the reform Governor. The work and rising fame of Tilden alarmed the Senator if it did not irritate him. He saw the tremendous throng at Utica; he had read the plain, brief, unadorned statement about dividing the State-tax by two; and he recognised a rival who had leaped into the political arena full-armed and eager. Moreover, Conkling was himself a candidate for President. Grant's letter of May 29,[\[723\]](#) interpreted as a declination to be a candidate for a third term, set him free to enter the lists, and the argument of his availability, based upon his power to carry the pivotal State, made a Republican victory in 1875 of the highest importance. For him to take part in the campaign, therefore, was imperative, and he selected Albany as the place and October 13 as the day to begin. Other engagements followed at Buffalo, Utica, New York, and elsewhere.[\[724\]](#)

Attracted by the critical situation and an intense curiosity great audiences greeted him, and hundreds of friends cheered an address, which, as usual, contained from his point of view the whole Republican case. He recited the Democratic party's history during the war; described reformers as selfish, hypocritical, and pure, placing Republicans in the last category; claimed that the canal frauds originated under Democratic rule and were connived at by Democratic State officials; and proved that Republicans had administered the canals and the State's finances more economically than the Democrats. He also admitted reform to be the principal issue, thanked Tilden for the little he had accomplished, severely castigated Bigelow for accepting place on the canal commission as a Republican and on the State ticket as a Democrat, and drew attention to Kelly as a bad man and to the extravagance of Democratic rule in New York City. Throughout it all his treatment was characteristically bold, brilliant, and aggressive. "The bright blade of his eloquence with its keen satiric edge flashed defiantly before the eyes of the applauding audience,"[\[725\]](#) and every period exhibited his

profound sense of the duty of maintaining the ascendancy of a party which to him promised best for the public.

With wisdom and sound argument Conkling had opposed inflation, and after the passage of the bill on April 14, 1874, he had encouraged the President's veto. He had likewise advocated with no less fervour and sagacity the resumption of specie payment, which became a law on January 14, 1875. This service justly entitled him to the highest praise. Nevertheless, in his speech at Albany he failed to show that Republican success in 1875 would not mean a continuation of those things which helped a Republican defeat in 1874. Hostility to a third term and sympathy with a generous Southern policy were the conspicuous features of the Saratoga platform, and upon these issues he maintained a notable silence. His address was rather an appeal to the past—not an inspiring assurance for the future, seeking pure administration. Of his personal honesty no one entertained a doubt, but for party ends he had failed to use his opportunities in exposing and correcting abuses. To him the country under Republican rule, whatever its shortcomings, was in the safest hands, and he exhibited no sympathy with those whose great love for their party made them long to have it stand for civic righteousness, regardless of whom it might destroy.

As the campaign grew older Republicans cherished the hope of victory. The break between Kelly and Morrissey had led to the formation of the Irving Hall Democracy. In this organisation all anti-Tammany elements found a home, and to test its strength Morrissey declared himself a candidate for the Senate in the fourth or old Tweed district, which usually recorded eleven thousand majority for Tammany. The Republicans promptly endorsed the nomination. This challenge had turned the whole city into turmoil. Morrissey's audacity in selecting the invincible stronghold of Tammany for his field of battle, throwing the glamour of a gloveless ring-contest over the struggle, brought into life all the concomitants of such a bout. Kelly, leaving his uptown home, personally led the Tammany forces, and on election day the paralytic, the maimed, and men feeble from sickness were brought to the polls.

Nevertheless, when the votes were counted Morrissey proved the winner. Indeed, to the chagrin of Kelly and the alarm of the Democrats, Tammany candidates had fallen in every part of the city, their overthrow encouraging

the belief that the State had been carried by the Republicans. Subsequently, when Bigelow's plurality of nearly fifteen thousand was established, it made defeat doubly disheartening.^[726] It put Tilden on a pinnacle. It left Conkling on the ground.

CHAPTER XXVI

DEFEAT OF THE REPUBLICAN MACHINE

1876

MUCH discussion of Conkling's candidacy for President followed the defeat of his party in 1875. The Union League Club, a body of earnest Republicans and generous campaign givers, declared for pure government and a reforming Executive. Several county conventions voiced a protest against pledged delegations, and *Harper's Weekly*, in order to divide Republicans more sharply into Conkling and anti-Conkling advocates, suggested, in a series of aggressive editorials, that a reform Democrat might be preferable to a Republican who represented the low tone of political honour and morality which exposed itself in official life. On the assembling of the State convention (March 22) to select delegates to Cincinnati, Curtis opened the way wider for a determined struggle. "The unceasing disposition of the officers and agents of the Administration to prostitute the party organisations relentlessly and at all costs to personal ends," he said, "has everywhere aroused the apprehension of the friends of free government, and has startled and alarmed the honest masses of the Republican party."[\[727\]](#) This shot fired across the bow of the organisation brought its head into the wind.

The Conkling managers had secured a majority of the delegates, whose desire to advertise an undivided sentiment for the Senator in New York manifested itself by a willingness to yield in the interest of harmony. Finally, their resolution to instruct the delegation to vote as a unit took the more modest form of simply presenting "Roscoe Conkling as our choice for the nomination of President." Curtis, refusing his assent, moved a substitute that left the selection of a candidate to the patriotic wisdom of the National convention "in full confidence that it will present the name of some tried and true Republican whose character and career are the pledge of a pure, economical, and vigorous administration of the government." This was an issue—not a compromise. It practically put Conkling out of the race, and after its presentation nothing remained to be done except to call the roll. At its completion the startling discovery was made that of the 432 delegates present only 363 had answered, and that of these 113 had boldly stood with

Curtis. Equally impressive, too, was the silence of the 69 who refrained from voting. Thus it appeared that, after the whole office-holding power had worked for weeks to secure delegates, only 33 more than a majority favoured even the presentation of Conkling's name. It was recalled by way of contrast that in 1860, Seward, without an office at his command, had led the united Republican enthusiasm of the State.

Following the example of Seward's supporters at Chicago, the friends of Conkling at Cincinnati occupied an entire hotel, distributed with lavishness the handsome State badge of blue, entertained their visitors with a great orchestra, paraded in light silk hats, and swung across the street an immense banner predicting that "Roscoe Conkling's nomination assures the thirty-five electoral votes of New York." These headquarters were in marked contrast to the modest rooms of other States having favourite sons. No Blaine flag appeared, and only an oil portrait of Hayes adorned the Ohio parlours. A Philadelphia delegate, after surveying the Grand Hotel and the marchers, ironically remarked that "it was a mystery to him where the Custom-house got bail for all those fellows."[\[728\]](#)

The appearance of Edwin D. Morgan, who called the convention to order, evoked long-continued applause. It recalled two decades of stirring national life since he had performed a like duty in 1856. Theodore M. Pomeroy's selection as temporary chairman likewise honoured New York, and his address, although read from manuscript, added to his fame as an orator. In seconding the nomination of Bristow, George William Curtis, speaking "for that vast body of Republicans in New York who have seen that reform is possible within the Republican party," won his way to the convention's heart as quickly as he did in 1860, although each person present avowed, after Robert G. Ingersoll had spoken, that for the first time he understood the possible compass of human eloquence.[\[729\]](#)

Until the deciding ballot New York's part in the convention proved perfunctory. Beyond the sound of its music and the tread of its marchers neither applause nor good will encouraged its candidate. Reformers regarded Conkling as the antithesis of Bristow, supporters of Morton jealously scowled at his rivalry, and the friends of Blaine resented his attitude toward their favourite. Only Hayes's little band of expectant backers, hoping eventually to capture the New York delegation, gracefully

accorded him generous recognition.[730] Conkling's support, beginning with ninety-nine votes, gradually fell off to eighty-one, when the delegation, without formally withdrawing his name, dropped him with not a word and divided between Blaine and Hayes, giving the former nine votes and the latter sixty-one.[731] In fact, Morton and Conkling, the two political legatees of Grant, fared about alike, their strength in the North outside their respective States aggregating only six votes. The President, believing a "dark horse" inevitable, wrote a letter favouring Hamilton Fish.[732]

For Vice-President the convention turned to New York. Stewart L. Woodford was the choice of the delegation. In presenting Conkling's name his oratorical power had won admiration, while delegates from Ohio, Indiana, and other Western States, where his voice had been heard in opposition to Greenbackism, did not forget his unselfish devotion, nor the brilliant rhetoric that clothed his unanswerable arguments. But the Blaine States manifested genuine enthusiasm for William A. Wheeler, a man of pure life, simple habits, ripe culture, and sincere and practical principles, who had won the esteem of all his associates in Congress. To add to his charm he had a good presence and warm family affections. He possessed, too, a well-earned reputation for ability, having served with credit in the Legislature, in Congress, and as president of the constitutional convention of 1866-7. Conkling thought him "not very well known." [733] Nevertheless, he had been mentioned for President, and throughout the long and exciting contest two delegates from Massachusetts kept his name before the convention. George F. Hoar, afterward the distinguished Massachusetts senator, became especially active in his behalf, and James Russell Lowell called him "a very sensible man." [734] Outside delegations, therefore, without waiting for New York to act, quickly exhibited their partiality by putting him in nomination. [735] Later, when the Empire State named Stewart L. Woodford, the situation became embarrassing. Finally, as the Wheeler vote rapidly approached a majority, the Empire delegation, to escape being run over again, reluctantly withdrew its candidate. [736] The roll call, thus abruptly discontinued, showed Wheeler far ahead of the aggregate vote of all competitors, and on motion his nomination was made unanimous. [737]

The rank and file of the party, exhibiting no discouragement because of the outcome at Cincinnati, sought a strong candidate to head their State ticket. [738] To those possessing the reform spirit William M. Evarts appealed as a

representative leader. He had indicated no desire to hold public office. Indeed, it may be said that he always seemed disinterested in political conditions so far as they affected him personally. Although his friends thought the old supporters of Seward, if not Seward himself, had failed to sustain him for the United States Senate in 1861 as faithfully as he would have supported the Secretary of State under like conditions, there is no evidence that he ever found fault. When in Hayes' Cabinet and afterwards in the Senate (1885-91), he did not take or attempt to take, either in the counsels of his party or of his colleagues, the leadership for which he was admirably fitted. It is doubtful, in fact, if he ever realised the strong hold he had upon the respect and admiration of the country. But the people knew that his high personal character, his delightful oratory, his unfailing wit and good-nature, and his great prestige as a famous lawyer of almost unexampled success commended him as an ideal candidate. Conspicuously among those urging his candidacy for governor in 1876 appeared a body of influential leaders from the Union League and Reform clubs of the metropolis, calling themselves Independents. The Liberals, too, added voice to this sentiment.[\[739\]](#)

If the candidate could not be Evarts, the same elements evidenced a disposition to support Edwin D. Morgan, who had shown of late a disturbing independence of the machine. Of the other aspirants William H. Robertson presented his usual strength in the Hudson River counties.

Alonzo B. Cornell was the candidate of the organisation. Evarts had illustrated his independence in accepting office under President Johnson, in criticising the Grant administration, and in protesting against the Louisiana incident. Robertson, in voting for Blaine, had likewise gone to the outer edge of disloyalty. Nor did Morgan's attitude at Cincinnati commend him. His ambition, which centred in the vice-presidency, left the impression that he had cared more for himself than for Conkling. Under these circumstances the Senator naturally turned to Cornell, an efficient lieutenant, who, having encountered heavy seas and a head wind, hoisted the signal of distress and waited for Conkling's coming. The Senator, however, did not appear. His rooms were engaged, his name was added to the hotel register, and Cornell's expectant friends declared that he would again capture the convention with his oratory; but Conkling, knowing that in political conventions the power of oratory depended largely upon

pledged delegations, prudently stayed away. Besides, he was not a delegate, his partisans in Oneida having been put to rout. This forced the withdrawal of Cornell, whose delegates, drifting to Morgan as the lesser of two evils, nominated him on the first ballot.^[740] Evarts was too great a man to be lifted into national prominence.

For lieutenant-governor, Sherman S. Rogers of Erie and Theodore M. Pomeroy of Cayuga entered the lists. Encouraged by the folly of a few rash friends, Cornell also allowed his name to be presented, "since he had been grievously wronged," said his eulogist, "in the dishonest count of 1868."^[741] Cornell had adroitly extricated himself from humiliating defeat in the morning by a timely withdrawal, but not until George William Curtis declared his nomination "the most dangerous that could be made," and William B. Woodin of Cayuga had stigmatised him, did he fully appreciate his unpopularity as the representative of machine methods. Woodin's attack upon Cornell undoubtedly weakened Pomeroy. It possessed the delectable acidity, so reckless in spirit, but so delightful in form, that always made the distinguished State senator's remarks attractive and diverting. Although whatever weakened Pomeroy naturally strengthened Rogers, it added greatly to the latter's influence that he represented the home of William Dorsheimer, whom the Democrats would renominate, and in the end the Buffalonian won by a handsome majority.^[742]

The day's work, however, left bitter thoughts. Conkling's absence exaggerated Arthur's poor generalship and George H. Sharpe's failure to support Cornell. Sharpe was one of the organisation's cleverest leaders, and his indifference to Cornell's interests left a jagged wound that was not soon to heal. Moreover, it could not be concealed that Morgan's nomination was a Pyrrhic victory. In fact, the conventions at Cincinnati and Saratoga had thrown the Conkling machine out of gear, and while the repair shop kept it running several years longer, it was destined never again to make the speed it had formerly attained.

CHAPTER XXVII

TILDEN ONE VOTE SHORT

1876

AFTER the election in 1875 the eyes of the national Democracy turned toward Tilden as its inevitable candidate for President. He had not only beaten a Canal ring, strengthened by remnants of the old Tweed ring, but he had carried the State against the energies of a fairly united Republican party. Moreover, he had become, in the opinion of his friends, the embodiment of administrative reform, although he suffered the embarrassment of a statesman who is suspected, rightly or wrongly, of a willingness to purchase reform at any price.^[743] To prove his right to be transferred from Albany to Washington he now made his message to the Legislature a treatise upon national affairs.

Dwelling at length upon the financiering of the Federal Government, Tilden sought to account for the financial depression, and in pointing to a remedy he advocated the prompt resumption of specie payment, criticised the dread of imaginary evils, encouraged economy in legislation, and analysed the federal system of taxation and expenditure. Furthermore, he sought to cut loose from the discredited past of his party, and in paying high tribute to the patriotism of the South, he expressed the hope that its acceptance of the results of the war might end forever the retribution visited upon it by the standing menace of military force.^[744]

The result at Cincinnati increased the necessity for nominating Tilden at St. Louis, since Wheeler's popularity would materially assist in replacing New York among reliable Republican States. Nevertheless, the predatory class who had felt the weight of Tilden's heavy hand fomented a most formidable opposition at the State convention.^[745] John Kelly deeply sympathised with the movement. He resented the rivalry and independence of the Sage of Gramercy Park, and he did not disguise his hostility. But Kelly's immediate need centred in the exclusion of the Morrissey delegation, and when the Tilden lieutenants proscribed it, the way was smoothed for the Governor's unanimous endorsement with the gag of unit rule.

The admission of Kelly's delegates, however, did not close the mouths of Tilden's opponents.^[746] Organs of the Canal ring continued to urge Seymour or Church for President, maintaining that the convention's action did not bind the delegation. Church supported this interpretation of the declaration.^[747] But it remained for the *Express*, the authorised organ of Tammany, to stigmatise Tilden. With cruel particularity it referred to his many-sided conduct as counsel and director in connection with the foreclosure and reorganisation of certain railroads in Illinois, reciting details of the affair in a manner highly prejudicial to his integrity as a lawyer and his reputation as a man of wealth. "Of the weak points in Mr. Tilden's railroad record," the editor suggestively added, "we know more than we care to publish."^[748] It doubled the severity of the blow because suit had been instituted to compel Tilden to account for the proceeds of large amounts of bonds and stock, and instead of meeting the allegations promptly he had sought and obtained delay. This seemed to give colour to the indictment.

At St. Louis Tilden's opponents, headed by John Kelly, Augustus Schell, and Erastus Corning, soon wore these insinuations threadbare.^[749] To their further declaration that in order to succeed in November the Democracy must have one October State and that Tilden could not carry Indiana, Dorsheimer and Bigelow, the Governor's spokesmen, replied that New York, New Jersey, and Connecticut could elect Tilden without Indiana. The colossal assurance of this answer characterised the convention's confidence in Tilden's strength. It possessed the South, the East, and the West. Hancock might be the favourite in Pennsylvania, Parker in New Jersey, Bayard in Delaware, Allen in Ohio, and Hendricks in Indiana, but as delegates entered the convention city the dense Tilden sentiment smothered them. Even scandal did not appreciably weaken it.

There was nothing mysterious about this strength. Tilden represented success. Without him disaster threatened—with him victory seemed certain. His achievement in administrative reform exaggerated Republican failure; his grasp upon New York, the most vital State of the North, magnified Democratic strength; his leadership, based upon ideas and organisation, dwarfed political rivals; his acute legal mind, leading to the largest rewards in the realm of law, captivated business men; and his wealth, amassed in the field of railroad organisation and litigation, could fill Democracy's

exchequer. Thus Tilden, standing less on the Democratic platform than on his own record, held the commanding position in his party, and the talk of his unpopularity or how he obtained wealth seemed to make as little impression as his professed devotion to the Wilmot Proviso in 1847, or his departure for a season from a lifelong pro-slavery record to bear a prominent part in the Barnburners' revolt of 1848. Indeed, so certain was Tilden of success that he did not ask for advices until after the nomination. James C. Carter of the New York bar, who happened at the time to be with him respecting legal matters, wondered at his unconcern. On their return from an evening drive Carter ventured to suggest that he would find telegrams announcing his nomination. "Not until half-past nine," Tilden replied.^[750]

Nevertheless, the first call of States made the Tilden managers shiver.^[751] Alabama divided its vote, Colorado caused a murmur of disappointment, and the slump of Georgia and Illinois, with Missouri's division, threatened them with heart-failure. The South wobbled, and promised votes in the North found their way elsewhere. At the close of the first roll-call Missouri asked if its vote could be changed, and on receiving an affirmative answer, the Tilden men, pale with worried excitement, awaited the result. A change to Hancock at that moment would have been a serious calamity, for nearly one hundred votes separated Tilden from the necessary two-thirds. When Missouri declared for the New Yorker, however, the opportunity to turn the tide against him was lost forever. The second ballot undoubtedly represented his real strength.^[752] For second place Thomas A. Hendricks had no opposition.

The platform, prepared under the eye of Tilden by Manton Marble, the accomplished editor of the *World*, advocated reform as its key-note and made historic its vituperative arraignment of the party in power. On the vital question of the currency it demanded the repeal of the resumption clause of the Act of 1875, denouncing it as an hindrance to the resumption of specie payment. The Republicans, wishing to avoid too sharp a conflict with the soft money sentiment of the West, had pledged the fulfilment of the Public Credit Act,^[753] approved March 18, 1869, "by a continuous and steady progress to specie payments." Both declarations savoured of indefiniteness, but Hayes, in his letter of acceptance (July 8), added greatly to his reputation for firmness and decision of character in supplying the needed

directness by demanding the resumption of specie payment. On the other hand, Tilden's letter (July 31) weakened the country's respect for him.^[754] He had no sympathy for soft money, but in supporting the demand for a repeal of the resumption clause he urged, in a long, indefinite communication, the importance of preparation for resumption, ignoring the fact that the Act of 1875 anticipated such precaution. Although less prolix in his treatment of civil service reform, he was no less indefinite. After describing recognised evils he failed to indicate any practical remedy beyond the "conviction that no reform will be complete and permanent until the Chief Executive is constitutionally disqualified for re-election."^[755] Speaking of the character of the men holding office his use of the word "usufruct" led to the derisive appellation of "Old Usufruct Tilden."^[756] On civil service reform Hayes was more specific. He declared against the use of official patronage in elections and pledged himself not to be a candidate for a second term.^[757]

If Conkling had been balked in his desire to nominate Cornell, Tilden was not less baffled a week later in his effort to promote William Dorsheimer, his special friend. His genius for organisation had smoothed the way for harmony at Saratoga.^[758] Kelly and Morrissey settled their differences in advance, the platform created no discussion, and the appointment of electors-at-large provoked little criticism; but when Tilden's lieutenants proposed Dorsheimer for governor the convention revolted. It noisily demanded a Democrat, and in the stampede that followed Clarkson N. Potter, backed by Tammany and the Canal ring, rapidly accumulated strength despite Tilden's personal opposition. To all of Tilden's friends vital objections seemed to be raised. Dorsheimer could not command a solid Democratic vote; Robinson favoured high canal tolls and cultivated Republican affiliations; Manton Marble remained unpopular because the *World* changed front in 1868; and Starbuck of Jefferson did not attract Independents. For once Tilden had plainly been deceived as to his strength. Furthermore, the convention, divided in its attention between speeches for Potter and demands for Seymour, was beyond his control. Nevertheless, as the delegates in their stentorian insistence upon a "Democrat" became more and more furious for Seymour, the Tilden managers, to head off the alarming sentiment for Potter, adroitly increased the volume of the demand for the Oneidan. It was known that Seymour had refused the use of his

name. Telegrams to Kernan and letters to the president of the convention alleged indisposition and "obstacles which I cannot overcome."[\[759\]](#) But the convention, conscious that the former governor had before changed his mind under similar circumstances, closed its ears to his entreaties, and amidst the most vociferous cheering nominated him by acclamation. The next morning, with equal unanimity, it renominated Dorsheimer for lieutenant-governor.

A few days later Seymour, pleading mental inability to perform the duties of the office, put himself out of the race.[\[760\]](#) This gave Tilden opportunity to re-form his lines, and upon the convention's reassembling (September 13) Robinson easily won.[\[761\]](#)

Democratic factions likewise buried their differences in New York City, Kelly and Morrissey uniting upon Smith Ely for mayor. The Republicans nominated John A. Dix. Thus was the municipal struggle in the metropolis, for the first time in many years, confined within strict party lines.[\[762\]](#)

The campaign, although a prolonged and intensely exciting one, developed no striking incidents. Democratic orators repeated Marble's rhetorical arraignment of the Republican party, and the Democratic press iterated and reiterated its symmetrical, burning sentences. Marble's platform, besides being the most vitriolic, had the distinction of being the longest in the history of national conventions. Copies of it printed in half a dozen languages seemed to spring up as plentifully as weeds in a wheatfield. Every cross-roads in the State became a centre for its distribution. It pilloried Grant's administration, giving in chronological order a list of his unwise acts, the names and sins of his unfaithful appointees, and a series of reasons why Tilden, the Reformer, could alone restore the Republic to its pristine purity. It was a dangerous document because history substantially affirmed its statement of facts, while the rhythm of its periods and the attractiveness of its typography invited the reader.[\[763\]](#)

Conkling, because of ill-health, limited his activity in the canvass to one address.[\[764\]](#) It was calmer than usual, but it shone with sparkles of sarcasm and bristled with covert allusions readily understood. It was noticeable, too, that he made no reference to Hayes or to Wheeler. Nevertheless, party associates from whom he had radically differed pronounced it a model of

partisan oratory and the most conclusive review of the political situation. He admitted the corruption indicated by Marble, attributing it chiefly to the war which incited speculative passion in all the activities of life, its ill consequences not being confined exclusively to public affairs. In contrasting the management of the two parties, he disclosed under Buchanan a loss on each thousand dollars collected and disbursed of six dollars and ninety-eight cents against forty cents during Grant's first term and twenty-six cents during the three years of his second, while current expenses under Buchanan amounted to one dollar and ninety cents per capita to one dollar and seventy cents under Grant. In ten years, he added, \$800,000,000 of the debt had been paid, nearly \$50,000,000 of interest saved yearly, and the taxes reduced \$262,000,000 per annum.

Of civil service reform Conkling said nothing. He made a clear, sharp issue on the resumption of specie payment, however, showing that the demand for a repeal of the Act's most important feature was a bid for the votes of soft-money advocates. The Southern question assumed even greater importance. Tilden depended for success upon the Southern States plus New York, New Jersey, and Connecticut. This was Dorsheimer's argument, put with characteristic grace and force at St. Louis. The North had cause to fear, it was argued, if a solid South, strengthened by States controlled by the great majorities in and about New York City, could elect a President. The charge that Tilden intended indemnifying the South and assuming the Confederate debt increased the anxiety. Conkling's reference to the repayment of direct taxes, the refund of the cotton tax, and the liquidation of Southern claims mounted so high into the hundreds of millions that Tilden deemed it prudent to issue a letter pledging an enforcement of the Constitutional Amendments and resistance to such monetary demands.

Personal criticism of Tilden exploited his war record, his reputation as a railroad wrecker, and his evasion of the income tax.^[765] The accusation of "railroad wrecking" was scarcely sustained, but his income tax was destined to bring him trouble. Nast kept his pencil busy. One cartoon, displaying Tilden emptying a large barrel of greenbacks into the ballot box, summed up the issues as follows: "The shot-gun policy South, the barrel policy North;" "The solid South and the solid Tammany;" "Tilden's war record—defeating the tax collector." George William Curtis asserted that the Democrats of South Carolina meant to carry the State for Tilden by means

of "the shot gun," declaring that "Jefferson Davis and the secessionists merely endeavoured to enforce with bayonets the doctrines of Mr. Tilden."
[766]

Tilden displayed a stoical indifference to these personal attacks. He made no speeches, he rarely exhibited himself to the public, and he kept his own counsels. His adroit, mysterious movements recalled the methods but not the conceit of Aaron Burr. Although Abram S. Hewitt, chairman of the Democratic National Committee, managed the campaign with skill, Tilden relied largely upon his own shrewdness, displacing old leaders for new ones, and making it clear to the country that he ranked with Martin Van Buren as a great political manager. As he swept onward like a conquering Marlborough, inspiring his party with confidence and his opponents with fear, events favoured his designs. The Belknap exposures, the Whiskey ring suits, the Babcock trial, alarming and disgusting the country, inclined public opinion toward a change which was expressed in the word "reform." A combination of propitious circumstances within the State, in nowise indebted to his sagacity or assistance, also increased his strength. The collapse of the Tweed and Canal rings justly gave him great prestige, but no reason existed why the extinguishment of the State war debt and the limitations of canal expenditures to canal revenues should add to his laurels, for the canal amendment to the Constitution was passed and the payment of the war debt practically accomplished before he took office. Nevertheless, the resulting decrease of the State budget by nearly one-half, being coincident with his term of office, added prodigiously to his fame.[767] Indeed, he seemed to be the darling of Fortune, and on November 7, exactly according to his calculation, he carried New York,[768] New Jersey, Connecticut, and Indiana. But Republicans claimed South Carolina, Florida, and Louisiana.

In the historic dispute which led to a division of the solid South, partisan papers revelled in threats, and rumours indicated danger of mob violence. To prevent fraud prominent citizens in the North, appointed to represent each political party, watched the canvassing boards in the three disputed States, and although it subsequently developed that distinguished New Yorkers resorted to bribery,[769] the legal canvassing boards finally certified the electoral votes to Hayes and Wheeler. On December 6 the official count in all the States gave Hayes 185 votes and Tilden 184. The Democrats,

deeply disturbed by the action of the Returning Boards, now displayed a temper that resembled the spirit preceding the civil war. Threats were openly made that Hayes should never be inaugurated. The *Louisville Courier Journal* announced that "if they (our people) will rise in their might, and will send 100,000 petitioners to Washington to present their memorial in person, there will be no usurpation and no civil war."^[770] A prominent ex-Confederate in Congress talked of 145,000 well disciplined Southern troops who were ready to fight.^[771] Because the President prudently strengthened the military forces about Washington he was charged with the design of installing Hayes with the aid of the army.

On the other hand, Republicans believed Tilden endeavoured to buy the presidency. Although nothing was then known of Marble's and Weed's efforts to tamper with the canvassing boards of South Carolina and Florida, the disposition to "steal" a vote in Oregon, which clearly belonged to Hayes, deprived Tilden's cause of its moral weight. Indeed, so strongly did sentiment run against him that the *Nation* "lost nearly three thousand subscribers for refusing to believe that Mr. Hayes could honourably accept the presidency."^[772]

When Congress opened the Democrats, being in control of the House, desired to continue the joint rule of February, 1865, directing that "no electoral vote objected to shall be counted except by the concurrent votes of the two Houses." This would elect Tilden. On the other hand, the Republicans, holding that the joint rule expired with the Congress adopting it, insisted that, inasmuch as the canvass by Congress at all previous elections had been confined exclusively to opening the certificates of each State, sent to Washington under the official seal of the respective governors, the Vice-President should open and count the electoral votes and declare the result, the members of the two Houses acting simply as witnesses. This would elect Hayes. To many and especially to President Grant this controversy seemed full of danger, to avert which if possible Congress adopted a resolution providing for a committee of fourteen, equally divided between the Senate and House, "to report without delay such a measure as may in their judgment be best calculated to accomplish the desired end."^[773] On January 18 (1877) this committee reported a bill providing that where two or more returns had been received from a State such returns should be referred to an Electoral Commission composed of five senators,

five members of the House, and five justices of the Supreme Court, who should decide any question submitted to it touching the return from any State, and that such decision should stand unless rejected by the concurrent votes of the two Houses. By tacit agreement the Senate was to name three Republicans and two Democrats, and the House three Democrats and two Republicans, while the Bill itself appointed Justices Clifford, Miller, Field, and Strong, a majority of whom were authorised to select a fifth justice.^[774]

When doubt as to the three Southern States precipitated itself into the result of the election, Tilden exhibited characteristic diligence and secrecy. He avoided public statements, but he scrutinised the returns with the acumen exhibited in securing the Tweed evidence, and left no flaw unchallenged in the title of his opponent. After the action of the canvassing boards he contended that the joint rule of 1865 must govern, and in the study of the subject he devoted more than a month to the preparation of a complete history of electoral counts, showing it to have been the unbroken usage for Congress and not the President of the Senate to count the vote.^[775] Moreover, early in the session of Congress he prepared two resolutions which raised the issue, and urged his friends in the leadership of the House to take no further step until the great constitutional battle had been fought along that line, assuring them of his readiness to accept all the responsibility of the outcome. To appraise the country of the strength of this position he also prepared an extended brief which Governor Robinson incorporated as a part of his inaugural message on January 1, 1877.^[776]

Tilden first learned of the proposed Electoral Commission Bill on January 14. Abram S. Hewitt brought the information, saying that Bayard and Thurman of the Senate, being absolutely committed to it, would concur in reporting it whatever Tilden's action.^[777] Tilden, resenting the secrecy of its preparation as unwise and essentially undemocratic, declined to give it his approval.^[778] In his later telegrams to Hewitt he expressed the belief that "We should stand on the Constitution and the settled practice;" that "the other side, having no way but by usurpation, will have greater troubles than we, unless relieved by some agreement;" that "the only way of getting accessions in the Senate is by the House standing firm;" that "we are over-pressed by exaggerated fears;" and that "no information is here which could justify an abandonment of the Constitution and practice of the government, and of the rights of the two Houses and of the people." To his friends who

urged that time pressed, he exclaimed: "There is time enough. It is a month before the count." Representations of the danger of a collision with the Executive met his scorn. "It is a panic of pacificators," he said. "Why surrender before the battle for fear of having to surrender after the battle?"
[779]

In view of his resentment of the secrecy which characterised the preparation of the Electoral Commission Bill, one wonders that Tilden made no appeal directly to the people, demanding that his party stand firm to "the settled practice" and allow Republicans peaceably to inaugurate Hayes "by usurpation" rather than "relieve them by some agreement." His telegrams to congressmen could not be published, and few if any one knew him as the author of the discussion in Robinson's inaugural. The *Times* thought "the old Governor's hand is to be seen in the new Governor's message,"[780] but the *Nation* expressed doubt about it.[781] A ringing proclamation over his own signature, however, would have been known before sunset to every Democratic voter in the land. Blaine told Bigelow a year or two later that if the Democrats had been firm, the Republicans would have backed down. [782] Tilden's silence certainly dampened his party's enthusiasm. It recalled, too, his failure to assail the Tweed ring until the *Times'* disclosure made its destruction inevitable.

Bigelow, reflecting Tilden's thought, charged that in accepting the plan of an Electoral Commission Thurman and Bayard were influenced by presidential ambition, and that prominent congressmen could not regard with satisfaction the triumph of a candidate who had been in nowise indebted to them for his nomination or success at the polls.[783] On the other hand, Blaine says the Democrats favoured the Commission because Davis, who affiliated with the Democratic party and had preferred Tilden to Hayes, was to be chosen for the fifth justice. The Maine statesman adds, without giving his authority, that Hewitt advanced this as one of the arguments to induce Tilden to approve the bill.[784] In his history of the Hewitt-Tilden interview Marble makes no mention of Davis' selection, nor does Bigelow refer to Tilden's knowledge of it. Nevertheless, the strength disclosed for the bill sustains Blaine's suggestion, since every Democrat of national reputation in both Houses supported it. The measure passed the Senate on January 24 and the House on the 26th,[785] but an unlooked-for event quickly destroyed Democratic calculations and expectations, for on January

25, too late for the party to recede with dignity or with honour, the Democrats of the Illinois Legislature elected Davis by two majority to the United States Senate in place of John A. Logan. Probably a greater surprise never occurred in American political history. It gave Davis an opportunity, on the ground of obvious impropriety, to avoid what he neither sought nor desired, and narrowed the choice of a fifth justice to out-and-out Republicans, thus settling the election of Hayes. "The drop in the countenance of Abram S. Hewitt," said a writer who informed Tilden's representative of Davis' transfer from the Supreme Court to the Senate, "made it plain that he appreciated its full significance."[\[786\]](#) Bigelow could not understand why Davis did not serve on the Commission unless his "declination was one of the conditions of his election," adding that "it was supposed by many that Morton and others engineered the agreement of Davis' appointment with full knowledge that he would not serve."[\[787\]](#) This cynical comment betrayed Tilden's knowledge of "things hoped for," and accounts for his final acquiescence in the Commission, since Davis and a certainty were far better than a fight and possible failure.

Another dagger-thrust that penetrated the home in Gramercy Park was Conkling's exclusion from the Electoral Commission. Of all the members of the famous committee the Senator had borne the most useful part in framing the measure, and his appointment to the Commission was naturally expected to follow.[\[788\]](#) His biographer states that he declined to serve.[\[789\]](#) "If this be correct," says Rhodes, "he shirked a grave duty."[\[790\]](#) Bigelow charges the omission to the Senator's belief "that the vote of Louisiana rightfully belonged to Mr. Tilden," and volunteers the information "that Conkling had agreed to address the Commission in opposition to its counting Louisiana for Hayes."[\[791\]](#) Conkling's absence from the Senate when the Louisiana vote was taken corroborates Bigelow,[\[792\]](#) and supports the general opinion which obtained at the time, that the Republicans, suspecting Conkling of believing Tilden entitled to the presidency, intentionally ignored him in the make-up of the Commission.[\[793\]](#) The reason for Conkling's failure subsequently to address the Commission in opposition to counting Louisiana for Hayes nowhere explicitly appears. "Various explanations are in circulation," writes Bigelow, "but I have not been able to determine which of them all had the demerit of securing his silence."[\[794\]](#)

CHAPTER XXVIII

CONKLING AND CURTIS AT ROCHESTER

1877

Two State governments in Louisiana, one under Packard, a Republican, the other under Nicholls, a Democrat, confronted Hayes upon the day of his inauguration. The canvassing boards which returned the Hayes electors also declared the election of Packard as governor, and it would impeach his own title, it was said, if the President refused recognition to Packard, who had received the larger popular majority.

It was not unknown that the President contemplated adopting a new Southern policy. His letter of acceptance presupposed it, and before the completion of the Electoral Commission's work political and personal friends had given assurance in a published letter that Hayes would not continue military intervention in the South.[795] Moreover, the President's inaugural address plainly indicated such a purpose. To inform himself of the extent to which the troops intervened, therefore, and to harmonise if possible the opposing governments, he sent a commission to New Orleans, [796] who reported (April 21) a returning board quorum in both branches of the Nicholls Legislature and recommended the withdrawal of the army from the immediate vicinity of the State House. This was done on April 24 and thenceforward the Nicholls government controlled in State affairs.[797]

The President's policy quickly created discontent within the ranks of the Republican party. Many violently resented his action, declaring his refusal to sustain a governor whose election rested substantially upon the same foundation as his own as a cowardly surrender to the South in fulfillment of a bargain between his friends and some Southern leaders.[798] Others disclaimed the President's obligation to continue the military, declaring that it fostered hate, drew the colour line more deeply, promoted monstrous local misgovernment, and protected venal adventurers whose system practically amounted to highway robbery. Furthermore, it did not keep the States under Republican control, while it identified the Republican name with vindictive as well as venal power, as illustrated by the Louisiana Durrell affair in 1872,[799] in the elections of 1874, and at the organisation

of the Louisiana Legislature early in 1875.[800] Notwithstanding these potent reasons for the President's action the judgment of a majority of his party deemed it an unwise and unwarranted act, although Grant spoke approvingly of it.[801]

Similar judgment was pronounced upon the President's attempt to reform the civil service by directing competitive examinations for certain positions and by forbidding office-holders actively to participate in political campaigns.[802] "No officer should be required or permitted to take part in the management of political organisations, caucuses, conventions, or election campaigns," he wrote to the Secretary of the Treasury. "Their right to vote and to express their views on public questions, either orally or through the press, is not denied, provided it does not interfere with the discharge of their official duties. No assessments for political purposes should be allowed." In a public order dated June 22 he made this rule applicable to all departments of the civil service. "It should be understood by every officer of the government that he is expected to conform his conduct to its requirements." [803] To show his sincerity the President also appointed a new Civil Service Commission, with Dorman B. Eaton at its head, who adopted the rules formulated under Curtis during the Grant administration, and which were applied with a measure of thoroughness, especially in the Interior Department under Carl Schurz, and in the New York post-office, then in charge of Thomas L. James.

This firm and aggressive stand against the so-called spoils system very naturally aroused the fears of many veteran Republicans of sincere and unselfish motives, who had used offices to build up and maintain party organisation, while the order restricting freedom of political action provoked bitter antagonism, especially among members of the New York Republican State Committee, several of whom held important Federal positions. To add to the resentment an official investigation of the New York custom-house was ordered, which disclosed "irregularities," said the report, "that indicate the peril to which government and merchants are exposed by a system of appointments in which political influence dispenses with fitness for the work." [804] The President concurred. "Party leaders should have no more influence in appointments than other equally respectable citizens," he said. "It is my wish that the collection of the revenue should be organised on a strictly business basis, with the same

guarantees for efficiency and fidelity in the selection of the chief and subordinate officers that would be required by a prudent merchant." [805]

The Republican press, in large part, deplored the President's action, and while managing politicians smothered their real grievance under attacks upon the Southern policy, they generally assumed an attitude of armed neutrality and observation. [806] No doubt the President was much to blame for this discontent. He tolerated the abuses disclosed by the investigation in New York, continued a disreputable régime in Boston, and installed a faction in Baltimore no better than the one turned out. Besides, the appointment to lucrative offices of the Republican politicians who took active part in the Louisiana Returning Board had closely associated him with the spoils system. [807] Moreover, his failure to remove offending officials discredited his own rule and created an unfavourable sentiment, because after provoking the animosity of office-holders and arousing the public he left the order to execute itself. Yet the people plainly believed in the President's policy of conciliation, sympathised with his desire to reform abuses in the civil service, and honoured him for his frankness, his patriotism, and his integrity. During the months of August and September several Republican State conventions, notably those in Ohio, Pennsylvania, Wisconsin, Massachusetts, and New Jersey commended him, while Maine, under the leadership of Blaine, although refusing to indorse unqualifiedly the policy and acts of the Administration, refrained from giving any expression of disapproval. [808]

New York's Republican convention assembled at Rochester on September 26. The notable absence of Federal office-holders who had resigned committeeships and declined political preferment attracted attention, otherwise the membership of the assembly, composed largely of the usual array of politicians, provoked no comment. Conkling and Cornell arrived early and took possession. In 1874 and in 1875 the Senator's friends fought vigorously for control, but in 1877 the divided sentiment as to the President's policies and the usual indifference that follows a Presidential struggle inured to their benefit, giving them a sufficient majority to do as they pleased.

Thus far Conkling had not betrayed his attitude toward the Administration. At the time of his departure for Europe in search of health, when

surrounded by the chief Federal officials of the city, he significantly omitted words of approbation or criticism, and with equal dexterity avoided the expression of an opinion in the many welcoming and serenade speeches amidst which his vacation ended in August. No doubt existed, however, as to his personal feeling. The selection of Evarts for secretary of state in place of Thomas C. Platt for postmaster general did not make him happy.^[809] George William Curtis's ardent support of the President likewise aided in separating him from the White House. Nevertheless, Conkling's attitude remained a profound secret until Thomas C. Platt, as temporary chairman, began the delivery of a carefully prepared speech.

Platt was then forty-four years old. He was born in Owego, educated at Yale, and as a man of affairs had already laid the foundation for the success and deserved prominence that crowned his subsequent business career. Ambition also took him early into the activities of public political life, his party having elected him county clerk at the age of twenty-six and a member of Congress while yet in his thirties. His friends, attracted by his promise-keeping and truth-telling, included most of the people of the vicinage. He was not an orator, but he possessed the resources of tact, simplicity, and bonhomie, which are serviceable in the management of men.^[810] Moreover, as an organiser he developed in politics the same capacity for control that he exhibited in business. He had quickness of decision and flexibility of mind. There was no vacillation of will, no suspension of judgment, no procrastination that led to harassing controversy over minor details. He seemed also as systematic in his political purposes as he was orderly in his business methods. These characteristic traits, well marked in 1877, were destined to be magnified in the next two decades when local leaders recognised that his judgment, his capacity, and his skill largely contributed to extricate the party from the chaotic conditions into which continued defeat had plunged it.

Conkling early recognised Platt's executive ability, and their friendship, cemented by likeness of views and an absence of rivalry, kept them sympathetically together in clearly defined fields of activity. In a way each supplemented the other. Platt was neither self-opinionated nor overbearing. He dealt with matters political with the light touch of a man of affairs, and although without sentiment or ideals, he worked incessantly, listened attentively, and was anxious to be useful, without taking the centre of the

stage, or repelling support by affectations of manner. But like Conkling he relied upon the use of patronage and the iron rule of organisation, and too little upon the betterment of existing political conditions.

This became apparent when, as temporary chairman, he began to address the convention. He startled the delegates by calling the distinguished Secretary of State a "demagogue," and other Republicans who differed with him "Pecksniffs and tricksters." As he proceeded dissent blended with applause, and at the conclusion of his speech prudent friends regretted its questionable taste. In declining to become permanent president Conkling moved that "the gentleman who has occupied the chair thus far with the acceptance of us all" be continued. This aroused the Administration's backers, of whom a roll-call disclosed 110 present.^[811]

The platform neither approved nor criticised the President's Southern policy, but expressed the hope that the exercise of his constitutional discretion to protect a State government against domestic violence would result in peace, tranquillity, and justice. Civil service reform was more artfully presented. It favoured fit men, fixed tenure, fair compensation, faithful performance of duty, frugality in the number of employes, freedom of political action, and no political assessments. Moreover, it commended Hayes's declaration in his letter of acceptance that "the officer should be secure in his tenure so long as his personal character remained untarnished and the performance of his duty satisfactory," and recommended "as worthy of consideration, legislation making officers secure in a limited fixed tenure and subject to removal only as officers under State laws are removed in this State on charges to be openly preferred and adjudged."^[812] This paralleled the President's reform except as to freedom of political action, and in support of that provision it arrayed a profoundly impressive statement, showing by statistics that Hayes's order, if applied to all State, county, and town officials in New York, would exclude from political action one voter out of every eight and one-half. If this practical illustration exhibited the weakness of the President's order it also anticipated what the country afterwards recognised, that true reform must rest upon competitive examination for which the Act of March 3, 1871 opened the way, and which President Hayes had directed for certain positions.

But despite the platform's good points, George William Curtis, construing its failure to endorse the Administration into censure of the President, quickly offered a resolution declaring Hayes's title to the presidency as clear and perfect as that of George Washington, and commending his efforts in the permanent pacification of the South and for the correction of abuses in the civil service.^[813] Curtis had never sought political advantage for personal purposes. The day he drifted away from a clerkship in a business firm and landed among the philosophers of Brook Farm he became an idealist, whom a German university and years of leisure travel easily strengthened. So fixed was his belief of moral responsibility that he preferred, after his unfortunate connection with *Putnam's Magazine*, to lose his whole fortune and drudge patiently for sixteen years to pay a debt of \$60,000 rather than invoke the law and escape legal liability. He was an Abolitionist when abolitionism meant martyrdom; he became a Republican when others continued Whigs; and he stood for Lincoln and emancipation in the months of dreadful discouragement preceding Sheridan's victories in the Shenandoah. He was likewise a civil service reformer long in advance of a public belief, or any belief at all, that the custom of changing non-political officers on merely political grounds impaired the efficiency of the public service, lowered the standard of political contests, and brought reproach upon the government and the people. It is not surprising, therefore, that he stood for a President who sought to re-establish a reform that had broken down under Grant, and although the effort rested upon an Executive order, without the permanency of law, he believed that any attempt to inaugurate a new system should have the undivided support of the party which had demanded it in convention and had elected a President pledged to establish it. Moreover, the President had offered Curtis his choice of the chief missions, expecting him to choose the English. Remembering Irving in Spain, Bancroft in Germany, Motley in England, and Marsh in Italy, it was a great temptation. But Curtis, appreciating his "civic duty," remained at home, and now took this occasion to voice his support of the Executive who had honoured him.^[814]

His speech, pitched in an exalted key, sparkled with patriotic utterances and eloquent periods, with an occasional keen allusion to Conkling. He skilfully contrasted the majority's demand for harmony with Platt's reference to Evarts as a "demagogue" and to civil service reform as a "nauseating

shibboleth." He declared it would shake the confidence of the country in the party if, after announcing its principles, it failed to commend the agent who was carrying them out. Approval of details was unnecessary. Republicans did not endorse Lincoln's methods, but they upheld him until the great work of the martyr was done. In the same spirit they ought to support President Hayes, who, in obedience to many State and two or three National conventions, had taken up the war against abuses of the civil service. If the convention did not concur in all his acts, it should show the Democratic party that Republicans know what they want and the man by whom to secure such results.

In speaking of abuses in the civil service he told the story of Lincoln looking under the bed before retiring to see if a distinguished senator was waiting to get an office,^[815] referred to the efforts of Federal officials to defeat his own election to the convention, and declared that the President, by his order, intended that a delegate like himself, having only one vote, should not meet another with one hundred votes in his pocket obtained by means of political patronage. Instead of the order invading one's rights it was intended to restore them to the great body of the Republicans of New York, who now "refuse to enter a convention to be met—not by brains, not always by mere intelligence, not always by convictions, or by representative men, but by the forms of power which federal patriots assume." He did "not believe any eminent Republican, however high his ambition, however sore his discontent, hoped to carry the Republican party of the United States against Rutherford B. Hayes. Aye, sir, no such Republican, unless intoxicated with the flattery of parasites, or blinded by his own ambition." He spoke of Conkling's interest in public affairs as beginning contemporaneously with his own, of their work side by side in 1867, and of their sustaining a Republican President without agreement in the details of his policy, and he closed with the prayer that they might yet see the Republican party fulfilling the hope of true men everywhere, who look to it for honesty, for reform, and for pacification.^[816]

Conkling had been waiting for Curtis as the American fleet waited for the Spanish at Santiago. Curtis had adorned the centre of opposition until he seemed most to desire what would most disappoint Conkling. For months prior to the Cincinnati convention *Harper's Weekly* bristled with reasons that in its opinion unfitted the Senator for President, and advertised to the

country the desire at least of a large minority of the party in New York to be rid of him. With consummate skill he unfolded Conkling's record, and emphasised his defence of the questionable acts that led to a deep distrust of Republican tendencies. To him the question was not whether a National convention could be persuaded to adopt the Senator as its candidate, but whether, "being one of the leaders that had imperilled the party, it was the true policy for those who patriotically desired Republican success." Furthermore, Curtis had a habit of asking questions. "With what great measure of statesmanship is his name conspicuously identified?"^[817] and, as if this admitted of no reply, he followed it with more specific inquiries demanding to know "why the Senator had led a successful opposition to Judge Hoar for the Supreme Bench," and become "the ardent supporter of Caleb Cushing for chief justice, and of Alexander Shepherd for commissioner of the District of Columbia?" These interrogatories seemed to separate him from statesmen of high degree and to place him among associates for whom upright citizens should have little respect.

Nor was this all. The part Greeley took at Chicago to defeat Seward, Curtis played at Cincinnati to defeat Conkling. He declared him the especial representative of methods which the best sentiment of the party repudiated, and asserted that his nomination would chill enthusiasm, convince men of the hopelessness of reform within the party, and lose the vote indispensable for the election of the Republican candidate. If his words were parliamentary, they were not less offensive. Once only did he strike below the belt. In the event of the Senator's nomination he said "a searching light would be turned upon Mr. Conkling's professional relations to causes in which he was opposed to attorneys virtually named by himself, before judges whose selection was due to his favour."^[818]

This thrust penetrated the realm of personal integrity, a characteristic in which Conkling took great pride. Perhaps the hostile insinuation attracted more attention because it prompted the public, already familiar with the occult influences that persuaded Tweed's judges, to ask why men who become United States judges upon the request of a political boss should not be tempted into favourable decisions for the benefactor who practises in their courts? Curtis implied that something of the kind had happened in Conkling's professional career. Disappointment at Cincinnati may have made the presidential candidate sore, but this innuendo rankled, and when

he rose to oppose Curtis's resolution his powerful frame seemed in a thrill of delight as he began the speech which had been laboriously wrought out in the stillness of his study.

The contrast in the appearance of the two speakers was most striking. Curtis, short, compact, punctilious in attire, and exquisitely cultured, with a soft, musical voice, was capable of the noblest tenderness. Conkling, tall, erect, muscular, was the very embodiment of physical vigour, while his large, well-poised head, his strong nose, handsome eyes, well-cut mouth, and prominent chin, were expressive of the utmost resolution. The two men also differed as much in mind as in appearance. Curtis stood for all the force and feeling that make for liberal progressive principles; Conkling, the product of a war age, of masterly audacity and inflexible determination, represented the conservative impulse, with a cynical indifference to criticism and opposition.

The preface to his attack was brief. This was a State convention to nominate candidates, he said in substance, and the National Administration was not a candidate or in question. He repelled the idea that it suggested or sanctioned such a proceeding, and although broad hints had been heard that retribution would follow silence, any one volunteering for such a purpose lacked discretion if not sincerity. "Who are these men who, in newspapers or elsewhere, are cracking their whips over me and playing schoolmaster to the party? They are of various sorts and conditions. Some of them are the man-milliners, the dilettante and carpet knights of politics, whose efforts have been expended in denouncing and ridiculing and accusing honest men.... Some of them are men who, when they could work themselves into conventions, have attempted to belittle and befoul Republican administrations and to parade their own thin veneering of superior purity. Some of them are men who, by insisting that it is corrupt and bad for men in office to take part in politics, are striving now to prove that the Republican party has been unclean and vicious all its life.... Some of these worthies masquerade as reformers. Their vocation and ministry is to lament the sins of other people. Their stock in trade is rancid, canting self-righteousness. They are wolves in sheep's clothing. Their real object is office and plunder. When Dr. Johnson defined patriotism as the last refuge of a scoundrel, he was unconscious of the then undeveloped capabilities and uses of the word reform.... Some of these new-found party overseers who

are at this moment laying down new and strange tenets for Republicans, have deemed it their duty heretofore, upon no provocation, to make conventions and all else the vehicle of disparaging Republican administrations. Some of them sat but yesterday in Democratic conventions, some have sought nominations at the hands of Democrats in recent years, and some, with the zeal of neophytes and bitterness of apostates, have done more than self-respecting Democrats would do to vilify and slander their government and their countrymen.... They forget that parties are not built up by deportment, or by ladies' magazines, or gush.... The grasshoppers in the corner of a fence, even without a newspaper to be heard in, sometimes make more noise than the flocks and herds that graze upon a thousand hills.... For extreme license in criticism of administrations and of everybody connected with them, broad arguments can no doubt be found in the files of the journal made famous by the pencil of Nast. But a convention may not deem itself a chartered libertine of oracular and pedantic conceits."

Conkling could not comprehend why Republicans of New York should be thought predisposed to find fault with Hayes. Without their votes he could not have become the candidate. "Even the member from Richmond was, I believe, in the end prevailed upon, after much difficulty, to confer his unique and delicate vote also." New York congressmen, with few exceptions, heartily supported the measure without which Hayes would never have been effectually inaugurated. No opposition had come from New York. What, then, is the meaning and purpose of constantly accusing Republicans of this State of unfriendly bias? Wanton assaults had been made upon Republicans, supposed to be inspired by the champions and advisers of the President. For not doing more in the campaign of 1876, he, an office-holder, had been denounced by the same men who now insist that an office-holder may not sign even a notice for a convention. No utterance hostile to men or measures had proceeded from him. Not a straw had been laid in the way of any man. Still he had been persistently assaulted and misrepresented by those claiming to speak specially for the Administration. A word of greeting to his neighbours had drawn down bitter and scornful denunciations because it did not endorse the Administration.

"These anxious and super-serviceable charioteers seem determined to know nothing but the President and his policy and them crucified.... The meaning of all this is not obscured by the fact that the new President has been

surrounded and courted by men who have long purred about every new Administration.... Some of these disinterested patriots and reformers have been since the days of Pierce the friends and suitors of all Administrations and betrayers of all. The assaults they incite are somewhat annoying. It would have been a luxury to unfrock some of them, but it has seemed to me the duty of every sincere Republican to endure a great deal rather than say anything to introduce division or controversy into party ranks.... I am for peace.... I am for everything tending to that end.... I am for one thing more—the success of the Administration in everything that is just and wise and real."

The Senator thought Hayes deserved the same support other Republican administrations had received. Whenever he is right he should be sustained; whenever misled by unwise or sinister advice, dissent should be expressed. This right of judgment is the right of every citizen. He exercised it in Congress under Lincoln and Grant, who never deemed an honest difference of opinion cause for war or quarrel, "nor were they afflicted by having men long around them engaged in setting on newspapers to hound every man who was not officious or abject in fulsomely bepraising them. The matters suggested by the pending amendment," he continued, "are not pertinent to this day's duties, and obviously they are matters of difference. They may promote personal and selfish aims, but they are hostile to concord and good understanding between Republicans at a time when they should all be united everywhere, in purpose and action. Let us agree to put contentions aside and complete our task. Let us declare the purposes and methods which should guide the government of our great State."

After this plea for harmony, the Senator commented briefly upon the remarks of other delegates, complimented Platt, and then turned again upon Curtis. Being assured that the latter did not refer to him as the Senator for whom Lincoln looked under the bed, he concluded: "Then I withhold a statement I intended to make, and I substitute for it a remark which I hope will not transgress the proprieties or liberties of this occasion. It is this: If a doubt arose in my mind whether the member from Richmond intended a covert shot at me, that doubt sprang from the fact that that member has published, in a newspaper, touching me, not matters political—political assaults fairly conducted no man ever heard me complain of—but imputations upon my personal integrity so injurious and groundless, that as

I think of them now, nothing but the proprieties of the occasion restrain me from denouncing them and their author as I feel at liberty to do in the walks of private life. Mr. President, according to that Christian code which I have been taught, there is no atonement in the thin lacquer of public courtesy, or of private ceremonial observance, for the offence one man does another when he violates that provision of the Decalogue, which, speaking to him, says, 'Thou shalt not bear false witness against thy neighbour,' and which means thou shalt not do it, whatever thy personal or political pique or animosity may be. The member from Richmond did me honour overmuch in an individual if not personal exhortation wherein he was pleased to run some parallel between himself and me.... Let me supplement the parallel by recalling a remark of a great Crusader when Richard of England and Leopold of Austria had held dispute over the preliminaries of battle: 'Let the future decide between you, and let it declare for him who carries furthest into the ranks of the enemy the sword of the cross.'"[819]

From a mere reading of this speech it is difficult, if not impossible, to realise its effect upon those who heard it.[820] As an oratorical exhibition the testimony of friends and of foes is alike offered in its unqualified praise. He spoke distinctly and with characteristic deliberation, his stateliness of manner and captivating audacity investing each sentence with an importance that only attaches to the utterances of a great orator. The withering sneer and the look of contempt gave character to the sarcasms and bitter invectives which he scattered with the prodigality of a seed-sower. When he declared Curtis a "man-milliner," his long, flexible index finger and eyes ablaze with resentment pointed out the editor as distinctly as if he had transfixed him with an arrow, while the slowly pronounced syllables, voiced in a sliding, descending key, gave the title a cartoon effect. Referring to the parallel in Curtis's peroration, he laid his hand on his heart, bowed toward his antagonist with mock reverence, and distorted his face with an expression of ludicrous scorn. In repelling the innuendo as to his "personal integrity," the suppressed anger and slowly spoken words seemed to preface a challenge to mortal combat, and men held their breath until his purpose cleared. The striking delivery of several keen thrusts fixed them in the memory. Given in his deep, sonorous tones, one of these ran much as follows: "When Doc-tor-r-r Ja-a-awnson said that patr-r-riotism-m was the l-a-w-s-t r-r-refuge of a scoundr-r-rel he ignor-r-red the enor-r-rmous

possibilities of the word r-refa-awr-rm."[\[821\]](#) Other sentences, now historic, pleased opponents not less than friends. That parties are not upheld by "deportment, ladies' magazines, or gush" instantly caught the audience, as did "the journal made famous by the pencil of Nast," and the comparison suggested by Edmund Burke of the noise of "grasshoppers in the corner of a fence even without a newspaper to be heard in."[\[822\]](#)

Nevertheless, these moments of accord between speaker and hearers deepened by contrast the depth of bitterness existing between him and the friends of the President. His denunciation of Curtis had included Evarts if not other members of the Administration, and during the recital of the rhythmical sentences of arraignment dissent mingled with applause. "He was hissed," said a reporter of long experience, "as I have never heard any speaker hissed at a convention before."^[823] A friend to whom Conkling read the speech on the preceding Sunday pronounced it "too severe," and the nephew excluded the epithet "man-milliner" from the address as published in his uncle's biography.^[824] The contemporary press, reflecting the injury which Conkling's exuberance of denunciation did his cause, told how its effect withered as soon as oratory and acting had ceased. Within an hour after its delivery Charles E. Fitch of the Rochester *Democrat-Chronicle*, voicing the sentiment of the Senator's best friends, deprecated the attack. Reading the article at the breakfast table on the following morning, Conkling exclaimed, "the man who wrote it is a traitor!" It was "the man" not less than the criticism that staggered him. Fitch was a sincere friend and a writer with a purpose. His clear, incisive English, often forcible and at times eloquent, had won him a distinct place in New York journalism, not more by his editorials than by his work in various fields of literature, and his thought usually reflected the opinion of the better element of the party. To Conkling it conveyed the first intimation that many Republican papers were to pronounce his address unfortunate, since it exhorted to peace and fomented bitter strife.

Curtis refused to make public comment, but to Charles Eliot Norton, his intimate friend, he wrote: "It was the saddest sight I ever knew, that man glaring at me in a fury of hate, and storming out his foolish blackguardism. I was all pity. I had not thought him great, but I had not suspected how small he was. His friends, the best, were confounded. One of them said to me the next day, 'It was not amazement that I felt, but consternation.' I spoke offhand and the report is horrible. Conkling's speech was carefully written out, and therefore you do not get all the venom, and no one can imagine the Mephistophelean leer and spite."^[825]

Conkling closed his speech too late at night for other business,^[826] and in the morning one-half of the delegates had disappeared. Those remaining

occupied less than an hour in the nomination of candidates.[\[827\]](#)



CHAPTER XXIX

THE TILDEN RÉGIME ROUTED

1877

THE result at Rochester, so unsatisfactory to a large body of influential men to whom the President represented the most patriotic Republicanism, was followed at Albany by a movement no less disappointing to a large element of the Democratic party.^[828] In their zeal to punish crime Secretary of State Bigelow and Attorney-General Fairchild had made themselves excessively obnoxious to the predatory statesmen of the canal ring, who now proposed to destroy the Tilden régime. Back of them stood John Kelly, eager to become the master, and determined to accomplish what he had failed to do at St. Louis.

As if indifferent to the contest Bigelow had remained in Europe with Tilden, and Fairchild, weary of the nervous strain of office-holding, refused to make an open canvass for the extension of his official life. Nevertheless, the friends of reform understood the importance of renominating the old ticket. It had stood for the interest of the people. Whatever doubt might have clouded the public mind as to Tilden's sincerity as an ardent, unselfish reformer, Republicans as well as Democrats knew that Bigelow and Fairchild represented an uncompromising hostility to public plunderers, and that their work, if then discontinued, must be shorn of much of its utility. Their friends understood, also, the importance of controlling the temporary organisation of the convention, otherwise all would be lost.

The result of the Presidential struggle had seriously weakened Tilden. In the larger field of action he had displayed a timid, vacillating character, and the boldest leaders of his party felt that in the final test as a candidate he lost because he hesitated. Besides, the immediate prospect of power had disappeared. Although Democrats talked of "the great Presidential crime," and seemed to have their eyes and minds fastened on offices and other evidences of victory, they realised deep in their hearts that Hayes was President for four years, and that new conditions and new men might be existent in 1880. Moreover, many Democratic leaders who could not be classed as selfish, felt that Tilden, in securing the advantageous position of

a reformer, had misrepresented the real Democratic spirit and purpose in the State. They deeply resented his course in calling about him, to the exclusion of recognised and experienced party advisers, men whom he could influence, who owed their distinction to his favour, and who were consequently devoted to his fortunes. Upon some of these he relied to secure Republican sympathy, while he depended upon Democratic discipline to gain the full support of his party. If events favoured his designs and the exigencies of an exciting Presidential election concealed hostility, these conditions did not placate his opponents, who began plotting his downfall the moment the great historic contest ended. This opposition could be approximately measured by the fact that the entire party press of the State, with three exceptions, disclosed a distinct dislike of his methods.^[829]

Nevertheless, Tilden's friends held control. Governor Robinson, an executive of remarkable force, sensitively obedient to principles of honest government and bold in his utterances, remained at the head of a devoted band which had hitherto found its career marked by triumph after triumph, and whose influence was still powerful enough to rally to its standard new men of strength as well as old leaders flushed with recent victories. Robinson's courageous words especially engaged the attention of thoughtful Democrats. He did not need to give reasons for the opposition to John Bigelow, or the grievance against Charles S. Fairchild, whose court docket sufficiently exposed the antagonism between canal contractors and the faithful prosecutor. But in his fascinating manner he told the story of the Attorney-General's heroic firmness in refusing to release Tweed.^[830] In Robinson's opinion the vicious classes, whose purposes discovered themselves in the depredations of rings and weakness for plunder, were arrayed against the better element of the party which had temporarily deprived the wrong-doers of power, and he appealed to his friends to rescue administrative reform from threatened defeat.

The Governor was not unmindful of his weakness. Besides Tilden's loss of prestige, the renomination of the old ticket encountered the objection of a third term, aroused the personal antagonism of hundreds of men who had suffered because of its zeal, and arrayed against it all other influences that had become hostile to Tilden through envy or otherwise during his active management of the party. Moreover, he understood the cunning of John Kelly and the intrigue of his lieutenants. Knowing that contesting

delegations excluded precincts from taking part in the temporary organisation, these men had sought to weaken Tilden by creating fictitious contests in counties loyal to him, thus offsetting John Morrissey's contest against Tammany. It was a desperate struggle, and the only gleam of light that opened a way to Tilden's continued success came from the action of the State Committee, which gave David B. Hill of Chemung 19 votes for temporary chairman to 14 for Clarkson N. Potter of New York. The victory, ordinarily meaning the control of the Committee on Credentials, restored hope if not confidence.

Hill was the friend of Robinson. Although his name had not then become a household word, he was by no means unknown throughout the State. He had come into public life as city attorney in 1864 at the age of twenty-one, and had shown political instincts for the most part admirable. Of those to go to the Assembly in 1871 to aid in the work of judicial purification, Hill was suggested by O'Connor and Tilden as one of the trustworthy lawyers, and in February, 1872, when the legislative committee began its investigation into the charges presented by the Bar Association against Judges Barnard, Cardozo, Ingraham, and McCunn with a view to their impeachment, Hill sat by the side of Tilden. It was recognised that he belonged to the coterie of able men who stood at the front of the reform movement.

His personal habits, too, commended him. He seems to have been absolved from the love of wine, and if the love of a good woman did not win him, he created a substantial home among his books, and worked while others feasted. He talked easily, he learned readily, and with the earnestness of one who inherited an ambition for public life he carefully equipped himself for a political as well as a professional career. He had a robust, straightforward nature. Men liked his courage, his earnestness, his effectiveness as a debater, and his declared purposes which were thoroughly in unison with the spirit of his party. But it was his boldness, tempered with firmness, which justified Robinson in singling him out for chairman. Still, the courage exhibited as a presiding officer in one of the stormiest conventions that ever assembled in the Empire State did not win him distinction.

The Kelly opposition raised no question of principle. The platform denounced the defeat of Tilden as due to fraud, applauded Hayes for his Southern policy, declared for reapportionment of the State, and bitterly

assailed railroad subsidies. But it had no words of unkindness for Tilden and Robinson. Indeed, with a most sublime display of hypocrisy, Kelly pointed with pride to the fruits of their administrations, made illustrious by canal reforms, economy, and the relentless prosecution of profligate boards and swindling contractors, and vied with the apostles of administrative reform in calling them "fearless" and "honest," and in repudiating the suggestion of desiring other directing spirits. His only issue involved candidates. Should it be the old ticket or a new one? Should it be Bigelow for a third term, or Beach, the choice of the ring? In opposing the old ticket several delegates extended their hostility only to Bigelow; others included the attorney-general. Only a few demanded an entire change. But Tammany and the Canal ring tactfully combined these various elements with a skill never before excelled in a State convention. Their programme, sugar-coated with an alleged affection for Tilden, was arranged to satisfy the whim of each delegate, while Robinson's policy, heavily freighted with well doing, encountered the odium of a third-term ticket.

Nevertheless, the Governor's control of the chairmanship assured him victory unless Hill yielded too much. But Kelly was cunning and quick. After accepting Hill without dissent, he introduced a resolution providing that the convention select the committee on contested seats. To appoint this committee was the prerogative of the chairman, and Hill, following Cornell's bold ruling in 1871, could have refused to put the motion. When he hesitated delegates sprang to their feet and enthroned pandemonium.^[831] During the cyclone of epithets and invective John Morrissey for the last time opposed John Kelly in a State convention. His shattered health, which had already changed every lineament of a face that successfully resisted the blows of Yankee Sullivan and John C. Heenan, poorly equipped him for the prolonged strain of such an encounter, but he threw his envenomed adjectives with the skill of a quoit-pitcher.

Distributed about the hall were William Purcell, DeWitt C. West, George M. Beebe, John D. Townsend, and other Tammany talkers, who had a special aptitude for knockdown personalities which the metropolitan side of a Democratic convention never failed to understand. Their loud voices, elementary arguments, and simple quotations neither strained the ears nor puzzled the heads of the audience, while their jibes and jokes, unmistakable in meaning, sounded familiar and friendly. Townsend, a lawyer of some

prominence and counsel for Kelly, was an effective and somewhat overbearing speaker, who had the advantage of being sure of everything, and as he poured out his eloquence in language of unmeasured condemnation of Morrissey, he held attention if he did not enlighten with distracting novelty.

Morrissey admitted he was wild in his youth, adding in a tone of sincere penitence that if he could live his life over he would change many things for which he was very sorry. "But no one, not even Tweed who hates me," he exclaimed, pointing his finger across the aisle in the direction of Kelly, "ever accused me of being a thief." Morrissey's grammar was a failure. He clipped his words, repeated his phrases, and lacked the poise of a public speaker, but his opponents did not fail to understand what he meant. His eloquence was like that of an Indian, its power being in its sententiousness, which probably came from a limited vocabulary.

At the opening of the convention Robinson's forces had a clear majority, [832] but in the presence of superior generalship, which forced a roll-call before the settlement of contests, Tammany and the Canal ring, by a vote of 169 to 114, passed into control. To Tilden's friends it came as the death knell of hope, while their opponents, wild with delight, turned the convention into a jubilee. "This is the first Democratic triumph in the Democratic party since 1873," said Jarvis Lord of Monroe. "It lets in the old set." [833]

The adoption of the Credentials Committee's report seated Tammany, made Clarkson N. Potter permanent chairman, and turned over the party machine. Pursuing their victory the conquerors likewise nominated a new ticket. [834] Quarter was neither asked nor offered. Robinson had squarely raised the issue that refusal to continue the old officials would be repudiation of reform, and his friends, as firmly united in defeat as in victory, voted with a calm indifference to the threats of the allied power of canal ring and municipal corruptionists. Indeed, their boast of going down with colours flying supplemented the vigorous remark of the Governor that there could be no compromise with Tweed and canal thieves. [835]

This apparently disastrous result encouraged the hope that Republicans, in spite of Conkling's indiscretion at Rochester, might profit by it as they did

in 1871. Upon the surface Republican differences did not indicate bitterness. Except in the newspapers no organised opposition to the Senator had appeared, and the only mass meeting called to protest against the action of the Rochester convention appealed for harmony and endorsed the Republican candidates.[836] Even Curtis, the principal speaker, although indulging in some trenchant criticism, limited his remarks to a defence of the Administration. Nevertheless, the presence of William J. Bacon, congressman from the Oneida district, who voiced an intense admiration for the President and his policies, emphasised the fact that the Senator's home people had elected a Hayes Republican. Indeed, the Senator deemed it essential to establish an organ, and in October (1877) the publication of the *Utica Republican* began under the guidance of Lewis Lawrence, an intimate friend. It lived less than two years, but while it survived it reflected the thoughts and feelings of its sponsor.[837]

The campaign presented several confusing peculiarities. Governor Robinson in his letter to a Tammany meeting refused to mention the Democratic candidates, and Tilden, after returning from Europe, expressed the belief in his serenade speech that "any nominations that did not promise coöperation in the reform policy which I had the honour to inaugurate and which Governor Robinson is consummating will be disowned by the Democratic masses." [838] This was a body-blow to the Ring. Its well-directed aim also struck the ticket with telling effect, for its election involved the discontinuance of Fairchild's spirited canal prosecutions. On the other hand, the adoption of the recent amendment, substituting for the canal commission a superintendent of public works to be appointed by the Governor, made the election of Olcott and Seymour especially desirable, since it would give Robinson and his reforms stronger support than Tilden had in the State board. Yet it could not be denied that the success of the Albany ticket would be construed as a defeat of Tilden's ascendancy.

Similar confusion possessed the Republican mind. A large body of men, resenting the Rochester convention's covert condemnation of the President's policies, hesitated to vote for candidates whose victory would be attributed to Republican opposition to the Administration. This singular political situation made a very languid State campaign. An extra session of Congress called Conkling to Washington, Tilden retired to Gramercy Park, the German-Independent organisation limited its canvass to the metropolis, and

the candidates of neither ticket got a patient hearing. Other causes contributed to the Republican dulness. Old leaders became inactive and government officials refused to give money because of their interpretation of the President's civil service order, while rawness and indifference made newer leaders inefficient. After the October collapse in Ohio conditions became hopelessly discouraging.^[839] The tide set more heavily in favour of the Democracy, and each discordant Republican element, increasing its distrust, practically ceased work lest the other profit by it.

Nevertheless, the hunt for State senators, involving the election of a United States Senator in 1879, provoked animated contests which centred about the candidacy of John Morrissey, whom Republicans and the combined anti-Tammany factions backed with spirit. Morrissey had carried the Tweed district for senator in 1874, and the taunt that no other neighbourhood would elect a notorious gambler and graduate of the prize-ring goaded him into opposing Augustus Schell in one of the fashionable districts of the metropolis. Schell had the advantage of wealth, influence, long residence in the precinct, and the enthusiastic support of Kelly, who turned the contest into a battle for the prestige of victory. For the moment the fierceness of the fight excited the hopes of Republicans that the State might be carried, and to spread the influence of the warring Democratic factions into all sections of the commonwealth, Republican journals made a combined attack upon Allen C. Beach.

Like Sanford E. Church, Beach was a courteous, good-natured politician, who tried to keep company with a canal ring and keep his reputation above reproach. But his character did not refine under the tests imposed upon it. His policy of seeming to know nothing had resulted in doubling the cost of canal repairs during his four years in office. A careful analysis of his record showed that only once did he vote against the most extravagant demands of the predatory contractors. This did not prove him guilty of corruption, "but when as the steady servant of the canal ring," it was asked, "he voted thousands and thousands of dollars, sometimes at the rate of a hundred thousand a day, into the pockets of men whom he knew to be thieves, and on claims which he must have known were full of fraud, was he not lending himself to corruption?"^[840] This charge his opponents circulated through many daily and scores of weekly papers, making the weakness of his character appear more objectionable.

To these attacks Beach affected an indifference which he did not really feel, for the pride of a candidate who desires the respect of his neighbours is not flattered by their distrust of his integrity. Church had felt the iron enter his soul, and had Tilden and the reformers rearoused the moral awakening that refused to tolerate the Chief Justice in 1874, Beach must have fallen the victim of his partiality to a coterie of political associates willing to benefit at the expense of his ruin. As it was he received a plurality of 11,000, while Seymour and Olcott, his associates upon the ticket, obtained 35,000 and 36,000 respectively.[841]

The election of State senators in which Conkling had so vital an interest exhibited the work of influential Hayes Republicans, who, openly desiring his destruction, defeated his candidates in Brooklyn, Rochester, and Utica. [842] Nevertheless, by carrying eighteen of the thirty-two districts he saved fighting ground for himself in the succeeding year.[843] Indeed, he was able to point to the popular vote and declare that he was as strong in New York as the President was in Ohio. It was known, too, that if Morrissey survived, the Senator would profit by the prize-fighter's remarkable majority of nearly 4,000 over Augustus Schell, a victory which ranked as the crowning achievement of the senatorial campaign.[844] But Morrissey, prostrated by his exertions, did not live to reciprocate. He spent the winter in Florida and the early spring in Saratoga. Finally, after the loss of speech, his right arm, which had so severely punished Yankee Sullivan, became paralysed, and on May 1 (1878) Lieutenant-governor Dorsheimer announced his death to the Senate. "It is doubtful," added a colleague in eulogy, "if such boldness and daring in political annals were ever shown as he displayed in his last canvass." [845]

CHAPTER XXX

GREENBACKERS SERVE REPUBLICANS

1878

WHILE Democrats rejoiced over their victory in 1877, a new combination, the elements of which had attracted little or no attention, was destined to cause serious disturbance. Greenbackism had not invaded New York in 1874-5, when it flourished so luxuriantly in Ohio, Indiana, and other Western States. Even after the party had nominated Peter Cooper for President in 1876, it polled in the Empire State less than 1,500 votes for its candidate for governor, and in 1877, having put Francis E. Spinner, the well-known treasurer of the United States, at the head of its ticket, its vote fell off to less than 1,000.

Meantime the labour organisations, discontented because of long industrial inaction, had formed a Labour Reform party. This organisation gradually increased its strength, until, in 1877, it polled over 20,000 votes. Encouraged by success its leaders held a convention at Toledo, Ohio, on February 22 (1878), and resolved to continue the Cooper movement. It resented the resumption of specie payment, favoured absolute paper money, and demanded payment of the public debt in greenbacks. On May 10 the executive council, calling themselves Nationalists, coalesced with the Greenbackers, and issued a call for a National Greenback Labour Reform convention to assemble at Syracuse on July 25. This sudden extension of the movement attracted widespread attention, and although the convention was marked by great turbulence and guided by inconspicuous leaders, it seemed as if by magic to take possession of a popular issue which gathered about its standard thousands of earnest men. Gideon J. Tucker, a former Democratic secretary of state, who had led the Americans in 1859, was nominated for judge of the Court of Appeals. To its platform it added declarations favouring a protective tariff and excluding the Chinese.

The treatment of the Greenback question earlier in the year by the older parties had materially strengthened the Nationalists. Democratic conventions distinctly favoured their chief issue, and Republicans employed loose and vague expressions. So accomplished and experienced a politician

as Thurlow Weed complimented the bold declarations of Benjamin Butler of Massachusetts, who had left the Republicans to become the independent leader of a vast mass of voters that accepted his Greenback theories and joined in his sneers at honest money. Republican congressmen, returning from Washington, told how their party held Greenback views and why Greenbackers ought to support it. The Secretary of the Republican Congressional Committee practically announced himself a Greenback Republican, and Blaine's position seemed equivocal. During the entire financial debate in Congress, Conkling said nothing to mould public opinion upon the question of sound money, while the *Utica Republican*, his organ, thought it a "mistake to array the Republican party, which originated the Greenback, as an exclusively hard-money party.... It is not safe or wise to make the finances a party question."^[846] As late as July 30, the evening preceding the Maine convention, Blaine objected to the phrase "gold or its equivalent," preferring the word "coin," which subsequently appeared in the platform.

The election in Maine, hailed with joy by every organ of the Greenback movement, showed how profound was the political disturbance. The result made it plain that the chief political issue was one of common honesty, and that an alliance of Democratic and Greenback interests threatened Republican ascendancy. In the presence of such danger Republican leaders, recognising that harmony could alone secure victory, called a State convention to meet at Saratoga on September 26. As the time for this important event approached the impression deepened that real harmony must rest upon an acceptance of the President's plea for honest money and the honest payment of the nation's bonds. The word "coin" seemed insufficient, since both coin and currency should be kept at par with gold, and although this would make Republicans "an exclusively hard-money party," which Conkling's organ characterised as a "mistake," the common danger proved a sufficient magnet to unite the two factions on a platform declaring that national pledges should be redeemed in letter and spirit, that there should be no postponement of resumption, and that permanent prosperity could rest alone on the fixed monetary standard of the commercial world.

To further exclude just cause of offence Conkling, in accepting the chairmanship of the convention, broke his long silence upon the currency

question, and without sarcasm or innuendo honoured the President by closely following the latter's clear, compact, and convincing speeches on hard money. George William Curtis led in the frequent applause. Speaking of convention harmony the *Times* declared that during the address "there seemed to be something in the air which made children of strong men. Many of the delegates were affected to tears."^[847] Curtis also stirred genuine enthusiasm. He had not been captious as to the form of the platform. To him it sufficed if the convention keyed its resolutions to the President's note for sound money, which had become the Administration's chief work, and although the spectacle of Curtis applauding and supplementing Conkling's speech seemed as marvellous as it was unexpected, it did not appear out of place. Indeed, the environment at Saratoga differed so radically from conditions at Rochester that it required a vivid fancy to picture these men as the hot combatants of the year before. The brilliant, closely packed Rochester audience, the glare of a hundred gas jets, and an atmosphere surcharged with intense hostility, had given place to gray daylight, a sullen sky, and a morning assemblage tempered into harmony by threatened danger. The absence of the picturesque greatly disappointed the audience. The labour of reading a speech from printed proofs marred Conkling's oratory, and Curtis' effort to compliment the President without arousing resentment spoiled the rhetorical finish that usually made his speeches enjoyable. But the prudence of the speakers and the cordial reception of the platform proved thoroughly acceptable to the delegates, who nominated George F. Danforth for the Court of Appeals and then separated with the feeling that the State might be redeemed.^[848]

Meanwhile the Democratic State convention which assembled at Syracuse on September 25 became more violent and boisterous than its predecessor. Confident of defeat unless Tammany participated in the preliminary organisation, John Kelly, through his control of the State Committee, secured Albert P. Laning of Erie for temporary chairman. Laning ruled that the roll of delegates as made up by the State committee should be called except those from New York and Kings, and as to these he reserved his decision. In obedience thereto the vote of uncontested delegations stood 132 to 154 in favour of Tilden and Robinson, whereas the admission of Tammany and Kings would make it 181 to 195 in favour of Kelly. Would the chair include these contested delegations in the roll-call? To admit one

side and exclude the other before the settlement of a contest was a monstrous proposition. The history of conventions did not furnish a supporting precedent. Nevertheless, Laning, wishing to succeed Dorsheimer as lieutenant-governor in 1879 and relying upon Tammany to nominate and elect him, had evidenced a disposition to rule in the Boss's favour, and when, at last, he did so, the angry convention sprang to its feet. For three hours it acted like wild men.^[849] Under a demand for the previous question Laning refused to recognise the Tilden delegates, and the latter's tumult drowned the voice of the chair. Finally, physical exhaustion having restored quiet, Kings County declined to vote and Tammany was added without being called. This left the result 154 to 195 in favour of John Kelly. An hour later Laning, hissed and lampooned, left the convention unthanked and unhonoured.

But having gotten into the convention Tammany found it had not gotten into power. The Tilden forces endorsed Robinson's administration, refused to dicker with Greenbackers, whom Kelly was suspected of favouring, and assuaged their passion by nominating George B. Bradley of Steuben for the Court of Appeals. While Tammany was looking for votes to get in on, it bargained with St. Lawrence to support William H. Sawyer, whose success seemed certain. On the second ballot, however, Bradley's vote ran up to 194, while Sawyer's stopped at 183. This left Kelly nothing but a majority of the State committee, which was destined, in the hour of great need, to be of little service.

Throughout the State the several parties put local candidates in the field. The Greenbackers, exhibiting the activity of a young and confident organisation, uniformly made congressional and legislative nominations. In one congressional district they openly combined with the Democrats, and in several localities their candidates announced an intention of coöperating with the Democratic party. In the metropolis the various anti-Tammany factions supported independent candidates for Congress and combined with Republicans in nominating a city ticket with Edward Cooper for mayor.^[850] Kelly, acting for Tammany, selected Augustus Schell. This alignment made the leaders of the combined opposition sanguine of victory. It added also to the confidence of Republicans that the Greenbackers were certain to draw more largely from the ranks of the Democrats.

The difference between the Syracuse and Saratoga platforms was significant. Democrats declared "gold and silver, and paper convertible into coin at the will of the holder, the only currency of the country."^[851] Convertible into what kind of coin? it was asked. Coin of depreciated value, or the fixed monetary standard of the commercial world? The *Nation* thought "this platform not noticeable for strength or directness of statement."^[852] The Republican plank was clearer. "We insist that the greenback shall be made as good as honest coin ... that our currency shall be made the best currency, by making all parts of it, whether paper or coin, equivalent, convertible, secure, and steady."^[853] As the campaign advanced a resistless tendency to force the older parties into the open made it plain that if the Democrats did not say just what they meant, the Republicans meant more than they said, for their speakers and the press uniformly declared that the greenback, which had carried the country triumphantly through the war, must be made as good as gold. Meantime the Democratic leaders realised that "fiat" money had a strange fascination for many of their party.

To add to Democratic embarrassment the *Tribune*, in the midst of the canvass, began its publication of the cipher despatches which had passed between Tilden's personal friends and trusted associates during the closing and exciting months of 1876.^[854] The shameful story, revealed by the *Tribune's* discovered key to the cipher, made a profound impression. As shown elsewhere the important telegrams passed between Manton Marble and Smith M. Weed on one side, and Henry Havermeyer and William T. Pelton, Tilden's nephew, on the other.^[855] Marble had called McLin of the Florida board an "ague-smitten pariah" for having charged him with attempted bribery, but these translated telegrams corroborated McLin. Moreover, notwithstanding Tilden's comprehensive and explicit denial, it sorely taxed the people's faith to believe him disconnected with the correspondence, since the corrupt bargaining by which he was to profit was carried on in his own house by a nephew, who, it was said, would scarcely have ventured on a transaction so seriously affecting his uncle's reputation without the latter's knowledge. "Of their [telegrams] effect in ruining Mr. Tilden's fortunes, or what was left of them," said the *Nation*, "there seems no doubt."^[856] Whatever of truth this prophecy contained, the revelation of the cipher despatches greatly strengthened the Republican party and

brought to a tragic end Clarkson N. Potter's conspicuous failure to stain the President.^[857]

The result of the October elections likewise encouraged Republicans. It indicated that the Greenback movement, which threatened to sweep the country as with a tornado, had been stayed if not finally arrested, and thenceforth greater activity characterised the canvass. Conkling spoke often; Woodford, who had done yeoman service in the West, repeated his happily illustrated arguments; and Evarts crowded Cooper Union. In the same hall Edwards Pierrepont, fresh from the Court of St. James, made a strenuous though belated appeal. Speaking for the Democrats, Kernan advocated the gold standard, declaring it essential to commercial and the workingmen's prosperity. Erastus Brooks shared the same view, and Dorsheimer, with his exquisite choice of words, endeavoured to explain it to a Tammany mass meeting. John Kelly, cold, unyielding, precise, likewise talked. There was little elasticity about him. He dominated Tammany like a martinet, naming its tickets, selecting its appointees, and outlining its policies. Indeed, his rule had developed so distinctly into a one-man power that four anti-Tammany organisations had at last combined with the Republicans in one supreme effort to crush him, and with closed ranks and firm purpose this coalition exhibited an unwavering earnestness seldom presented in a local campaign.^[858] It was intimated that Kelly having in mind his reappointment as city comptroller in 1880, sought surreptitiously to aid Cooper.^[859] Kelly saw his danger. He recognised the power of his opponents, the weakness of Schell whom he had himself named for mayor, and the strength of Cooper, a son of the distinguished philanthropist, whose independence of character had brought an honourable career; but the assertion that the Boss, bowing to the general public sentiment, gave Cooper support must be dismissed with the apocryphal story that Conkling was in close alliance with Tammany. Doubtless Kelly's disturbed mind saw clearly that he must eventually divide his foes to recover lost prestige. Nevertheless, it was after November 5, the day of Tammany's blighting overthrow, that he shaped his next political move.

The election returns disclosed that the greatly increased Greenback-Labour vote, aggregating 75,000, had correspondingly weakened the Democratic party, especially in the metropolis, thus electing Danforth to the Court of Appeals, Cooper as mayor, the entire anti-Tammany-Republican ticket, a

large majority of Republican assemblymen, and twenty-six Republican congressmen, being a net gain of eight.[860] Indeed, the divisive Greenback vote had produced a phenomenal crop of Republican assemblymen. After the crushing defeat of the Liberal movement in 1872 the Republicans obtained the unprecedented number of ninety-one. Now they had ninety-eight, with nineteen hold-over senators, giving them a safe working majority in each body and seventy-six on joint ballot. This insured the re-election of Senator Conkling, which occurred without Republican opposition on January 21, 1879. One month later the *Utica Republican* closed its career. While its existence probably gratified the founder, it had done little more than furnish opponents with material for effective criticism.

The Democrats, who supported Lieutenant-governor Dorsheimer for United States senator, protested against granting Conkling a certificate of election because no alteration of senate or assembly districts had occurred since the enumeration of 1875, as required by the constitution, making the existing legislature, it was claimed, a legislature *de facto* and not *de jure*. This was a new way of presenting an old grievance. For years unjust inequality of representation had fomented strife, but more recently the rapid growth of New York and Brooklyn had made the disparity more conspicuous, while continued Republican control of the Senate had created intense bitterness. In fact, a tabulated statement of the inequality between senatorial districts enraged a Democrat as quickly as a red flag infuriated the proverbial bull. [861] Although the caucus refused to adopt the protest, it issued an address showing that New York and Kings were entitled to ten senators instead of seven and forty-one assemblymen instead of thirty-one. These additional members, all belonging to Democratic districts, said the address, are now awarded to twelve counties represented by Republicans. The deep indignation excited throughout the State by such manifest injustice resulted in a new apportionment which transferred one assemblyman from each of six Republican counties to New York and Kings. This did not correct the greater injustice in the senatorial districts, however, and in permitting the measure to become a law without his signature Governor Robinson declared that the "deprivation of 150,000 inhabitants in New York and Kings of their proper representation admits of no apology or excuse." [862]

CHAPTER XXXI

REMOVAL OF ARTHUR AND CORNELL

1878-9

ONE week before the election of 1877 President Hayes nominated Theodore Roosevelt for collector of customs, L. Bradford Prince for naval officer, and Edwin A. Merritt for surveyor, in place of Chester A. Arthur, Alonzo B. Cornell, and George H. Sharpe.^[863] The terms of Arthur and Cornell had not expired, and although their removal had been canvassed and expected for several months, its coming shocked the party and increased the disgust of the organisation. George William Curtis, with the approval of Evarts, urged the promotion of James L. Benedict for collector, a suggestion which the Secretary of the Treasury stoutly opposed. If Arthur, the latter argued, was to be removed because of his identification with a system of administration which the President desired to abolish, no reason existed for promoting one who had made no effort to reform that system. No one questioned Roosevelt's ability, high character, and fitness for the place, but to those who resented the removal of Arthur his nomination was an offence.

Chester A. Arthur had succeeded Thomas Murphy as collector of the port in November, 1871. He was then forty-seven years old, a lawyer of fair standing and a citizen of good repute. He had studied under the tuition of his clergyman father, graduated at Union College, taught school in his native Vermont, cast a first vote for Winfield Scott, and joined the Republican party at its organisation. At the outbreak of the rebellion Governor Morgan appointed him quartermaster-general, his important duties, limited to the preparation and forwarding of troops to the seat of war, being performed with great credit. When Seymour succeeded Morgan in 1863 Arthur resumed his law practice, securing some years later profitable employment as counsel for the department of city assessments and taxes.

From the first Arthur showed a liking for public life. He was the gentleman in politics. The skill of an artist tailor exhibited his tall, graceful figure at its best, and his shapely hands were immaculately gloved. His hat advertised the latest fashion just as his exquisite necktie indicated the proper colour.

[864] He was equally particular about his conduct. Whatever his environment he observed the details of court etiquette. His stately elegance of manner easily unbent without loss of dignity, and although his volatile spirits and manner of living gave him the appearance of a *bon vivant*, lively and jocose, with less devotion to work than to society, it was noticeable that he attracted men of severer mould as easily as those vivacious and light-hearted associates who called him "Chet." While Fenton, after Greeley's failure as a leader, was gathering the broken threads of party management into a compact and aggressive organisation, Arthur enjoyed the respect and confidence of every local leader, who appreciated his wise reticence and perennial courtesy, blended with an ability to control restless and suspicious politicians by timely hints and judicious suggestions. Indeed, people generally, irrespective of party, esteemed him highly because of his kindness of heart, his conciliatory disposition, his lively sense of humour, and his sympathetic attention to the interests of those about him. He was neither self-opinionated, argumentative, nor domineering, but tactful, considerate, and persuasive. There was also freedom from prejudice, quickness of decision, a precise knowledge of details, and a flexibility of mind that enabled him to adapt himself easily to changing conditions.

When Conkling finally wrested the Federal patronage from Fenton and secured to himself the favour and confidence of the Grant administration, Arthur bivouacked with the senior Senator so quietly and discreetly that Greeley accepted his appointment as collector without criticism. "He is a young man of fair abilities," said the editor, "and of unimpeached private character. He has filled no such rôle in public affairs as should entitle him to so important and responsible a part, but as things go, his is an appointment of fully average fitness and acceptability. With the man we have no difference; with the system that made him collector we have a deadly quarrel. He was Mr. Murphy's personal choice, and he was chosen because it is believed he can run the machine of party politics better than any of our great merchants." [865]

In party initiative Arthur's judgment and modesty aided him in avoiding the repellent methods of Murphy. He did not wait for emergencies to arise, but considering them in advance as possible contingencies, he exercised an unobtrusive but masterful authority when the necessity for action came. He played an honest game of diplomacy. What others did with Machiavellian

intrigue or a cynical indifference to ways and means, he accomplished with the cards on the table in plain view, and with motives and objects frankly disclosed. No one ever thought his straightforward methods clumsy, or unbusinesslike, or deficient in cleverness. In like manner he studied the business needs of the customs service, indicating to the Secretary of the Treasury the flagrant use of backstair wiles, and pointing out to him ways of reform.^[866] He sought in good faith to secure efficiency and honesty, and if he had not been pinioned as with ball and chain to a system as old as the custom-house itself, and upon which every political boss from DeWitt Clinton to Roscoe Conkling had relied for advantage, he would doubtless have reformed existing speculation and irregularities among inspectors, weighers, gaugers, examiners, samplers, and appraisers.^[867] Until this army of placemen could be taken out of politics Secretary Sherman refused to believe it possible to make the custom-house "the best managed business agency of the government," and as Arthur seemed an inherent part of the system itself, the President wished to try Theodore Roosevelt.^[868] It is safe to conclude, judging the father's work by the later achievements of his illustrious son, that the Chief Executive's choice would have accomplished the result had Conkling allowed him to undertake it.

When Conkling felt himself at ease, in congenial society, he displayed his mastery of irony and banter, neither hesitating to air his opinion of persons nor shrinking from admissions which were candid to the verge of cynicism. At such times he had not veiled his intense dislike of the Administration. After Hayes's election his conversation discovered as aggressive a spirit as he had exhibited at Rochester, speaking of the Secretary of State as "little Evarts," and charging the President with appointing "a Democratic cabinet," whose principal labour had been "to withdraw Republican support from me." Apropos of Schurz, he told a story of the man who disbelieved the Bible because he didn't write it. He criticised the Republican press for praising Tilden as governor and "lampooning" him as a candidate for the presidency, pronounced Packard's title as good as Hayes's, and declared the President's "objectionable and dishonourable" record consisted not in the withdrawal of the troops but in bargaining with Southerners. "Every man knows," he said, "that on the face of the returns Packard was more elected than Hayes. You cannot present those returns in any form that will not give more legality to Packard as Governor than to Hayes as President. People

say this man assumes all the virtues of reform in an office which he has gained by the simple repudiation of the ladder that lifted him. It is the general record of usurpers that though sustained they do their favours to the other side.... I have no faith in a President whose only distinct act is ingratitude to the men who voted for him and to the party which gave him its fealty. In the domain and forum of honour that sense of Mr. Hayes's infidelity stands forward and challenges him. It is felt by honest men all over the country. He smiles and showers on the opposition the proofs of a disturbed mind."

Speaking of the civil service order the Senator was no less severe. "That celebrated reformatory order was factional in its intent, made in the interests of envious and presuming little men. Sherman (secretary of the treasury) goes out to Ohio and makes speeches in defiance of it; McCrary (secretary of war) goes to Iowa and manages a convention in spite of it; and Devens (attorney-general) says the order meant itself to be disobeyed, and that the way to obey it was to violate it." [869]

Conkling's criticism of the fitful execution of the civil service order was not too severe. Instead of justifying the expectations he had aroused by vigorously enforcing the principles of his letter of acceptance and inaugural address, the President, as if enthralled by some mysterious spell, had discredited his professions by his performances. The establishment of a real change in the system of appointments and of office-holding control invited a severe contest, and success depended upon the courage and conviction of the Administration itself. For firmness, however, Hayes substituted hesitation, compromise, and in some instances surrender. Numerous cases were cited in proof of this criticism, notably the reappointment of Chauncey I. Filley, postmaster at St. Louis, whom George William Curtis pronounced the most conspicuous office-holder in the country for his active manipulation of politics. "He is a shining example of 'the thing to be reformed.'" [870]

The President's removal of Arthur and Cornell, it was argued, was no less irrational. In failing to charge them with inefficiency he subjected himself to the graver charge of inconsistency, since his letter of acceptance and inaugural address declared in substance that efficient officers would be retained. The President meant, his friends assumed, that political activity

nullified efficiency, to which opponents replied that the President, after inviting Arthur to carry out the recommendations of the Jay Commission, had condoned the collector's wrong-doing if any existed, making him an agent for reform, and that his subsequent removal was simply in the interest of faction. Cornell's case likewise presented a peg upon which to hang severe criticism, since the Administration, when asked for the reason of his removal, dodged the decisive one. Such inconsistency showed timidity and confusion instead of courage and conviction, disappointing to friends and ridiculous to opponents.

Conkling made use of these and other points. Indeed, for more than six weeks after Congress convened he bent all his energies and diplomacy to defeat the confirmation of Roosevelt and Prince. That a Republican senator might be substituted for a Democrat on the commerce committee, of which he was chairman and to which the nominations were referred, he delayed action until a reorganisation of the Senate. Finally, in a forceful and pathetic speech, regarded by colleagues as his most impressive address,^[871] he illuminated what he deemed an act of injustice to Arthur and Cornell. It was less bitter perhaps than that in the contest with Fenton over the confirmation of Thomas Murphy, but no less carefully worked up and quite as successful. To the consternation of the Administration, which relied upon a solid Democratic party, the Senator won by a decisive vote, having the support of several Democrats and of all the Republicans except five.

It was an important victory for Conkling, who must soon begin another canvass for members of the Legislature. It sent a thrill of joy through the ranks of his friends, renewed the courage of office-holding lieutenants, and compelled the Administration's supporters to admit that the President was "chiefly to blame."^[872] Moreover, the cordial support given Conkling by Blaine created the impression that it had led to their complete reconciliation, a belief strengthened by a conversation that subsequently occurred between them on the floor of the Senate Chamber in full view of crowded galleries. David Davis had added to the tableau by putting an arm around each, thus giving the meeting the appearance of an unusually friendly one.^[873]

But the President, if he had previously omitted to say what he meant, determined not to surrender, and on July 11 (1878), after the adjournment of

Congress, he suspended Arthur and Cornell and appointed Edwin A. Merritt and Silas W. Burt. Arthur's suspension did not involve his integrity. Nor was any distinct charge lodged against Cornell. Their removal rested simply upon the plea that the interests of the public service demanded it, and the death of Roosevelt very naturally opened the way for Merritt.^[874]

All his life Merritt had been serviceable and handy in politics. After holding successively several local offices in St. Lawrence, the people sent him to the Assembly in 1859 and in 1860. When the rebellion began he entered the quartermaster's and commissary departments, and at its close served as quartermaster-general of the State until appointed naval officer in 1869, an office which he lost in 1870 when Conkling got control of the patronage. Then he followed Fenton and Greeley into the Liberal party, but returning with other leaders in 1874, he accepted the nomination for State treasurer in 1875, the year when administrative reform accelerated Tilden's run for the White House. This made him eligible for surveyor, an office to which he had been confirmed in December, 1877. His unsought promotion to the collectorship, however, was a testimonial to his ability. Whatever Merritt touched he improved. Whether quartermaster, naval officer, or surveyor, he attended rigorously to duty, enforcing the law fairly and without favour, and disciplining his force into a high state of efficiency, so that revenues increased, expenses diminished, and corruption talk ceased. In selecting him for collector, therefore, the President had secured the right type of man.

Nevertheless, Hayes's action roiled the political waters. Conkling's friends accused the President of violating his own principles, of endeavouring to set up a new machine, and of grossly insulting the Senator. On the other hand, Administration supporters maintained that the law authorising removals was as obligatory as that empowering a senator to advise and consent to appointments, and that in removing Arthur the President did not insult Conkling any more than Conkling insulted the President by rejecting the nomination of Roosevelt. This renewal of an ugly quarrel was auguring ill for the Republicans, when the organisation of the National Greenback-Labour-Reform party, suddenly presenting a question which involved the integrity and welfare of the country, put factional quarrels and personal politics into eclipse.

Conkling had exhibited both tact and skill in that campaign. He did not lead the gold column. In fact, it was not until the last moment that the Saratoga committee on resolutions which he dominated, substituted "the fixed monetary standard of the commercial world" for the word "coin." But after the guide-boards pointed the way he became a powerful champion of hard money. Besides, the moderation and good temper with which he discussed the doctrine of the inflationists did much to hold dissenters within the party and justly entitled him to high praise. His unanimous re-election to the Senate followed as a matter of course. Not that unanimity of action implied unanimity of feeling. It was rather, perhaps, a yielding to the necessity of the situation.[875]

Nevertheless, to all appearances Conkling had recovered the prestige lost at Rochester. His conduct at the convention and in the campaign excited the hope, also, that he would drop his opposition to Merritt and Burt. Such a course commended itself to the judgment of a large majority of the New York delegation in Congress as well as to many stout legislative friends; but re-election seemed to have hardened his heart, and when, ten days after that event, he rose in the Senate to defeat confirmation he exhibited the confidence of the man of Gath.[876]

Prior to his re-election Conkling had not voluntarily moved in the matter. To him the settlement of one thing at a time sufficed. Early in January, however, the Secretary of the Treasury, on his own initiative and with the skill of a veteran legislator, had addressed the President of the Senate, setting forth that Arthur's conduct of the custom-house was neither efficient nor economical. To this Arthur answered, denying inattention to business or loss of revenue, and affirming that he had recommended a system of reform upon which the Secretary had not acted.[877] After the reception of this letter Conkling demanded immediate action. But the Senate, by two majority, preferred to wait for Sherman's replication, and when that statement came the Senate again, by a vote of 35 to 26, put off action until the document, with its many exhibits, could be carefully examined.[878] These delays augured ill for the Senator. It appeared that a Democratic member of his own committee had left him, and on the day fixed for consideration other Democrats, while calmly discussing the matter, disclosed a disposition to desert. Alarmed at their loss Conkling suddenly moved to recommit, which was carried by a *viva voce* vote amidst shouts of approval and whispered

assurances that further action should be deferred until a Democratic Senate convened on March 4. Then some one demanded the yeas and nays.

Believing the matter practically settled, Conkling, to improve the last chance "of freeing his mind," he said, unexpectedly took the floor, and for more than an hour, with a bitterness and eloquence not excelled at Rochester, assailed the President and those associated with him. To illustrate the insincerity of the Administration's desire to reform the civil service he read several place-seeking letters addressed to Arthur while collector and written by the President's private secretary, by a member of the Cabinet, and other reformers. One letter sought a position for the son of Justice Bradley, who had figured conspicuously on the Electoral Commission. Such a scene had never before been witnessed in the Senate. Exclamations of mock surprise followed by fun-making questions and loud laughter added to the grotesque exhibition. It was so ludicrous as to become pitiful and painful. Although no particular harm was done to anybody, the Government for the moment was made ridiculous.

At times Conkling was blessed with the gift of offence, and on this occasion he seems to have exercised it to its full capacity. Before he began speaking the Senate exhibited a readiness to recommit the nominations, but as he proceeded he lost ground, and when he finished several Republican senators, unwilling to afford another opportunity for such a scene, demanded that the matter be disposed of at once and forever. Each succeeding name, as the roll-call proceeded on the motion to recommit, showed more and more the change that had taken place in senators' feelings. Failure to recommit turned defeat into confusion, and confusion into disaster. When the three roll-calls were over it was found that Merritt had been confirmed by 33 to 24 and Burt by 31 to 19. An analysis of the "pairs" increased the rout, since it disclosed that twenty-five Democrats and fifteen Republicans favoured confirmation, while only seven Democrats and twenty-three Republicans opposed it. In other words, the Administration required only five Democratic votes to match the strength of the dissatisfied Republicans. Kernan, although he had spoken slightly of Merritt, refused to vote, but Blaine, who had joined heartily in the laughter provoked by Conkling's thrusts as he read the letters, antagonised the President. This noticeable desire of the Maine statesman to attach his fortunes to those of

the New York Senator neither escaped the attention nor faded from the memory of Secretary Sherman.

The next morning everybody knew what had happened. Although secrecy was removed only from the vote, nothing of the seven hours' conflict remained untold, the result of which to all New Yorkers proved a great surprise. They had supposed Conkling invincible in the Senate. Nevertheless, to most Republicans, whether friends or foes, his defeat on February 3 was a great relief. Merritt had made an excellent collector, and a feeling existed, which had crystallised into a strong public sentiment, that it was unwise to force into his place an official unsatisfactory to the Secretary of the Treasury.

CHAPTER XXXII

JOHN KELLY ELECTS CORNELL

1879

IF threatened danger had bred an artificial harmony among the Republican factions of the State in 1878, the presence of a real peril, growing out of the control of both branches of Congress by the Democrats, tended to bring them closer together in 1879. During a special session of the Forty-sixth Congress the Democratic majority had sought, by a political rider attached to the army appropriation bill, to repeal objectionable election laws, which provided among other things for the appointment of supervisors and deputy marshals at congressional elections. This law had materially lessened cheating in New York City, and no one doubted that its repeal would be followed in 1880 by scenes similar to those which had disgraced the metropolis prior to its enactment in 1870.

But the attempt to get rid of the objectionable Act by a rider on a supply bill meant more than repeal. It implied a threat. In effect the Democrats declared that if the Executive did not yield his veto power to a bare majority, the needed appropriations for carrying on the government would be stopped. This practically amounted to revolution, and the debate that followed reawakened bitter partisan and sectional animosities. "Suppose in a separate bill," said Conkling, "the majority had, in advance of appropriations, repealed the national bank act and the resumption act, and had declared that unless the Executive surrendered his convictions and yielded up his approval of the repealing act, no appropriations should be made; would the separation of the bills have palliated or condoned the revolutionary purpose? When it is intended that, unless another species of legislation is agreed to, the money of the people, paid for that purpose, shall not be used to maintain their government, the threat is revolution and its execution is treasonable." Then he gave the mortal stab. Of the ninety-three senators and representatives from the eleven disloyal States, he said, eighty-five were soldiers in the armies of the rebellion, and their support of these "revolutionary measures is a fight for empire. It is a contrivance to clutch the national government. That we believe; that I believe."[\[879\]](#) The

President, by advising the country through his spirited veto messages of the desperate tactics invoked by the majority, added to Northern indignation.

It was a losing battle to the Democrats. The longer they insisted the more the Southern brigadiers were held up to public scorn as if they had again betrayed their country, and when, finally, the appropriation bills were passed without riders, it left Republicans more firmly united than at the beginning of the Hayes administration.^[880]

Two months later the Republican State convention, held at Saratoga (September 3), evidenced this union.^[881] Every distinguished Republican of the State was present save Thurlow Weed, whose feebleness kept him at home. Conkling presided. With fine humour, George William Curtis, the sound of whose flute-like voice brought a burst of applause, asked that the crowded aisles be cleared that he might see the chairman. Conkling's speech excited close attention. It was freer and more vivid because of more human interest than his address of the year before, and his appeal for harmony, his denunciation of revolutionary methods in Congress, and his demand that freedmen be protected in their rights, brought strenuous, purposeful applause from determined men. The principles thus felicitously and rhetorically stated formed the basis of the platform, which pledged the party anew to national supremacy, equal rights, free elections, and honest money. It also thanked the President for his recent attitude.

Nevertheless, a disposition to contest the strength of the organisation and its methods boldly asserted itself. For months Cornell had been Conkling's candidate for governor. A searching canvass, extended into all sections of the State and penetrating the secrets of men, had been noiselessly and ceaselessly carried on. Indeed, a more inquisitorial pursuit had never before been attempted, since the slightest chance, the merest accident, might result, as it did in 1876, in defeating Cornell.

So much depended upon the control of the temporary organisation that the anti-Conkling forces begged the Vice-President to stand for temporary chairman. They could easily unite upon him, and the belief obtained that he could defeat the Senator. But Wheeler, a mild and amiable gentleman, whose honours had come without personal contests, was timid and unyielding.^[882] What the opposition needed was a real State leader. It had

within its ranks brilliant editors,[883] excellent lawyers, and with few exceptions the best speakers in the party, but since Fenton lost control of the organisation no man had arisen capable of crossing swords with its great chieftain.

Of the four pronounced candidates for governor Frank Hiscock of Syracuse divided the support of the central counties with Theodore M. Pomeroy of Cayuga, while William H. Robertson of Westchester and John H. Starin of New York claimed whatever delegates Cornell did not control in the metropolis and its vicinity. Among them and their lieutenants, however, none could dispute leadership with Conkling and his corps of able managers. Starin had pluck and energy, but two terms in Congress and popularity with the labouring classes, to whom he paid large wages and generously contributed fresh-air enjoyments, summed up his strength.[884] Pomeroy was better known. His public record, dating from the famous speech made in the Whig convention of 1855, had kept him prominently before the people, and had he continued in Congress he must have made an exalted national reputation. But the day of younger men had come. Besides, his recent vote for John F. Smyth, the head of the Insurance Department, injured him.[885] Robertson, as usual, had strong support. His long public career left a clear imprint of his high character, and his attractive personality, with its restrained force, made him a central figure in the politics of the State.

Hiscock was then on the threshold of his public career. He began life as the law partner and political lieutenant of his brother, Harris, an adroit politician, whose violent death in 1867, while a member of the constitutional convention, left to the former the Republican leadership of Onondaga County. If his diversion as a Liberal temporarily crippled him, it did not prevent his going to Congress in 1876, where he was destined to remain for sixteen years and to achieve high rank as a debater on financial questions. He was without a sense of humour and possessed rather an austere manner, but as a highly successful lawyer he exhibited traits of character that strengthened him with the people. He was also an eminently wary and cautious man, alive to the necessity of watching the changeful phases of public opinion, and slow to propound a plan until he had satisfied himself that it could be carried out in practice. It increased his influence, too, that he was content with a stroke of practical business here and there in

the interest of party peace without claiming credit for any brilliant or deep diplomacy.

It is doubtful, however, if the genius of a Weed could have induced the disorganised forces, representing the four candidates, to put up a single opponent to Cornell. Such a course, in the opinion of the leaders, would release delegates to the latter without compensating advantage. It was decided, therefore, to hold the field intact with the hope of preventing a nomination on the first ballot, and to let the result determine the next step. In their endeavour to accomplish this they stoutly maintained that Cornell, inheriting the unpopularity of the machine, could not carry the State. To win New York and thus have its position defined for 1880 was the one great desire of Republicans, and the visible effect of the fusionists' attack, concededly made with great tact and cleverness, if without much effort at organisation, turned Conkling's confidence into doubt. Then he put on more pressure. In the preceding winter Pomeroy's vote and speech in the State Senate had saved John F. Smyth from deserved impeachment, and he now counted confidently upon the Commissioner's promised support of his candidacy. But Conkling demanded it for Cornell, and Smyth left Pomeroy to care for himself.

It is seldom that a roll-call ever proceeded under such tension. Nominating speeches were abandoned, cheers for the platform faded into an ominous silence, and every response sounded like the night-step of a watchful sentinel. Only when some conspicuous leader voted was the stillness broken. A score of men were keeping count, and halfway down the roll the fusionists tied their opponents. When, at last, the call closed with nine majority for Cornell, the result, save a spasm of throat-splitting yells, was received with little enthusiasm.^[886] On the motion to make the nomination unanimous George William Curtis voted "No" distinctly.^[887]

It was a Conkling victory. For three days delegates had crowded the Senator's headquarters, while in an inner room he strengthened the weak, won the doubtful, and directed his forces with remarkable skill. He asked no quarter, and after his triumph every candidate selected for a State office was an avowed friend of Cornell. "It would have been poor policy," said one of the Senator's lieutenants, "to apologise for what he had done by

seeming to strengthen the ticket with open enemies of the chief candidate."
[888]

The aftermath multiplied reasons for the coalition's downfall. Some thought the defeat of Cornell in 1876 deceived the opposition as to his strength; others, that a single candidate should have opposed him; others, again, that the work of securing delegates did not begin early enough. But all agreed that the action of George B. Sloan of Oswego seriously weakened them. Since 1874 Sloan had been prominently identified with the unfettered wing of the party. Indeed, his activity along lines of reform had placed him at the head and front of everything that made for civic betterment. In character he resembled Robertson. His high qualities and flexibility of mind gave him unrivalled distinction. He possessed a charm which suffused his personality as a smile softens and irradiates a face, and although it was a winsome rather than a commanding personality, it lacked neither firmness nor power. Moreover, he was a resourceful business man, keen, active, and honest—characteristics which he carried with him into public life. His great popularity made him speaker of the Assembly in the third year of his service (1877), and his ability to work tactfully and effectively had suggested his name to the coalition as a compromise candidate for governor. He had never leaned to the side of the machine. In fact, his failure to win the speakership in the preceding January was due to the opposition of Cornell backed by John F. Smyth, and his hopes of future State preferment centred in the defeat of these aggressive men. Yet at the critical moment, when success seemed within the grasp of his old-time friends, he voted for Cornell. For this his former associates never wholly forgave him. Nor was his motive ever fully understood. Various reasons found currency—admiration of Conkling, a desire to harmonise his party at home by the nomination of John C. Churchill for State comptroller, and weariness of opposing an apparently invincible organisation. But whatever the motive the coalition hissed when he declared his choice, and then turned upon Churchill like a pack of sleuth-hounds, defeating him upon the first ballot in spite of Conkling's assistance.

Tammany's threat to bolt Robinson's renomination may have encouraged Cornell's nomination, since such truancy would aid his election. John Kelly was *in extremis*. Tammany desertions and the election of Mayor Cooper had shattered his control of the city. To add to his discomfiture the Governor

had removed Henry A. Gumbleton, charged with taking monstrous fees as clerk of New York County, and appointed Hubert O. Thompson in his place. Gumbleton was Kelly's pet; Thompson was Cooper's lieutenant. Although the Governor sufficiently justified his action, the exercise of this high executive function was generally supposed to be only a move in the great Presidential game of 1880. His failure to remove the Register, charged with similar misdoings, strengthened the supposition that the Tilden camp fires were burning brightly. But whatever the Governor's motive, Kelly accepted Gumbleton's removal as an open declaration of war, and on September 6 (1879), five days before the Democratic State convention, Tammany's committee on organisation secretly declared "that in case the convention insists upon the renomination of Lucius Robinson for governor, the Tammany delegation will leave in a body."[\[889\]](#) In preparation for this event an agent of Tammany hired Shakespeare Hall, the only room left in Syracuse of sufficient size to accommodate a bolting convention.[\[890\]](#)

The changes visible in the alignment of factions since the Democrats had selected a candidate for governor in Syracuse reflected the fierce struggle waged in the intervening five years. In 1874 Tweed was in jail; Kelly, standing for Tilden, assailed Sanford E. Church as a friend of the canal ring; Dorsheimer, thrust into the Democratic party through the Greeley revolt, was harvesting honour in high office; Bigelow, dominated by his admiration of a public servant who concealed an unbridled ambition, gave character to the so-called reform; and Charles S. Fairchild, soon to appreciate the ingratitude of party, was building a reputation as the undismayed prosecutor of a predatory ring. Now, Tweed was in his grave; Kelly had joined the canal ring in sounding the praises of Church; Dorsheimer, having drifted into Tammany and the editorship of the *Star*, disparaged the man whom he adored as governor and sought to make President; and Bigelow and Fairchild, their eyes opened, perhaps, by cipher telegrams, found satisfaction in the practice of their professions.

But Tilden was not without friends. If some had left him, others had grown more potent. For several years Daniel E. Manning, known to his Albany neighbours as a youth of promise and a young man of ripening wisdom, had attracted attention by his genius for political leadership.[\[891\]](#) He seems never to have been rash or misled. Even an exuberance of animal vitality that eagerly sought new outlets for its energy did not waste itself in aimless

experiments. Although possessing the generosity of a rich nature, he preferred to work within lines of purpose without heady enthusiasms or reckless extremes, and his remarkable gifts as an executive, coupled with the study of politics as a fine art, soon made him a manager of men. This was demonstrated in his aggressive fight against Tweedism. Manning was now (1879) forty-eight years old. It cannot be said that he had then reached the place filled by Dean Richmond, or that the *Argus* wielded the power exerted in the days of Edwin Croswell; but the anti-ring forces in the interior of the State cheerfully mustered under his leadership, while the *Argus*, made forceful and attractive by the singularly brilliant and facile pen of St. Clair McKelway, swayed the minds of its readers to a degree almost unequalled among its party contemporaries.[892]

Manning took charge of the interests of Robinson, who did not attend the convention, receiving Kelly's tactful and spirited assault with fine courage. The Governor's enemies were more specific than Cornell's. They predicted that Robinson's renomination would lose twenty thousand votes in New York City alone, and an ingenious and extensively circulated table showed that the counties represented by his delegates had recently exhibited a Democratic loss of thirty thousand and an increased Republican vote of forty thousand, while localities opposed to him revealed encouraging gains. Mindful of the havoc wrought in 1874 by connecting Church with the canal ring, Kelly also sought to crush Robinson by charging that corporate rings, notably the New York Mutual Life Insurance Company, had controlled his administration, and that although he had resigned from the Erie directorate at the time of his election, he still received large fees through his son who acted as attorney for the road. Moreover, Kelly intimated, with a dark frown, that he had another stone in his sling. This onslaught, made upon every country delegate in town, seemed to confuse if not to shake the Tilden men, whose interest centred in success as well as in Robinson. The hesitation of the Kings County delegation, under the leadership of Hugh McLaughlin, to declare promptly for the Governor, and the toying of Senator Kernan with the name of Church while talking in the interest of harmony, indicated irresolution. Even David B. Hill and Edward K. Apgar, who desired to shape affairs for a pledged delegation to the next national convention, evidenced weariness.

Manning steadied the line. In proclaiming Robinson's nomination on the first ballot he anticipated every movement of the enemy. He knew that Henry W. Slocum's candidacy did not appeal to McLaughlin; that Chief Justice Church's consent rested upon an impossible condition; and that Kelly's threatened bolt, however disastrously it might end in November, would strengthen Robinson in the convention. Nevertheless, unusual concessions showed a desire to proceed on lines of harmony. Tammany's delegation was seated with the consent of Irving Hall; John C. Jacobs, a senator from Brooklyn, was made chairman; the fairness of committee appointments allayed suspicion; a platform accepted by if not inoffensive to all Democrats set forth the principles of the party,^[893] and an avoidance of irritating statements characterised the speeches placing Robinson's name in nomination.

Tammany's part was less cleverly played. Its effort centred in breaking the solid Brooklyn delegation, and although with much tact it presented Slocum as its candidate for governor, and cunningly expressed confidence in Jacobs by proposing that he select the Committee on Credentials, two Bowery orators, with a fierceness born of hate, abused Robinson and pronounced Tilden "the biggest fraud of the age."^[894] Then Dorsheimer took the floor. His purpose was to capture the Kings and Albany delegations, and walking down the aisles with stage strides he begged them, in a most impassioned manner, to put themselves in Tammany's place, and to say whether, under like circumstances, they would not adopt the same course. He did it very adroitly. His eyes blazed, his choice words blended entreaty with reasoning, and his manner indicated an earnestness that captivated if it did not convert. His declaration, however, that Tammany would bolt Robinson's renomination withered the effect of his rhetoric. Kelly had insinuated as much, and Tammany had flouted it for two days; but Dorsheimer's announcement was the first authoritative declaration, and it hardened the hearts of men who repudiated such methods.

Then the tricksters had their inning. Pending a motion that a committee of one from each county be appointed to secure harmony, a Saratoga delegate moved that John C. Jacobs be nominated for governor by acclamation. This turned the convention into a pandemonium. In the midst of the whirlwind of noise a Tammany reading clerk, putting the motion, declared it carried. Similar tactics had won Horatio Seymour the nomination for President in

1868, and for a time it looked as if the Chair might profit by their repetition. Jacobs was a young man. Ambition possessed and high office attracted him. But if a vision of the governorship momentarily unsettled his mind, one glance at McLaughlin and the Brooklyn delegation, sitting like icebergs in the midst of the heated uproar, restored his reason. When a motion to recess increased the tumult, Rufus H. Peckham, a cool Tilden man, called for the ayes and noes. This brought the convention to earth again, and as the noise subsided Jacobs reproved the clerk for his unauthorised assumption of the Chair's duties, adding, with a slight show of resentment, that had he been consulted respecting the nomination he should have respectfully declined.

At the conclusion of the roll-call the Tammany tellers, adding the aggregate vote to suit the needs of the occasion, pronounced the motion carried, while others declared it lost. A second call defeated a recess by 166 to 217. On a motion to table the appointment of a harmony committee the vote stood 226 to 155. A motion to adjourn also failed by 166 to 210. These results indicated that neither tricks nor disorder could shake the Robinson phalanx, and after the call to select a nominee for governor had begun, Augustus Schell, John Kelly, William Dorsheimer, and other Tammany leaders rose in their places. "Under no circumstances will the Democracy of New York support the nomination of Lucius Robinson," said Schell; "but the rest of the ticket will receive its warm and hearty support." Then he paused. Kelly, standing in the background of the little group, seemed to shrink from the next step. Regularity was the touchstone of Tammany's creed. Indifference to ways and means gave no offence, but disobedience to the will of a caucus or convention admitted of no forgiveness. Would Kelly himself be the first to commit this unpardonable sin? He could invoke no precedent to shield him. In 1847 the Wilmot Proviso struck the key-note of popular sentiment, and the Barnburners, leaving the convention the instant the friends of the South repudiated the principle, sought to stay the aggressiveness of slavery. Nor could he appeal to party action in 1853, for the Hunkers refused to enter the convention after the Barnburners had organised it. Moreover, he was wholly without excuse. He had accepted the platform, participated in all proceedings, and exhausted argument, diplomacy, trickery, and deception. Not until certain defeat faced him did he rise to go, and even then he tarried with the hope that Schell's words would bring the olive-branch. It was a moment of intense suspense. The convention, sitting in

silence, realised that the loss meant probable defeat, and anxious men, unwilling to take chances, looked longingly from one leader to another. But the symbol of peace did not appear, and Schell announced, as he led the way to the door: "The delegation from New York will now retire from the hall." Then cheers and hisses deadened the tramp of retreating footsteps.

After the bolters' departure Irving Hall took the seats of Tammany, and the convention quickly closed its work. The roll-call showed 301 votes cast, of which Robinson received 243 and Slocum 56. Little conflict occurred in the selection of other names on the ticket, all the candidates save the lieutenant-governor being renominated.[\[895\]](#)

In the evening Tammany occupied Shakespeare Hall. David Dudley Field, formerly a zealous anti-slavery Republican, and more recently Tilden's counsel before the Electoral Commission, presided; Dorsheimer, whose grotesque position must have appealed to his own keen sense of the humorous, moved the nomination of John Kelly for governor; and Kelly, in his speech of acceptance, prophesied the defeat of Governor Robinson. This done they went out into darkness.

Throughout the campaign the staple of Republican exhortations was the Southern question and the need of a "strong man." Even Conkling in his one speech made no reference to State politics or State affairs. When Cornell's election, midway in the canvass, seemed assured, Curtis argued that his success would defeat the party in 1880, and to avoid such a calamity he advocated "scratching the ticket."[\[896\]](#) Several well-known Republicans, adopting the suggestion, published an address, giving reasons for their refusal to support the head and the tail of the ticket. They cited the cause of Cornell's dismissal from the custom-house; compared the cost of custom-house administration before and after his separation from the service; and made unpleasant reference to the complicity of Soule in the canal frauds, as revealed in the eleventh report of the Canal Investigating Committee.[\[897\]](#) Immediately the signers were dubbed "Scratchers." The party press stigmatised them as traitors, and several journals refused to publish their address even as an advertisement. So bitterly was Curtis assailed that he thought it necessary to resign the chairmanship of the Richmond County convention. Party wits also ridiculed him. Henry Ward Beecher said, with irresistible humour, that scratching is good for cutaneous affections. Martin

I. Townsend declared that no Republican lived in Troy who had any disease that required scratching. Evarts called it "voting in the air." To all this Curtis replied that the incessant fusillade proved his suggestion not so utterly contemptible as it was alleged to be. "If the thing be a mosquito, there is too much powder and ball wasted upon it."[\[898\]](#)

Nevertheless, the speech of the Secretary of State cut deeply. Evarts represented an Administration which had removed Cornell that "the office may be properly and efficiently administered." Now, he endorsed him for governor, ridiculed Republicans that opposed him, and pointed unmistakably to Grant as the "strong man" who could best maintain the power of the people.[\[899\]](#) The *Nation* spoke of Evarts' appearance as "indecent."[\[900\]](#) Curtis was not less severe. "Both his appearance and his speech are excellent illustrations of the reason why the political influence of so able and excellent a man is so slight. Mr. Evarts, musing on the folly of voting in the air, may remember the arrow of which the poet sings, which was shot into the air and found in the heart of an oak. It is hearts of oak, not of bending reeds, that make and save parties."[\[901\]](#)

Talk of a secret alliance between Tammany and the Cornell managers began very early in the campaign. Perhaps the fulsome praise of John Kelly in Republican journals, the constant support of John F. Smyth by Tammany senators, and Kelly's avowed intention to defeat Robinson, were sufficient to arouse suspicion. Conkling's sudden silence as to the danger threatening free elections, of which he declaimed so warmly in April, seemed to indicate undue satisfaction with existing conditions. To several newspapers the action of two Republican police commissioners, who championed Tammany's right to its share of poll inspectors, pointed unmistakably to a bargain, since it gave Tammany and the Republicans power to select a chairman at each poll.[\[902\]](#) Evidence of a real alliance, however, was nebulous. The defeat of Robinson meant the election of Cornell, and Republicans naturally welcomed any effort to accomplish it. They greeted Kelly, during his tour of the State, with noise and music, crowded his meetings, and otherwise sought to dishearten Robinson's friends. Although Kelly's speeches did not compare in piquancy with his printed words, his references to Tilden as the "old humbug of Cipher Alley" and to Robinson as having "sore eyes" when signing bills, kept his hearers expectant and his

enemies disturbed. The *World* followed him, reporting his speeches as "failures" and his audiences as "rushing pell-mell from the building."[\[903\]](#)

Kelly did not mean to dish the whole Democratic ticket. He expected to elect the minor State officers. But he learned on the morning after election that he had entirely miscalculated the effect of his scheme, since every Democrat except the nephew of Horatio Seymour rested in the party morgue by the side of Lucius Robinson.[\[904\]](#) In the city Kelly also disappointed his followers. His own vote ran behind Robinson's, and all his friends were slaughtered. Indeed, when Tammany surrendered its regularity at Syracuse it lost its voting strength. Even Cornell whom it saved ran 20,000 behind his ticket. The election was, in fact, a triumph for nobody except Conkling. He had put into the highest State office a personal adherent, whom the Administration had stigmatised by dismissal; he had brought to New York his principal opponents in the Cabinet (Evarts and Sherman) to speak for his nominee and their dismissed servant; and he had induced the Administration to call for a "strong man" for the Presidency.
[\[905\]](#)

CHAPTER XXXIII

STALWART AND HALF-BREED

1880

WHILE General Grant made his tour around the world there was much speculation respecting his renomination for the Presidency. Very cautiously started on the ground of necessity because of the attitude of the Southerners in Congress, the third-term idea continued to strengthen until the widespread and deep interest in the great soldier's home-coming was used to create the belief that he was unmistakably the popular choice. Grant himself had said nothing publicly upon the subject except in China, and his proper and modest allusions to it then added to the people's respect. But during the welcome extended him at Philadelphia, the Mayor of that city disclosed a well-laid plan to make him a candidate. This frank declaration indicated also that Grant expected the nomination, if, indeed, he was not a party to the scheme for securing it.

The question of discrediting the traditions quickly became a serious one, and its discussion, stimulated by other aspirants for the Presidency, took a wide range. The opponents of a third term did not yield to any in their grateful remembrance and recognition of what Grant had done for the country, but they deemed it impolitic upon both public and party grounds. If the tradition of two terms be overthrown because of his distinguished service, they argued, his election for a fourth term, to which the Constitution offered no bar, could be urged for the same reason with still more cogency. Such apparently logical action would not only necessarily familiarise the public mind, already disturbed by the increasing depression to business caused by the turmoil incident to quadrennial elections, with the idea of a perpetual Presidency, but it would foster confidence in personal government, and encourage the feeling that approved experience, as in the case of trusted legislators, is necessary to the continuance of wise administration.

Party reasons also furnished effective opposition. German voters, especially in New York and Wisconsin, early disclosed an indisposition to accept Grant even if nominated, while the Independent or Scratcher voiced a

greater hostility than the Cornell nomination had excited. Never before had so much attention been given to a political question by persons ordinarily indifferent to such speculation. Anti-Grant clubs, springing up in a night, joined the press in ridiculing the persistent talk about the need of "a strong man," and charged that the scheme was conceived by a coterie of United States senators, managed by former office-holders under President Grant, and supported by men who regarded the Hayes administration as an impertinence. Matthew Hale, in accepting the presidency of the Albany Club, declared the movement to be at war with American traditions and with the spirit of American institutions.[906]

Such acrimonious antagonism quickly uncovered the purpose of the Stalwarts, who now sought to control the nomination regardless of opposition. For this purpose unusually early conventions for the selection of delegates to the National Convention, to be held at Chicago on June 2, were called in Pennsylvania, New York, and other States. Pennsylvania's was fixed for February 4 at Harrisburg, and New York's for the 25th at Utica. Like methods obtained in the selection of delegates. At Albany John F. Smyth issued a call in the evening for primaries to be held the next day at noon, and furnished his followers with pink coloured tickets, headed "Grant." Smyth was already in bad odour. Governor Robinson had accused him of compelling illegal payments by insurance companies of a large sum of money, to which he replied that the act making it illegal was unconstitutional, although no court had so pronounced. His misdemeanour was confirmed in the public mind by the fact, elicited on the impeachment trial, that the money so obtained had been divided among agents of the Republican organisation. Indeed, the *Times* charged, without reservation, that in one case the place of division was in none other than the house of Cornell himself.[907] Although the Senate of 1878 and of 1879 failed to remove Smyth, the Senate of 1880, notwithstanding his reappointment by Governor Cornell, refused to confirm him.[908] In the presence of such a sorry record the ostracised Albany Republicans were not surprised at his attempt to cheat them at the primaries, and their indignation at the shameless procedure resounded through the State. At the end of a week Charles Emory Smith, the gifted editor of the *Albany Journal*, who headed the delegation thus selected, deemed it expedient to withdraw. Five associates did likewise. Nevertheless, the opponents of a third term refused

to participate in a second election, called to fill the vacancies, since it did not remove the taint from the majority who refused to resign.

In reward for his defence of Smyth, if not to express contempt for the Albany malcontents, Charles Emory Smith was made chairman of the Utica convention. This evidenced Conkling's complete control. Smith had lived in Albany since early boyhood. He passed from its Academy to Union College, thence back to the Academy as a teacher, and from that position to the editorship of the *Express*. In a few years his clear, incisive English, always forcible, often eloquent, had advanced him to the editorship of the *Evening Journal*. Singularly attractive in person, with slender, agile form, sparkling eyes, and ruddy cheeks, he adorned whatever place he held. Indeed, the beauty and strength of his character, coupled with the esteem in which Republican leaders held him as a counsellor, gave him in the seventies a position in the politics of the State somewhat akin to that held by Henry J. Raymond in the sixties. He did not then, if ever, belong in Raymond's class as a journalist or as an orator. Nor did he possess the vehement desire for office that distinguished the brilliant editor of the *Times*. But Smith's admirable temper, his sweet disposition, and his rare faculty for saying things without offence, kept him, like Raymond, on friendly terms with all. His part was not always an easy one. Leaders changed and new issues appeared, yet his pen, though sometimes crafty, was never dipped in gall. While acting as secretary for Governor Fenton he enjoyed the esteem of Edwin D. Morgan, and if his change from the Albany *Express* to the Albany *Journal* in 1870, and from the *Journal* to the Philadelphia *Press* in 1880, carried him from Fenton's confidence into Conkling's embrace and converted him from an ardent third-termer to a champion of Blaine, the bad impression of this prestidigitation was relieved, if not excused or forgotten, because of his journalistic promotion.

In State conventions, too, Smith played the part formerly assigned to Raymond, becoming by common consent chairman of the Committee on Resolutions. His ear went instinctively to the ground, and, aided by Carroll E. Smith of the Syracuse *Journal*, he wrote civil service reform into the platform of 1877, the principle of sound money into that of 1878, and carefully shaded important parts of other platforms in that eventful decade. [909] In like manner, although a pronounced champion of Conkling and the politics he represented, Smith encouraged moderate policies, urged frank

recognition of the just claims of the minority, and sought to prevent the stalwart managers from too widely breaching the proprieties that should govern political organisations. If his efforts proved unavailing, it seemed that he had at least mastered the art of being regular without being bigoted, and of living on good terms with a machine whose methods he could not wholly approve. Nevertheless, there came a time when his associations, as in the career of Raymond, seriously injured him, since his toleration and ardent defence of John F. Smyth, besides grieving sincere friends and temporarily clouding his young life,^[910] dissolved his relations with a journal that he loved, and which, under his direction, had reminded its readers of the forceful days of Thurlow Weed. Fortunately, the offer of the editorship of the *Philadelphia Press*, coming contemporaneously with his separation from the *Albany Journal*, gave him an honourable exit from New York, and opened not only a larger sphere of action but a more distinguished career.^[911]

Having control of the convention Conkling boldly demanded the adoption of a resolution instructing "the delegates to use their most earnest and united efforts to secure the nomination of Ulysses S. Grant." The admirers of Blaine seemed unprepared for such a contest. The meagre majority given Grant at the Pennsylvania convention had greatly encouraged them, but the intervening three weeks afforded insufficient time to gather their strength. Besides, no one then suspected the overwhelming public sentiment against a third term which was soon to sweep the country. As it was no one seemed to have definite plans or a precise knowledge of how to proceed or what to do, while local leaders frittered away their strength in petty quarrels which had little bearing upon the question of Presidential candidates. Finally, an amendment simply endorsing the nominee of the Chicago convention was offered as a substitute for the Grant resolution.

The Stalwarts, with the steadiness of veterans conscious of their strength, deftly, almost delicately, in fact, silenced the minority. Only once, when the reader of the resolutions hesitated over an illegible word, did the dramatic happen. At that moment a thin voice in the gallery exclaimed, "Hurrah for Blaine!" Instantly the audience was on fire. The burst of applause brought out by Smith's opening reference to the "never vanquished hero of Appomattox" had been disappointing because it lacked spontaneity and enthusiasm, but the sound of the magic word "Blaine," like a spark flying to

powder, threw the galleries into a flame of cheering which was obstinate in dying out. Conkling, in closing the debate on the resolution, showed his customary audacity by hurling bitter sarcasm at the people who had presumed to applaud. It was in this address that he recited Raleigh's famous line from *The Silent Lover*: "The shallows murmur but the deeps are dumb."[\[912\]](#)

Conkling's purpose was to put district delegates upon their honour to obey the convention's instructions regardless of the preference of their districts. He did it very adroitly, arguing that a delegate is an agent with a principal behind him, whom he represents if he is faithful. "For what is this convention held?" he asked. "Is it merely to listen while the delegates from the several congressional districts inform the convention who the districts are going to send to the national convention? Is it for that five hundred men, the selected pride of the Republican party of this State, have come here to meet together? I think not. Common sense and the immemorial usages of both parties answer the question. What is the use of a delegate? Is it a man to go to a convention representing others, and then determine as he individually prefers what he will do? Let me say frankly that if any man, however much I respect him, were presented to this convention who would prove recreant to its judgment, I would never vote for him as a delegate to any convention."[\[913\]](#)

Earlier in the day Newton M. Curtis of St. Lawrence, the one-eyed hero of Fort Fisher, had insisted with much vehemence that district delegates represented the views of their immediate constituents and not those of the State convention. Others as stoutly maintained the same doctrine. But after Conkling had concluded no one ventured to repeat the claim.[\[914\]](#) Indeed, when the several districts reported their delegates, the Stalwarts openly called upon the suspected ones to say whether they submitted to the instructions. Woodin and Curtis voluntarily surrendered. Thus the Grant forces accomplished by indirection what prudence deterred them from doing boldly and with a strong hand.[\[915\]](#)

What the managers gained by indirection, however, they lost in prestige. If the Harrisburg convention punctured the assumption that the people demanded Grant's nomination, the Utica assembly destroyed it, since the majority of thirty-three indicated an entire absence of spontaneity.

Moreover, the convention had scarcely adjourned before its work became a target. George William Curtis declared the assertion "audacious" and "ridiculous" that a district delegate was an agent of the State convention, claiming that when the latter relinquished the right to select it abandoned the right to instruct. Furthermore, the National Convention, the highest tribunal of the party, had decided, he said, that State instructions did not bind district delegates.^[916] The *Tribune*, voicing the sentiment of the major part of the Republican press, thought the convention had clearly exceeded its power. "It was the right of the majority to instruct the delegates-at-large," it said, "but it had no right to compel district delegates to vote against their consciences and the known wishes of their constituents." This led to the more important question whether delegates, pledged without authority, ought to observe such instructions. "No man chosen to represent a Blaine district can vote for Grant and plead the convention's resolution in justification of his course," continued the *Tribune*, which closed with serving notice upon delegates to correct their error as speedily as possible, "since a delegate who disobeys the instructions of his constituents will find himself instantly retired from public life."^[917]

As the campaign waxed warmer and the success of Grant seemed more certain if Pennsylvania and New York voted under the unit rule, the pressure to create a break in those States steadily increased. The Stalwarts rested their case upon the regularity of the procedure and the delegates' acceptance of the instructions after their election. "They accepted both commissions and instructions," said the *Times*, "with every protestation that they were bound by their sacred honour to obey the voice of the people as expressed by the traditional and accepted methods."^[918] On the other hand, the Blaine delegates relied upon the decision of the last National Convention, which held that where a State convention had instructed its delegation to vote as a unit, each delegate had the right to vote for his individual preference. "My selection as a delegate," said Woodin, "was the act of the delegates representing my congressional district, and the State convention has ratified and certified that act to the National Convention. Our commissions secure the right to act, and our conventions guarantee freedom of choice without restraint or fetters."^[919]

Woodin was the most courageous if not the ablest opponent of Conkling in the convention. He may not have been an organiser of the machine type, but

he was a born ruler of men. Robust, alert, florid, with square forehead, heavy brows, and keen blue eyes, he looked determined and fearless. His courage, however, was not the rashness of an impetuous nature. It was rather the proud self-confidence of a rugged character which obstacles roused to a higher combative energy. He was not eloquent; not even ornate in diction. But his voice, his words, and his delivery were all adequate. Besides, he possessed the incomparable gift of reserved power. During his career of ten years in the State Senate he was unquestionably the strongest man in the Legislature and the designated as well as the real leader for more than half a decade. He was not intolerant, seldom disclosing his powers of sarcasm, or being betrayed, even when excited, into angry or bitter words. Yet he was extremely resolute and tenacious, and must have been the undisputed leader of the anti-Conkling forces save for the pitch that many said defiled him. If he yielded it was not proven. Nevertheless, it tended to mildew his influence.

It was evident from the speech of Woodin that the anti-Grant forces had the reasonableness of the argument, but the acceptance of the Utica instructions put delegates in a delicate position. To say that Conkling had "tricked" them into a pledge which the convention had no authority to exact,^[920] did not explain how a personal pledge could be avoided. Finally, William H. Robertson, a delegate from the Twelfth District, who had not appeared at Utica, published a letter that he should vote for Blaine "because he is the choice of the Republicans of the district which I represent."^[921] Two days afterwards John Birdsall of the First District and Loren B. Sessions of the Thirty-third announced on the floor of the Senate that they should do likewise. Woodin said that as he could not reconcile a vote for some candidate other than Grant with his attitude voluntarily taken at Utica he should let his alternate go to Chicago.^[922] From time to time other delegates followed with declarations similar to Robertson's.

As expected, this disobedience drew a volley of anathemas upon the offending delegates, who became known as "Half-breeds."^[923] The *Times* thought Robertson's "tardy revolt" dictated by "self-interest," because "the pliant politician from Westchester had chafed under a sense of disappointed ambition ever since the defeat of his nomination for governor in 1872."^[924]

Upon Sessions and Woodin it was more severe. "We have never regarded State Senator Sessions as a type of all that is corrupt in politics at Albany," it said, "and we have steadily defended Mr. Woodin against the attacks made upon him on the testimony of Tweed. But if these recent accessions to the Blaine camp are half as bad as the *Tribune* has painted them in the past, that journal and its candidate must have two as disreputable allies as could be found outside of state prison."[\[925\]](#) Woodin's manner of avoiding his Utica pledge seemed to arouse more indignation than the mere breaking of it. The *Times* called it "a sneaking fashion,"[\[926\]](#) and charged lack of courage. "He does not believe that he who performs an act through another is himself responsible for the act."[\[927\]](#)

At Chicago the principle of district representation became the important question. It involved the admission of many delegates, and after two days of debate the convention sustained it by a vote of 449 to 306.[\[928\]](#) To complete the overthrow of the unit-rule a resolution was also adopted providing that when any delegate excepted to the correctness of a vote as cast by the chairman of a delegation, the president of the convention should direct a roll-call of the delegation. This practically settled the result. Nevertheless, the belief obtained, so strong was the Stalwarts' faith in their success, that when the Blaine and Sherman forces broke to a compromise candidate, Grant would gain the needed additional seventy-four votes.

Conkling had never before attended a national convention. Indeed, he had never been seen at a great political gathering west of the Alleghanies. But he now became the central figure of the convention, with two-fifths of the delegates rallying under his leadership. His reception whenever he entered the hall was the remarkable feature of the great gathering. Nothing like it had occurred in previous national conventions. Distinguished men representing favourite candidates had been highly honoured, but never before did the people continue, day after day, to welcome one with such vociferous acclaim. It was not all for Grant. The quick spontaneous outburst of applause that shook the banners hanging from the girders far above, had in it much of admiration for the stalwart form, the dominant spirit, the iron-nerved boss, who led his forces with the arrogance of a gifted, courageous chieftain. His coming seemed planned for dramatic effect. He rarely appeared until the audience, settled into order by the opening prayer or by the transaction of business, might easily catch sight of him, and as he

passed down the long aisle, moving steadily on with graceful stride and immobile face, a flush of pride tinged his cheeks as cheer after cheer, rolling from one end of the amphitheatre to the other, rent the air. He sat in the front row on the centre aisle, and about him clustered Chester A. Arthur, Levi P. Morton, Benjamin F. Tracy, Edwards Pierrepont, George H. Sharpe, and the boyish figure of Charles E. Cornell, a pale, sandy, undersized youth, the son of the Governor, who was represented by an alternate.[929]

Conkling's presentation of Grant was largely relied upon to gain the needed votes. Prior to 1876 little importance attached to such speeches, but after the famous oration of Robert G. Ingersoll at Cincinnati, which became influential almost to the point of success, the solicitude exhibited in the selection of dominating speakers constituted a new phase in convention politics and added immeasurably to the popular interest. By common consent Conkling was named to present the Stalwarts' choice, and in most of the qualities desirable in such an address his was regarded the best of the day.

The lines of Private Miles O'Reilly,[930] suggested to the Senator on the evening before he spoke, caught the convention as quickly as did Ingersoll's opening sentences in 1876, and all that followed, save his sarcasm and flashes of scorn, held the closest attention. "His unmatched eloquence," said Brandegee of Connecticut.[931] This was the judgment of an opponent. "It had the warmth of eulogy, the finish of a poem, the force and fire of a philippic," said the *Inter-Ocean*. [932] This was the judgment of a friend. All the art of which he was master found expression in every sentence, polished and balanced with rhetorical skill, and delivered with the emphasis and inflection of a great orator. One critic thought it a revelation to find a man who could be eloquent with studied composure, who could be fervid without wildness, and who could hold imagery and metaphor to the steady place of relentless logic without detracting from their special and peculiar character.

Not content with reciting the achievements of his own candidate, Conkling seriously weakened his oration as a vote-making speech by launching shafts of irony first into Sherman and then into Blaine. "Nobody is really worried about a third term," he said in conclusion, "except those hopelessly longing for a first term. Without patronage, without telegraph wires running from

his house to this convention, without election contrivances, his name is on the country's lips. Without bureaus, committees, officers, or emissaries to manufacture sentiment in his favour, without intrigue or effort, Grant is the candidate whose supporters stand by the creed of the party, holding the right of the majority as the very essence of their faith, and meaning to uphold that faith against the charlatans and guerillas, who, from time to time, deploy and forage between the lines."^[933] As these sabre-cuts, dealt with the emphasis of gesture and inflection, flashed upon the galleries, already charmed with the accomplishment of his speech and the grace of his sentiment, loud hisses, mingled with distracting exclamations of banter and dissent, proclaimed that the spell of his magic was broken.

Balloting for a candidate began on the fifth day. Many rumours preceded Conkling's method of announcing New York's vote, but when his turn came, he explained that although he possessed full instructions concerning the true condition of the vote, he thought it better to call the roll, since several of the delegates preferred to speak for themselves. This plan, so adroitly submitted, made it impossible to conceal one's vote behind an anonymous total, and compelled John Birdsall, the Queens County senator, to lead in the disagreeable duty of disobeying the instructions of the State convention. Birdsall rose with hesitation, and, after voting for Blaine in a subdued voice, dropped quickly into his seat as if anxious to avoid publicity. Then the convention, having listened in perfect silence, ratified his work with a chorus of hisses and applause. Gradually the anti-third termers exhibited more courage, and after Robertson and Husted had called out their candidate with an emphasis that indicated pride and defiance, the applause drowned the hisses. Woodin's conduct contrasted sharply with his usual courage. He was an aggressive member of the opposition, but at this moment, when brave hearts, unflinching resolve, and unruffled temper were needed, he stood at the rear of the hall, while Leander Fitts, his alternate, upon whom he cast the responsibility of violating a solemnly uttered pledge, feebly pronounced the name "Blaine." The result of the roll-call gave Grant 51, Blaine 17, and Sherman 2.^[934] On the seventeenth ballot Dennis McCarthy, a State senator from Onondaga, changed his vote from Grant to Blaine. Thus modified the New York vote continued until the thirty-sixth ballot, when the Blaine and Sherman delegates united, recording twenty votes for Garfield to fifty for Grant. On this roll-call Grant received

306 votes to 399 for Garfield.^[935] Thus by a strange coincidence the Stalwarts registered the fateful number that marked their strength when the unit rule was defeated. During the thirty-six roll-calls Grant's vote varied from 302 to 313, but in the stampede, when two hundred and fifteen Blaine men and ninety-six supporters of Sherman rushed into line for Garfield, the faithful 306 went down in defeat together. These figures justly became an insignia for the heroic.^[936]

After Garfield's nomination the Stalwarts of the New York delegation did not conceal their disappointment. When everybody else was cheering they kept their seats, and while others displayed Garfield badges, they sullenly sought their headquarters to arrange for the Vice-Presidency. Leaders of the Garfield movement, now eager to strengthen the ticket, looked to them for a candidate. New York belonged in the list of doubtful States, and to enlist the men who seemed to control its destiny they instinctively turned to the defeated faction. William M. Dennison, a former governor of Ohio, promptly made their wishes known, confidently counting upon Conkling's coöperation, since the Senator had been the first on his feet to make Garfield's nomination unanimous. In doing so he expressed the hope that the zeal and fervour of the convention would characterise its members "in bearing the banner and carrying the lances of the Republican party into the ranks of the enemy."

Conkling's treatment of Dennison's request has been variously reported. One version is that he demanded the nomination of Chester A. Arthur; another, that he sternly refused to make any suggestion. Contemporary press reports confirm the first, basing it upon his desire to vindicate Arthur and humiliate Sherman; the second is supported by Alfred R. Conkling's biography of his uncle.^[937] But neither report is correct. Conkling bitterly resented Garfield's nomination, predicted his defeat at the polls, and did not hesitate to dissuade friends from accepting the nomination for Vice-President. "The convention has nominated a candidate, but not a President," he said to Stewart L. Woodford. "Since the nomination I have heard from an influential friend at Albany, who declares that Garfield cannot carry New York. Now, the question is, whom shall we place upon the altar as a vicarious sacrifice? Mr. Morton has declined. Perhaps you would like the nomination for Vice-President?" Being assured that Woodford would accept

it if tendered to him, Conkling added: "I hope no sincere friend of mine will accept it."[\[938\]](#)

In the event of Grant's nomination Levi P. Morton had been prominently mentioned as a proper candidate for Vice-President. He was then fifty-six years of age, and had achieved high reputation in banking and financial circles. Though not eloquent according to the canons of oratory, he spoke with clearness, was widely intelligent, and had given careful attention to public questions. Conservative in his nature and sturdy in his principles, he always advised against rashness and counselled firmness. A single session in Congress had proven his zeal in the performance of public duty, and his fitness for Vice-President was recognised then as it was eight years later when he became the running mate of Benjamin Harrison. Upon his nomination, therefore, Garfield, before the convention had recessed, sent word by Dennison that he desired Morton nominated for second place. Morton, answering that his nomination must not be made without previous consultation with his associates, immediately informed Conkling of Garfield's desire. Conkling replied, "If you think the ticket will be elected; if you think you will be happy in the association, accept." To this Morton answered, "I have more confidence in your judgment than in my own." Conkling then added: "Governor Boutwell of Massachusetts is a great friend of yours. Why don't you talk with him?" Acting upon this suggestion Morton sought Boutwell, who advised against it. Morton acquiesced and refused the use of his name.[\[939\]](#)

After returning to their headquarters at the hotel the Stalwarts, upon the suggestion and insistence of George H. Sharpe, quickly agreed upon Chester A. Arthur, who gave an affirmative response to their appeal. Conkling was not present at the time, but subsequently in Arthur's room, where Howard Carroll and several other delegates lingered, he bitterly opposed placing a Stalwart upon the ticket and expressed in unmeasured terms his disapprobation of Arthur's acceptance.[\[940\]](#) On their way to the convention Sharpe told Woodford of the pungent flavour of Conkling's invective, and of Arthur's calm assertion of the propriety of his action. At the wigwam Conkling refused Sharpe's request to place Arthur in nomination.[\[941\]](#)

Upon the reassembling of the convention California presented Elihu B. Washburne for Vice-President, a nomination which Dennis McCarthy of New York, amidst cordial and hearty applause from the galleries, seconded in a forceful speech. This indicated that Arthur was *persona non grata* to the anti-Grant delegates of the Empire State. Jewell of Connecticut, Ferry of Michigan, Settle of North Carolina, and Maynard of Tennessee, were likewise presented. As the call of States proceeded New York made no response in its turn, but when Woodford subsequently proposed the name of Arthur, Dennison responded with a spirited second, followed by delegates from New Jersey, Illinois, Mississippi, Maryland, Missouri, Kentucky, and Pennsylvania. This array of backing brought McCarthy to his feet, who withdrew his second to Washburne and moved that Arthur's nomination, under a suspension of the rules, be made by acclamation. This required a two-thirds vote and was lost. Then Campbell of West Virginia, amidst the loudest cheers of the evening, seconded the nomination of Washburne. "Let us not do a rash thing," he said. "The convention has passed a resolution favouring civil service reform. Let us not stultify ourselves before the country."[\[942\]](#)

At first Arthur's strength was confined to the Grant delegation, twenty-five States showing an increase of only seventy votes, thirty of which came from the South. But as the roll-call proceeded New York, Ohio, and Pennsylvania brought other States into line, the ballot giving Arthur 468, Washburne 193, and other favourite sons 90.

Arthur's nomination was a distinct disappointment. To many it was an offence. Within the State leading Republican journals resented it by silence, while others were conspicuously cold; without the State it encountered even greater disadvantages, since his dismissal as collector of customs had advertised him as the enemy of reform, the apostle of bossism, and the friend of whatever was objectionable in politics.[\[943\]](#) Yet his friends found a creditable record. He had successfully opposed the well-known action of Jonathan Lemmon, who sought to recover eight slaves which he incautiously brought into New York on his way from Virginia to Texas; he had established the right of coloured people to ride in the street-cars; and he had rendered valuable service in the early years of the war as engineer-in-chief and quartermaster-general on the staff of Governor Morgan. He possessed, too, an inherited instinct for keeping faith with men. In his

relations with politicians of high or low degree there was not a trace of dissimulation or double-dealing. His career is a study of the evolution of character. It is not strange, perhaps, that in the days of custom-house investigations and bitter partisan strife, when he was known as an henchman of Conkling, there was a lack of public appreciation of the potentialities of a unique personality, but the Arthur heritage included then as afterward absolute truthfulness, shrewdness of judgment, high-minded patriotism, and consciousness of moral obligation.[\[944\]](#)

CHAPTER XXXIV

TILDEN, KELLY, AND DEFEAT

1880

THE defeat of Governor Robinson did not apparently change party sentiment respecting Tilden's renomination for the Presidency. No other candidate was seriously discussed. Indeed, the Democratic press continued to treat it as a matter of course, coupling with it the alleged subversion of an election, transcending in importance all questions of administration, and involving the vital principle of self-government through elections by the people. This new issue, dwarfing all other policies, had been for three years the cornerstone of every Democratic platform in state, county, or congressional convention. No argument seemed to weaken it, no event could destroy it. The Republican claim that the vote of three Southern States, as declared at the polls, was the result of terrorism and did not in any sense represent an honest expression of the popular will, made no impression upon it. The well-known fact that Congress, because of the confusion of the situation, had wisely sought a remedy in the Electoral Commission, which was passed by Democratic rather than Republican votes, in nowise weakened the force of its appeal. Not even did the disclosure that Tilden's house had become the headquarter of confidential agents, who sought to corrupt the electors, produce any change in it. The one declaration, patiently and persistently kept before the people, was that Tilden had been elected by the popular vote and defrauded by a false count of the electoral vote, and that the supreme issue in 1880 must be whether "this shall be a government by the sovereign people through elections, or a government by discarded servants holding over by force and fraud."^[945] The reiteration of this proposition made Tilden, it was claimed, the necessary and inevitable candidate of the Cincinnati convention, called to meet on June 22. The party seemed to believe, what Tilden himself had announced from his doorstep three years before, that the country would "never condone fraud," and it did not propose to sacrifice a winning issue.^[946]

Nevertheless, many New York Democrats disliked Tilden. Their number, which the cipher disclosures materially increased, grew into threatening

proportions after Kelly's dissatisfaction had settled into a relentless feud. This condition made Tilden's chances of carrying the State uncertain if not absolutely nil, and encouraged his critics to magnify his weaknesses until the belief generally obtained that serious, perhaps fatal opposition would array itself at the State convention on April 20. Statements as to Tilden's ill-health likewise found currency. When not displaying evidence of unimpaired mental vigour in the courtroom, he was said to be on the verge of total paralysis.^[947] To his burdens the government also added another by pursuing his income tax. This suit, commenced in January, 1877, and destined to drag through five years until dismissed by the prosecution without costs to either party, was fixed for the April term in 1880, although the United States attorney admitted his unpreparedness for trial.^[948] "Thus was he persecuted with unrelenting virulence by the Administration," says his biographer, "and by the Republican press, which neglected no opportunity of refreshing the memory of its readers in regard to his imputed capacities for wickedness."^[949]

Meanwhile, to escape interruptions to which Gramercy Park exposed him, Tilden settled in the summer of 1879 at Greystone on the Hudson, three miles beyond the northernmost limit of the city, on the highest ground south of the Highlands. Here he brought a portion of his library; here he mingled with his flocks and herds; and here in the seclusion of a noble estate, with the comforts of a palatial stone dwelling, he discoursed with friends, who came from every part of the country to assure him that he alone could keep the party together. Ever silent as to his own intentions Tilden talked of the crime of 1876 until his visitors, imbued with his own spirit, left him thoroughly impressed with the importance of his renomination.

But Tilden did not trust the result to sentiment. Throughout New York Daniel E. Manning and other lieutenants held a tight rein, and when the Syracuse convention assembled an early roll-call, on a resolution to determine the character of the Committee on Credentials, showed 295 votes for Tilden to 80 against him. If this overwhelming majority shocked the dissenters, it was not less a surprise to the regulars. In the convention of 1876 Tilden mustered, including Tammany, only 201 out of 375; now, after his enemies had exhausted their opposition, he proved stronger than in the closing months of his famous career as a reform governor. The result of this vote settled all controversies, leaving the convention free to appoint electors

and to select delegates to Cincinnati.^[950] It was not to adjourn, however, until it had shown a serene and polite contempt for John Kelly. During the morning John B. Haskin, on behalf of the Tammany convention, had presented a resolution expressing a desire for the union of the party and asking the appointment of a harmony committee. Ignoring the assembly from which he came, the convention treated the resolution as a personal communication from Haskin, whom it assured, after politely reciprocating his desire for the union of the Democratic party, "that the deliberative wisdom of the national convention will result in such action as will secure the triumph of the Democratic party in the ensuing election."^[951] This bitter rebuff, coupled with the overwhelming majority for Tilden, indicated a conscious strength which deeply impressed the party in other States, and greatly aided in demoralising opposition in New York.

Nor did the convention adjourn until its Committee on Resolutions sprung a further surprise. The delegates anticipated and applauded an elaborate statement of the fraud issue, but the presentation of Tilden as a candidate for President came with the suddenness of his unexpected majority. Manning did not intend to go so far. His courage came with his strength. Proof of this, if any were needed, existed in the fact that the endorsement was in manuscript, while the rest of the platform was read from a printed slip. To define the situation more clearly the committee submitted a unit rule, declaring "that in case any attempt is made to dismember or divide the delegation by contesting the seats of a portion of the delegates, or if delegates countenance such an attempt by assuming to act separately from the majority, or fail to coöperate with such majority, the seats of such delegates shall be deemed to be vacated."^[952] Never did convention adopt a more drastic rule. The reading of these ball and chain provisions provoked hisses and widened the chasm between Tilden's convention and John Kelly's side-show.

Kelly's bolt in 1879 had proved his power to destroy; yet to his friends, if not to himself, it must have been deeply humiliating to see the fierce light of public interest turned entirely on Tilden. Kelly also realised the more poignant fact that jealousy, distrust, and accumulated resentment lined the way he had marked out for himself. Nevertheless, he walked on apparently heedless of the signs of conflict. Since the regular Democratic convention would not admit him, he threateningly assembled one of his own in

Shakespeare Hall, to be used, if the party did not yield, in knocking at the door of the Cincinnati convention. William Dorsheimer acted as its temporary chairman. Dorsheimer had become a political changeling. Within a decade he had been a Republican, a Liberal, and a Democrat, and it was whispered that he was already tired of being a Kellyite. His appeal for Horatio Seymour indicated his restlessness. The feuds of Tilden and Church and Kernan and Kelly and Robinson had left Seymour the one Democrat who received universal homage from his party, and it became the fashion of Tilden's enemies to refer to the Oneidan as the only one who could unite the party and carry the State. It did not matter to Dorsheimer that Seymour, having retired from active politics in 1868, was placidly meditating at Deerfield, devoted to agricultural and historical interests. Nor did his clamour cease after the bucolic statesman had declared that if he must choose between a funeral and a nomination he would take the first,^[953] since the mention of Seymour's name always waked an audience into cheers. Later in the day Amasa J. Parker, on taking the chair as president, artfully made use of the same ruse to arouse interest.

It was not an enthusiastic convention. Many delegates had lost heart. Kelly himself left the train unnoticed, and to some the blue badges, exploiting the purpose of their presence, indicated a fool's errand. In the previous September they had refused to support Robinson, and having defeated him they now returned to the same hall to threaten Tilden with similar treatment. This was their only mission. Humiliation did not possess them, however, until John B. Haskin reported that the regulars refused to recognise their existence. Then John Kelly threw off his muzzle, and with the Celtic-English of a Tammany brave exhibited a violent and revolutionary spirit. "Tilden was elected by the votes of the people," said Kelly, "and he had not sufficient courage after he was elected to go forward, as a brave man should have gone forward, and said to the people of the country, 'I have been elected by the votes of the people, and you see to it that I am inaugurated.' Nothing of the like did Mr. Tilden."^[954]

In other words, Kelly thought Tilden an unfit candidate because he did not decide for himself that he had been elected and proceed to take his seat at the cost of a tremendous civil convulsion. Perhaps it was this policy more than Kelly's personality which had begun to alienate Dorsheimer. One who had been brought up in the bosom of culture and conservatism could have

little confidence in such a man. The platform, though bitter, avoided this revolutionary sentiment. It protested against the total surrender of the party to one man, who has "cunning" and "unknown resources of wealth," and who "attempts to forestall public opinion, to preoccupy the situation, to overrule the majority, and to force himself upon the party to its ruin." It declared that "Tildenism is personalism, which is false to Democracy and dangerous to the Republic," and it pronounced "Tilden unfit for President" because "his political career has been marked with selfishness, treachery, and dishonour, and his name irretrievably connected with the scandals brought to light by the cipher despatches."^[955] Haskin proposed a more compact statement, declaring that "the Democratic party does not want any such money-grabber, railroad wrecker, and paralytic hypocrite at the helm of State."^[956]

After the two conventions adjourned the question of chiefest interest was, would Tilden seek the nomination at Cincinnati? The action of the convention demonstrated that the regular party organisation was unaffected by the Kelly bolt, that Tilden controlled the party in the State, and that his nomination was a part of the programme. Moreover, it showed that the New York Democracy did not intend asking support upon any principle other than the issue of fraud. But intimations of Tilden's purpose to decline a nomination found expression in the speech and acts of men presumed informed. Lester B. Faulkner's statement, in calling the convention to order, that he did not know whether the Governor would accept a renomination, coupled with the convention's reply to Haskin, expressing confidence that the action at Cincinnati would result in the Democracy's carrying New York, had made a deep impression. To many these insinuations indicated that because of his health or for some unknown cause he was not seriously a candidate. Others found reason for similar belief in the indisposition of prominent delegates to resent such a suggestion. One veteran journalist, skilled in reading the words and actions of political leaders, asserted with confidence that he would not be a candidate. To him Tilden's name concealed a strategic movement, which, in the end, would enable his friends to control the nomination for another.^[957]

Such interpretation found hosts of doubters. Without Tilden, it was said, the fraud issue would lose its influence. Besides, if he intended to withdraw, why did Kelly assemble his convention? Surely some one, said they, would

have given him an inkling in time to save him from the contempt and humiliation to which he had subjected himself. There was much force in this reasoning, and as the date of the national convention approached the mystery deepened.

Tilden was not a paralytic, as Haskin proclaimed. He could not even be called an invalid. His attention to vexatious litigation evidenced unimpaired mental power, and his open life at Greystone proved that his physical condition did not hide him from men. He undoubtedly required regular rest and sleep. His nervous system did not resist excitement as readily as in the days of his battle with Tweed and the Canal ring. It is possible, too, that early symptoms of a confirmed disease had then appeared, and that prudence dictated hygienic precautions. Once, in December, 1879, when contemplating the strain of the campaign of 1876, he questioned his ability to go through another. Again, in the early spring of 1880, after prolonged intellectual effort, he remarked in rather a querulous tone, "If I am no longer fit to prepare a case for trial, I am not fit to be President of the United States." Such casual remarks, usually made to a confidential friend, seemed to limit his references to his health.^[958] He doubtless felt disinclined, as have many stronger men, to meet the strain that comes when in pursuit of high public office, but there is no evidence that ill-health, if it really entered into his calculations, was the determining factor of his action. Conditions in the Republican party had changed in the Empire State since the nomination of Garfield. Besides, the cipher disclosures had lost him the independent vote which he received in 1876. This left only the regulation party strength, minus the Kelly vote. In 1876 Tilden's majority was 26,568, and in 1879 Kelly polled 77,566. If Kelly's bolt in 1880, therefore, should carry one-half or only one-quarter of the votes it did in 1879, Tilden must necessarily lose New York which meant the loss of the election. These were conditions, not theories, that confronted this hard-headed man of affairs, who, without sentiment, never failed to understand the inexorable logic of facts. Nevertheless, Tilden wanted the endorsement of a renomination. This would open the way for a graceful retreat. Yet, to shield him from possible defeat, he secretly gave Manning a letter, apparently declining to run again, which could be used if needed.

On reaching Cincinnati Manning found that a multiplicity of candidates made it difficult to determine Tilden's strength. The ranks of the opposition,

based on cipher disclosures and Kelly's threats, rapidly strengthened, and although many friends of other candidates thought it less hazardous to nominate him than to repudiate him, ominous warnings piled up like thunder clouds on a summer day. Meantime New York's active canvass for Henry B. Payne of Ohio seemed to conflict with Tilden's candidacy, while Tilden's remarks, spoken in moments of physical discouragement, added to the impression that he did not seek the nomination. But why did he not say so? Manning, supposing he was the sole possessor of the letter and believing the time not yet ripe for producing it, kept his own counsels. Tilden, however, had given a duplicate to his brother Henry, who now announced through the press that Tilden had forwarded a communication. This reached Cincinnati on the eve of the convention.

It was long and characteristic. He recalled his services as a private citizen in overthrowing the Tweed ring and purifying the judiciary, and as governor of the State in breaking up the Canal ring, reducing the taxes, and reforming the administration. He told the familiar story of the "count out"; maintained that he could, if he pleased, have bought "proof of the fraud" from the Southern returning boards; and accused Congress of "abdicating its duty" in referring the count to the Electoral Commission. Since 1876, he said, he had been "denied the immunities of private life without the powers conferred by public station," but he had done all in his power to keep before the people "the supreme issue" raised by the events of that year. Now, however, he felt unequal to "a new engagement which involves four years of ceaseless toil. Such a work of renovation after many years of misrule, such a reform of systems and policies, to which I would cheerfully have sacrificed all that remained to me of health and life, is now, I fear, beyond my strength."[\[959\]](#)

Tilden did not intend this to be a letter of withdrawal. With the hope of stimulating loyalty he sought to impress upon the delegates his vicarious sacrifice and the need of holding to the fraud issue. This was the interpretation quickly given it by his enemies. Kelly declared it a direct bid for the nomination. But a majority of the New York delegation regretfully accepted it as final. Nevertheless, many ardent Tilden men, believing the letter had strengthened him, insisted upon his nomination. The meeting of the delegation proved a stormy one. Bold charges of infidelity to Tilden reacted against Payne, and to escape controversy Manning indiscreetly asked if he might yield to the pressure which his letter had stimulated. To

this Tilden could make but one reply: "My action is irrevocable. No friend must cast a doubt on my sincerity."[\[960\]](#)

There is something pathetic in this passing of Tilden, but there seems no reason for surprise. Tilden was essentially an opportunist. He attacked the Tweed ring after its exposure; he made war upon the Canal ring after its record had become notorious; and he reduced the State taxes after the war debt had been paid. Upon these reforms he rode into power, and upon the cry of fraud he hoped to ride again to success. He was much too acute not to know that the cipher disclosures had robbed him of the rôle of reformer, but he seems to have been blind to the obvious fact that every one else was also aware of it. Besides, he lacked boldness and was at times the victim of indecision. He was singularly unfortunate, moreover, in failing to attract a circle of admirers such as usually surround public men of great prominence. Nevertheless, the opinion then obtained, and a quarter of a century perhaps has not changed it, that had Manning, when he reached the convention city, boldly and promptly demanded Tilden's nomination it could have been secured. Whether, if tendered him, he would have accepted it, "no one," says Bigelow, "is competent to affirm or deny. He probably did not know himself."[\[961\]](#)

Meanwhile, New York lost whatever prestige it had inherited through him. Payne had the support of barely a majority of the delegation,[\[962\]](#) Samuel J. Randall of Pennsylvania, who had relied upon it, was angry, and the first roll-call showed that Winfield S. Hancock and Thomas F. Bayard held the leading places.[\[963\]](#) This contrasted sharply with its early success. George Hoadley of Ohio, Tilden's devoted friend, had been made temporary chairman; Kelly, rising to address the convention, had felt most keenly the absence of a friend in the chair; and a two-thirds majority excluded the Shakespeare Hall delegation. Such influence, however, was at an end. The delegation affected control when Rufus H. Peckham declared from the platform that as Tilden had renounced all claims New York would support Randall; but the convention failed to join in the excited cheers of the Philadelphians, while the roll-call soon disclosed Hancock as the favourite. Before the result was announced officially Wisconsin asked permission to change its twenty votes to the soldier, and in the twinkling of an eye the stampede began. At the conclusion of the changes Hancock had received all the votes cast save 33.[\[964\]](#) William H. English of Indiana, a rich man, who

had served four terms in Congress during the administrations of Presidents Pierce and Buchanan, was nominated for Vice-President. The platform favoured a tariff for revenue only, exploited the election fraud, demanded honest money of coin or paper convertible into coin, and stoutly opposed Chinese immigration.

After Hancock's nomination Kelly's inning began. The convention had treated him coldly. On the first day, when New York was called, desiring to protest against seating a member of the regular delegation, he sought recognition from a seat among the alternates, but Hoadley, without the slightest sign of seeing or hearing him, ordered the roll-call to proceed. The overwhelming rejection of his delegation was not less crushing. The vote combined a compliment to Tilden and an official utterance against the action of his great enemy, and as the States, answering promptly and sharply, dealt death to bolting and paralysis to Tammany it became evident to the blindest that Tilden possessed the confidence of his party. In spite of the friendly relations between Hendricks and Kelly, Indiana voted a solid No. Nine other States, including Kentucky, Louisiana, and North Carolina, did likewise. Indeed, nearly two-thirds of the Southern delegates ranged themselves against the Boss. To add to the public proof of Kelly's weakness New York asked to be excused from voting.[\[965\]](#)

Nevertheless, Kelly had his friends. They were not as strong in numbers or in voice as those who cheered Conkling at Chicago, but in the absence of a master-mind the galleries seized upon the Tammany leader and cheered whenever he appeared. To give greater spectacular effect to his first greeting, Wade Hampton of South Carolina got upon his crutches and stumped down the aisle to shake him solemnly by the hand. Kelly, however, did not reach the culminating point of his picturesque rôle until Hancock's nomination. After Randall, Hampton, and others had spoken, cries for Kelly brought to the platform a delegation of Tammany leaders walking arm in arm, with John Kelly, Augustus Schell, Amasa J. Parker, and George C. Green in front. The convention, save the New York delegation, leaped to its feet, and when Kelly declared that hereafter whoever alluded to the differences which had heretofore existed in the New York Democracy should be considered a "traitor to his party," the great enthusiasm forced cheers from one-half of the New York delegation. To make the love-feast

complete, John R. Fellows, finally responding to impatient calls from all parts of the hall, also took the platform.

Fellows, still in his forties, had had a varied, perhaps a brilliant career. Born in Troy he found his way in early boyhood to Arkansas, joined the Confederate army, fought at Shiloh, escaped from Vicksburg, surrendered at Port Hudson, and remained a prisoner of war until June, 1865. Returning to Arkansas he served in the State Senate, and in 1868 came to New York, where he secured an appointment in the office of the District Attorney. Public attention became instantly fixed on the attractive figure of the intrepid young assistant. He leaped into renown. He soon became the principal Democratic speaker in the city, and from the first followed the fortunes of the pale, eager form of the distinguished reform Governor. At Cincinnati he represented the conservative Tilden men, and although upon reaching the platform he faced a man of greater force, he betrayed no docile character, ready to receive passively whatever the Boss might allot. His speech was cleverly framed. He expressed no desire that Tilden Democrats be forgiven for the political sins which their opponents had committed; neither did he mar the good feeling of the occasion. But when, at the conclusion of his remarks, John Kelly stepped forward, seized his hand, and began working it up and down like a handle, Fellows stood stiffly and passionlessly as a pump, neither rejecting nor accepting the olive branches thrust upon him. Thus ended the great scene of the reconciliation of the New York Democracy.

When plucked the fruit of this reunion was found not to be very toothsome. Returning to New York, Tammany held a ratification meeting (July 1) in which the regulars would not unite. Subsequently the regulars held a meeting (July 28) at which Tilden presided, and which Tammany did not attend. Similar discord manifested itself respecting the choice of a chief judge for the Court of Appeals. The Republican State Committee had chosen Charles J. Folger, but when the regulars advocated the same method of selection Kelly defiantly issued a call (August 14) for a State convention. Such bossism, the product of a strange, fitful career, was only less dramatic than that of Tweed. At a subsequent conference Kelly submitted a letter stating that if a convention were regularly summoned and Tammany given its full share of delegates and committeemen, his call would be withdrawn. [966] To this the regulars finally yielded, and a State convention, held at

Saratoga on September 28, made Kelly its head and front. His advent evoked the loudest cheers, his demand for five members of the State committee met little resistance, and Dorsheimer, besides serving as chairman of the Committee on Resolutions, presented the name of Charles J. Rapallo, who became the nominee for chief judge of Appeals. Thus within a few months Kelly had defeated Robinson for governor, prevented Tilden's nomination for President, and imposed his will upon the regular organisation.

In the selection of municipal candidates he was not less successful. Irving Hall insisted upon naming the mayor, and for many weeks the bickering and bargaining of conference committees resulted in nothing. Finally, Kelly proposed that the regulars select several satisfactory persons from whom he would choose. Among those submitted was the name of William Russell Grace, a respected merchant, a native of Ireland, a Roman Catholic in religion, and a man of large wealth, but without official experience of any kind. This was better, it was said, than official experience of the wrong kind. Irving Hall included his name with considerable reluctance. It distrusted his loyalty, since a rumour, too well founded not to cause alarm, revealed Kelly's interest in him. But Kelly's cunning equalled his audacity. He had secured the nomination of Rapallo by voting for William C. Ruger of Onondaga, and he now caused it to be understood that under no circumstances would Grace be acceptable. The merchant's name once upon the list, however, the Boss snapped it up with avidity, while the Germans muttered because three of the five city candidates were Irishmen. Thus the campaign opened badly for the Democrats.

Nor did it open more auspiciously for the Republicans. Garfield's part in the Crédit Mobilier scandal was reviewed without regard to the vindictory evidence, while Nast's incriminating cartoon of 1873^[967] emphasised the failure of the great artist to introduce the Republican candidate into his campaign pictures of 1880. It advertised the fact that Nast retained his early opinion of the nominee's conduct. Further to alienate the independent vote it was charged that Garfield, during the visit of Grant and Conkling at Mentor (September 28), had surrendered to the Stalwarts. Appearances did not discourage such a belief. Conkling's hostility disclosed at Chicago was emphasised by his withdrawal from New York City on the day that Garfield entered it (August 5). Subsequently, in his initial speech of the campaign

(September 17), Conkling's first important words were a sneer at Hayes and an implied threat at Garfield.^[968] Yet two weeks later the Senator, while on a speaking tour through Ohio and Indiana, went out of his way, riding three-fourths of a mile through a heavy rain, to call upon Garfield. This looked as if somebody had surrendered. As a matter of fact Conkling did not meet Garfield in private, nor did they discuss any political topic,^[969] but the apparent sudden collapse of Conkling's dislike supplied Garfield's opponents with abundance of powder. Meantime the loss of the September election in Maine crushed Republican hope. A victory had been confidently expected, and the failure to secure it, although the adverse majority was less than two hundred, sent a chill to every Republican heart.

Spurred to greater effort by this blighting disappointment, the Republicans regained courage by a spirited presentation of the industrial question, which was strongly reinforced by returning activity in trade and commerce. To offset its effect and to win the industrial masses to Democratic support, lithographic copies of the so-called "Morey letter," approving Chinese immigration, which purported to be written by Garfield, were spread broadcast (October 20) over the country. Garfield promptly branded it a forgery. Though the handwriting and especially the signature resembled his, accumulating evidence and the failure to produce the man to whom the letter purported to be addressed, rapidly made clear its fictitious character. Nevertheless, many Democratic journals and orators, notably Abraham S. Hewitt, assuming its genuineness, used it with tremendous force as favouring Chinese competition with home labour.

To add to the slanderous character of the closing days of the campaign John Kelly, through the New York *Express*, rained fierce personal assaults upon the distinguished editor of the New York *Herald*, who opposed Grace. In bitterness the mayoralty fight surpassed the presidential contest. Hints of a division of public money for sectarian purposes had deeply stirred the city and given prominence to William Dowd, the Republican candidate, whose interest in the common schools characterised his public activities. Dowd had the support of many members of Irving Hall, who, as they gnashed their teeth in resentment of Kelly's cunning, became unweariedly active in combining the strange and various elements of opposition. Not Daniel himself was more uncomfortably encompassed than Grace.

The October elections in Ohio and Indiana plainly indicated the trend of public opinion, and on November 3 the Republicans carried New York and the country.^[970] The significant point in the State returns, however, was the severe punishment administered to Kelly. Whomsoever he supported suffered humiliation. Hancock received 21,000 votes less than Garfield, Rapallo 55,000 less than Folger, and Grace 38,000 less than Hancock. In the presence of such a showing the Brooklyn *Eagle*, a Democratic journal friendly to Tilden, thus philosophised: "Bosses and thorough organisation are incompatible. The success of organisation depends upon reason. The success of the boss is due to underhand arts. No young man can hope for the favour of a boss who does not begin by cultivating the temper of a lick-spittle."^[971]

CHAPTER XXXV

CONKLING DOWN AND OUT

1881

IN the speakership contest of January, 1881, the anti-Conkling leaders discovered a disposition to profit by the election of Garfield. They wanted to learn their voting strength, and to encourage assemblymen to oppose George H. Sharpe, the Stalwart candidate, the *Tribune*, in double-ledged type, announced, apparently with authority, that the President-elect would not allow them to suffer.^[972] This sounded a trifle warlike. It also quickly enhanced the stress between the opposing factions, for those who are themselves not averse to wire-pulling are morbidly suspicious of intrigue in others.

But nothing came of the *Tribune's* announcement. Sharpe's creditable service on Grant's staff, his cleverness as a Stalwart manager, and his acceptability as a speaker of the preceding Assembly, brought him troops of friends. Although making no pretensions to the gift of oratory, he possessed qualities needed for oratorical success. He was forceful, remarkably clear, with impressive manners and a winning voice. As a campaign speaker few persons in the State excelled him. Men, too, generally found him easy of approach and ready to listen. At all events his tactful management won a majority of the Republican assemblymen before the opposition got a candidate into the field. Under these circumstances members did not fancy staking good committee appointments against the uncertainty of Presidential favours, and in the end Sharpe's election followed without dissent.

In the election of a United States senator to succeed Francis Kernan on March 4, the Stalwarts did not find such smooth sailing. For several years, ever since the gubernatorial nomination in 1876, jealousy, accumulated resentment, and inevitable distrust had divided them, but not until Thomas C. Platt of Owego and Richard Crowley of Niagara announced their candidacy did the smouldering bitterness burst into a blaze. Cornell and his friends promptly declared for Platt, while Arthur, Sharpe, Thomas Murphy, and John F. Smyth, known as ultra Conkling men, wheeled into line for

Crowley. Conkling held aloof. He probably preferred Levi P. Morton, although each candidate claimed to be his preference. In the end Morton's name was tangled up in the controversy, but he did not really get into it. Besides, a place in the Cabinet seemed open to him.

At this time Cornell was at the height of his power. Prior to his inauguration he had not stood for much in the way of statesmanship. He was known principally as the maker and chauffeur of Conkling's machine, which he subsequently turned over to Arthur, who came later into the Conkling connection from the Morgan wing. Moreover, the manner of his election, the loss of many thousand Republican votes, and his reappointment of Smyth seriously discredited him. But friend and foe admitted that he had shown real ability as governor. He had about him no angles and no surprises. He exercised authority cautiously, marshalled facts with skill, and presented clear and enlightened reasons for his action. He seemed to be above rather than below the level of his party, and his official colleagues, working in harmony with his policies, found him honourable, if sometimes stubborn and aggressive.

But in his relations to men as well as to policies he had betrayed a disposition to change position. He did not attend the Chicago convention. Nor did Arthur's nomination, brought about largely by Sharpe's activity, particularly please him. While he behaved with decorum and perhaps with loyalty, it was evident that if he did not raise the standard of revolt, he had chosen to fight for his hand. This became the more apparent as the senatorial contest progressed. A grim darksomeness about the expression of his countenance showed that he took a sullen satisfaction in humiliating those who had humiliated him. It was deftly done, but in the result it left its impression.

Crowley, then in his forty-sixth year, was well equipped for the Senate. As a forceful speaker he was an object of respect even by his opponents. In whatever legislative body he appeared he ranked amongst the foremost debaters, generally speaking with an enlightenment and a moderation that did credit to his intellect and to the sweetness of his nature. He had served four years in the State Senate, one term in Congress, and eight years as United States attorney in the Northern District, being justly distinguished as one of the able men of Western New York. He was sadly handicapped,

however, by the infirmity of his backers. Sharpe excited the deepest resentment by withholding the appointment of the Assembly committees; [973] and Smyth and Murphy represented all that was undesirable in politics.

Cornell was fortunate in his candidate. Platt's cool, quiet methods had aroused little antipathy, while around him gathered loyalty and gratitude. Very early in the contest, too, it began to be whispered that if elected he might act independently of Conkling. To think of a light-weight sparring up to a recognised champion tickled the imagination of the Independents who numbered about forty, of whom Chauncey M. Depew was the choice of a majority.[974] Ira Davenport of Steuben, a State senator of decided character and strength, supported his brother-in-law, Sherman S. Rogers of Erie, and others talked of Vice-President Wheeler. George William Curtis argued that the aim of the Independents should be to vote for the cause even if they voted for different candidates, and thus show to the country and to Garfield that a large and resolute opposition to the ruling organisation existed in the party.[975]

On the other hand, Depew's friends thought it wiser to "split the machine." It was a taking proposition. If the two senators, they argued, differed upon questions of patronage, the one agreeing with the President would undoubtedly prevail. Thus the Senator and the Governor, backed by the patronage of the State and Federal administrations, would control a machine of great possibilities. Conkling appreciated the danger, and Warner Miller and William H. Robertson approved the plan.

Miller was then in the prime of life. He combined the occupations of manufacturer and farmer, evidenced marked capacity for business, and gave substantial promise of growing leadership. From the schools of Oswego he had entered Union College, and after teaching in Fort Edward Collegiate Institute he became a soldier. Since 1874 he had been in the Assembly and in Congress. He was fully six feet tall, well proportioned, with a large head, a noticeably high forehead, a strong, self-reliant, colourless face, and a resolute chin. A blond moustache covered a firm mouth. He had the appearance of a man of reserve power, and as a speaker, although without the gift of brilliantly phrased sentences, he made a favourable impression. His easy, simple manner added to the vigour and clearness of his words. Perhaps in the end he fell short of realising the full measure of strength that

his ardent friends anticipated, for he possessed none of the characteristics of the boss and seemed incapable of submitting to the daily drudgery that political leadership demands. But for several years the reasonableness of his opinions had an unmistakable influence upon the judgment of men. Certainly, in 1881, his opinion greatly strengthened the Depew scheme, and it soon became apparent that a sufficient number of Independents could be relied upon to choose Platt. In the conference that followed the latter promised to support the Garfield administration. "Does that statement cover appointments?" asked Woodin. Platt said it did. "Even if Judge Robertson's name should be sent in?" insisted Woodin. Platt replied, "Yes."[\[976\]](#) That settled it, and Platt's nomination occurred on the first ballot.[\[977\]](#) Among the earliest to send him congratulations was Senator Conkling.

After the campaign of 1880 Conkling seemed to dismiss the feeling exhibited toward Garfield at Chicago, and in February (1881), at the invitation of the President-elect, he visited Mentor. The Senator asked the appointment of Levi P. Morton as secretary of the treasury, and Garfield consented to give him the Navy, or select Thomas L. James for postmaster-general. "This conference was not wholly satisfactory,"[\[978\]](#) but Conkling's position at the inauguration ceremonies, voluntarily taken directly behind Garfield while the latter read his inaugural address, indicated a real friendship. His motion in the Senate that James be confirmed as postmaster-general without the usual reference to a committee seemed to support this belief, an impression subsequently stimulated by the prompt confirmation of William M. Evarts for commissioner to the International Monetary Conference, Henry G. Pearson for postmaster of New York, and Levi P. Morton for minister to France.[\[979\]](#) Two weeks later came a bunch of five Stalwarts.[\[980\]](#) The next day (March 23) Garfield nominated William H. Robertson for collector of customs at New York and Edwin A. Merritt for consul-general to London. "That evens things up," said Dennis McCarthy, the well-known Half-breed of the State Senate. "This is a complete surprise," added Robertson. "To my knowledge no one has solicited for me any place under Garfield. It comes entirely unsought."[\[981\]](#) It was no less a surprise to the Stalwarts. Not a hint of it had been dropped by the President. "We had been told only a few hours before," wrote Conkling, "that no removals in the New York offices were soon to be made or even considered, and had been requested to withhold the papers and suggestions bearing on

the subject until we had notice from the President of his readiness to receive them."[\[982\]](#) Indeed, the nomination came with such suddenness that the action seemed to be hasty and ill considered.

There is much literature on the subject. Reminiscences of public men during the last decade have opened a flood of memories, some of them giving specific statements from the principal actors. Blaine assured George S. Boutwell that he had no knowledge of Robertson's nomination until it had been made, and Garfield told Marshall Jewell that Blaine, hearing of the nomination, came in very pale and much astonished.[\[983\]](#) Garfield wrote (May 29, 1881) Thomas M. Nichols, once his private secretary, that "the attempt to shift the fight to Blaine's shoulders is as weak as it is unjust. The fact is, no member of the Cabinet behaves with more careful respect for the rights of his brother men than Blaine. It should be understood that the Administration is not meddling in New York politics. It only defends itself when assailed."[\[984\]](#) The President said to Conkling, declares Hoar, that he desired to make one conspicuous appointment of a New York man who had supported him against Grant, and that thereafter, upon consultation with the two Senators, appointments should be made of fit men without regard to factions. To this Conkling refused his consent, stoutly objecting to Robertson's appointment to any important office in this country. "Conkling's behaviour in the interview," said President Garfield "was so insolent that it was difficult for him to control himself and keep from ordering him out of his presence."[\[985\]](#) Conkling says the President, on the Sunday preceding the appointment, informed him "that the collectorship of New York would be left for another time."[\[986\]](#) In a statement purporting to come from the President, Jewell relates that when the five Stalwart nominations went to the Senate, Garfield was immediately burdened with letters and despatches in protest, coupled with the suggestion that everything had been surrendered to Conkling, and that without delay or consultation he sent in Robertson's name. "It was only an instance," says Boutwell, "of General Garfield's impulsive and unreasoning submission to an expression of public opinion, without waiting for evidence of the nature and value of that opinion."[\[987\]](#)

On the other hand, the country at large accepted it as a Blaine triumph. Senators, especially those who had served in the House with the President and his Secretary of State, had no doubt of it. Such a tremendously bold act was entirely foreign to Garfield's character. Nor could it have but one

meaning. The man who had split the New York delegation for Blaine was to have his reward and to occupy the place of patronage and of power. More than that it was Blaine's long look ahead. Such action required the highest order of political courage. It opened an old quarrel, it invited opposition, it challenged to battle. Men like Senator Frye of Maine, who had many times witnessed the resolution and dominating fearlessness of Blaine, knew that it was his act. "For sixteen years," said Frye, "the sting of Blaine's attack kept Conkling unfriendly. Besides, he had no confidence in him. Whenever reconciliation seemed imminent, it vanished like a cloud-shadow. I could never unite them. Blaine was ready, but Conkling would accept no advances. When Robertson's appointment came he knew as well as I that it was the act of Blaine."[\[988\]](#) Depew, with whom Blaine had conferred, took the same view. On the day after the nomination was sent in, Mrs. Blaine, rather exultingly and without any expression of surprise, wrote her daughter of the incident. "Your father has just gone to the Department. Did you notice the nominations sent in yesterday? They mean business and strength."[\[989\]](#)

Boutwell illustrates Conkling's lack of confidence in Blaine. After the latter had become secretary of state he said to the Massachusetts Senator that Conkling was the only man who had had three elections to the Senate, and that he and his friends would be considered fairly in the New York appointments. "When in conversation with Conkling, I mentioned Blaine's remark, he said, 'Do you believe one word of that?' I said, 'Yes, I believe Mr. Blaine.' He said with emphasis, 'I don't.' Subsequent events strengthened Mr. Conkling in his opinion."[\[990\]](#)

The cordial relations apparently existing until then between the President and the Senator encouraged the hope that confirmation of the nomination might not be opposed. Because of this feeling the New York Legislature, by a formal resolution, endorsed it, and Republicans generally spoke not unkindly of it. But Conkling, knowing that though the voice was Garfield's, the hand was Blaine's, quickly precipitated a contest in which the interest of the whole country centred. It recalled the Arthur controversy, renewed the feverish energy of Stalwart and Half-breed, and furnished glimpses of the dramatic discord which stirred restlessly behind the curtains of Senate secrecy. Under the rules of the Senate, Robertson's nomination went to the Committee on Commerce, of which Conkling was chairman and in control.

Here the matter could be held in abeyance, at least until the Stalwarts marshalled their influence to have it withdrawn. For this purpose Vice-President Arthur and Postmaster-General James called at the White House. Governor Cornell, through a personal friend, sent a message to the President, declaring the nomination a great mistake and urging its withdrawal.^[991] Other distinguished men, including Senator Allison of Iowa, visited the President on a similar mission. When these overtures failed compromises were suggested, such as making Robertson a Federal judge, a district attorney, a foreign minister, or the solicitor general.

Meanwhile assuring messages and comforting letters from Blaine's New York friends stimulated Garfield's courage. On March 27, four days after the nomination, Whitelaw Reid, the accomplished editor of the *Tribune*, telegraphed John Hay, in part, as follows: "From indications here and at Albany we have concluded that the Conkling plan is: First, to make tremendous pressure on the President for withdrawal of Robertson's name under threats from Conkling and persuasion from James. Second, if this fail, then to make their indignation useful by extorting from the President, as a means of placating them, the surveyorship and naval office. With these two they think they could largely neutralise Robertson. Cornell is believed willing to acquiesce in Robertson, hoping to get other offices.

"I wish to say to the President in my judgment this is the turning point of his whole administration—the crisis of his fate. If he surrenders now Conkling is president for the rest of the term and Garfield becomes a laughing stock. On the other hand, he has only to stand firm to succeed. With the unanimous action of the New York Legislature, Conkling cannot make an effectual fight. That action came solely from the belief that Garfield, unlike Hayes, meant to defend his own administration. The Assembly is overwhelmingly Conkling, but they did not dare go on the record against Robertson so long as they thought the Administration meant business. Robertson should be held firm. Boldness and tenacity now insure victory. The least wavering would be fatal."^[992]

When Hay read this message to Garfield, the latter said, "They may take him out of the Senate head first or feet first; I will never withdraw him."^[993] That the President might not weaken, Depew and other Independents spent much time in Washington during the controversy. "The party standing of

Blaine's New York supporters at Chicago absolutely depended upon Robertson's confirmation," declared Depew.^[994]

Conkling had not been idle. As usual he cast an anchor to the windward by coquetting with Democratic senators and soothing his Republican colleagues.^[995] He knew how to control in caucus as well as in committee, and on May 2, the Republican senators appointed a Committee of Safety, which recommended that a majority decide the order of executive business including "uncontested nominations." These nominations, it was explained, embraced such as were favourably reported by a committee or accepted by the Republican senators of the State from which the nominee hailed. In other words, the caucus action practically notified the President that no nomination would be confirmed that did not please a senator, if a Republican. To exclude Robertson under such a rule it was only necessary that the New York senators object to his confirmation. Immediately the press of the country teemed with protests. The Constitution, it declared, imposed a moral obligation upon senators to confirm a nomination which was not personally unfit or improper, or which did not imperil the public interest, and it was puerile for a majority to agree in advance to refuse to consider any nomination to which any member, for any reason whatever, saw fit to object. Such a rule substantially transferred the Executive power to one branch of Congress, making the President the agent of the Senate. It was "senatorial courtesy" run mad.

As the days passed senators exhibited, under pressure from the country as well as from the White House, a growing desire to have the matter settled, and as a final effort in the interest of harmony the Committee of Safety itself called upon the President, proposing that he withdraw Robertson's name and have the others confirmed. To this Garfield emphatically declined to accede. A few days later (May 5) Vice-President Arthur and Senator Platt suggested that he withdraw all the New York nominations. The President replied that he would willingly withdraw all except Robertson's, and if the latter failed an entire new slate could then be made up. This did not satisfy, but within an hour after his visitors had departed, the President, to prevent the confirmation of some while Robertson's was left tied up in committee, put his suggestion into a message, withdrawing the names of the five Stalwarts. This was another surprise, more alarming than the first, since it showed the Administration's readiness to fight.

Meantime the Republican majority exhibited signs of disintegration. The session was running into hot weather, Democrats had demonstrated their power to prevent a reorganisation of the Senate, and discord in Republican States threatened disaster. Until recently Conkling had felt sure of victory. But now, appreciating the delicacy of the situation, he opened the caucus (May 9) with an earnest, conciliatory speech. He disclaimed desiring any conflict with the President, against whom he made no accusations of bad faith; described the impracticability of his sustaining any relations with Robertson, in whose way, however, he would place no obstacle to any office other than that of collector; discussed the danger to which a lack of political harmony would expose the party in New York; and in almost pathetic tones urged that the courtesy of the Senate be not withheld from him in this hour of his extreme need.

It was plain that he had won the sympathy of his colleagues, but succeeding caucuses, now held daily, lined his pathway with portents and warnings. The iron-clad rule ceased to be operative; a resolution to postpone action until the next session avoided defeat because hastily withdrawn; and a compromise, the last to be suggested, proposing confirmation on condition that Robertson then decline the office, met with no favour. It was plain that at last the stress had reached a climax. Senators no longer exchanged their impressions, or asked "How long?" or "What next?" In their opinion either Garfield or Conkling must recede, and they had learned that the President would not. Moreover, it was rumored, after the caucus of May 13, that Conkling had talked harshly, with much of the temper of a spoiled child. As senators separated on that eventful Friday they declared without hesitation, though not without misgiving, that the last caucus had been held and the last obstacle to Robertson's confirmation removed.

The position of Platt had at last become intolerable. Mindful of the promise to Depew and his friends he had tactfully and patiently sought to avoid a contest by satisfactorily arranging matters between the President and Conkling. Now the end of compromises had come and a vote impended. At this critical if not desperate moment he suggested resignation.^[996] The Legislature that chose him in January was still in session, and the combined votes of the Stalwarts would be sufficient to re-elect them. This would liberate him from a promise and strengthen both with a legislative endorsement. It was neither an intrepid nor an exalted proposition, but

Conkling accepted it. Perhaps his nature required a relief from its high-strung irritability in some sort of violence, and resignation backed by the assurance that he would soon be restored to office and to greater power on the shoulders of the party offered the seductive form which that violence could take.

Before the Senate reconvened on Monday (May 16) the resignation of Conkling and Platt was in the hands of Governor Cornell. It came with the suddenness of Robertson's nomination. Neither Vice-President Arthur shared their intention, nor did Cornell suspect it. The first intimation came in two brief notes, read by the clerk, informing the Senate of their action. But the crash—the consternation, if any were anticipated, did not appear. [997] No doubt many senators sincerely regretted the manner of Conkling's going, but that all were weary of his restless predominance soon became an open secret.[998] Nor did his reasons appeal to any one except as regarded his own personality and power, since the Senator's statement showed a deliberate, personal choice, not based on a question of public policy.

Stripped of its rhetoric and historicity the letter of Conkling and Platt presented but two causes of complaint, one that the President, in withdrawing some of the New York nominations, tried to coerce the Senate to vote for Robertson; second, that Robertson, in voting and procuring others to vote against Grant at Chicago, was guilty of "a dishonest and dishonourable act." [999] The poverty of these reasons excited more surprise than the folly of their resignation.[1000] Every one knew that in urging senators to say by their vote whether William H. Robertson was a fit person to be collector, the President kept strictly within his constitutional prerogative, and that in withdrawing the earlier nominations he exercised his undoubted right to determine the order in which he should ask the Senate's advice. Moreover, if any doubt ever existed as to Robertson's right to represent the sentiment of his district instead of the decree of the State convention, the national convention had settled it in his favour.

Conkling's friends are credited with having overborne his purpose, expressed soon after the election of Garfield, to leave the Senate and engage in the practice of his profession.[1001] But that such intention did not influence his resignation was evidenced by the fact that immediately afterward he bivouacked at Albany and sought a re-election. With his

faithful lieutenants he constantly conferred, while the faithless ones, scarcely less conspicuous, who openly refused their support, he stigmatised. From the first Cornell was an object of distrust. He had wired Conkling advising Robertson's confirmation, and the Senator crushed the telegram in his hand. This put the Governor into the disloyal class.^[1002] It added to Conkling's irritation also that Cornell remained silent. The Governor's friends expressed some surprise that the Senator did not suggest an interview. It would have been much more surprising if he had, for it is doubtful if Conkling ever suggested an interview in his life. On the other hand, Cornell, unwilling to use the machinery of his great office to force Conkling's return, did not care to approach the Senator. It was not unknown, however, that he refused to become a candidate for United States senator, and that, although ten or fifteen members continued to vote for him, he steadily encouraged his Stalwart friends not to desert Conkling.

Although the Legislature which elected Platt on January 18 was still in session, the sentiment dominating it had radically changed. The party was deeply stirred. The Senator's sudden resignation had added to the indignation aroused by his opposition to the Administration, and members had heard from their constituents. Besides, a once powerful Senator was now a private citizen. At the outset Independents and several Stalwarts refused to enter a caucus, and early in the contest the Democrats, marshalled by Manning, refused to come to the rescue. Thus, without organisation, Republicans began voting on May 31. Seven weeks and four days later (July 22), after fifty-six ballots, their work was concluded. The first ballot marked the highest score for Conkling and Platt, the former receiving 39 and the latter 29 out of 105 Republican votes.^[1003] This severe comment upon their course plainly reflected the general sentiment of the party. It showed especially the dissatisfaction existing toward Conkling. Yet a few Stalwarts remained steadfast to the end. On the morning of July 1, when Platt, to the surprise of his friends, suddenly withdrew, he had 28 votes. On July 22 Conkling had the same.

The act of the assassin of President Garfield on the morning of July 2 had a visible effect upon the proceedings at Albany.^[1004] Although for a time conditions indicated that the distinguished sufferer might recover, legislators evinced a great desire to conclude the disagreeable work, and on July 5, sixty-six Republicans held a conference. Up to this time Depew had

been the favourite for the long term, registering fifty-five votes on the fourteenth ballot (June 14), but in the interest of harmony he now withdrew his name.[\[1005\]](#)

This opened the way for Warner Miller, who received in caucus on the fifth ballot sixty-two of the sixty-six votes cast for the long term. By previous agreement a Stalwart was entitled to the short term, and had Cornell allowed his Stalwart friends to enter the caucus he might have had the nomination. But he would not oppose Conkling. Moreover, the belief obtained that the Democrats and Stalwarts would yet unite and adjourn the session without day, thus giving the Senator time to elect other friends to a new Legislature, and the Governor would not disturb this hallucination. With Cornell out of the way Elbridge G. Lapham easily won the nomination on the second ballot. Lapham had been the first to desert Conkling, who now exclaimed, not without the bitter herb of truth: "That man must not reap the reward of his perfidy."[\[1006\]](#)

The caucus did not at once bring union, but on July 12 Miller's vote reached seventy; on the 15th it registered seventy-four; and on the 16th, with the help of Speaker Sharpe, who had encouraged Conkling's going to Albany, Miller was elected.[\[1007\]](#) Lapham's vote, however, hung fire until July 22, when, during a brief and most exciting conference in the Assembly Chamber, State Senator Halbert, the Conkling Gibraltar, exclaimed with the suddenness of a squall at sea: "We must come together or the party is divided in the State. I am willing to vote now."[\[1008\]](#) Reason and good nature being thus restored, each Republican present rose and voted his choice, Lapham receiving sixty-one, Conkling twenty-eight. In the general rejoicing State Senator Pitts, a leader of the Independents, no doubt voiced the feeling of all at that moment: "I am as happy as Mr. Halbert. This nomination has been made good-naturedly. It is an augury of good feeling in the future. New York proposes to stand by the Republican administration. I hope we shall never hear more the words Stalwart, Featherhead, Half-breed."[\[1009\]](#) When the joint convention again reassembled the fifty-sixth ballot gave Elbridge G. Lapham ninety-two, and Clarkson N. Potter, the new Democratic nominee, forty-two.[\[1010\]](#)

For Conkling it was worse than defeat. The humiliation of having gone to Albany, of being deserted by friend after friend, of enduring the taunts of an

inhospitable press, and, finally, of having his place taken by one, who, in his opinion, had proven most faithless, was like the torture of an unquenchable fire. Lord Randolph Churchill, after his historic resignation as chancellor of the exchequer, declared that he would not live it over again for a million a year. It is likewise a matter of history that Senator Conkling never ceased to deplore his mistake.[\[1011\]](#)

CHAPTER XXXVI

CLEVELAND'S ENORMOUS MAJORITY

1881-2

WHILE Conkling was being deposed, John Kelly, to whom responsibility attached for Hancock's defeat, also suffered the penalty of selfish leadership.^[1012] Although his standard of official honesty had always been as low as his standard of official responsibility, it never aroused violent party opposition until his personal resentments brought Democratic defeat. This classified him at once as a common enemy. In vain did he protest as Tweed had done against being made a "scape-goat." His sentence was political death, and as a first step toward its execution, Mayor Cooper refused to reappoint him comptroller, an office which he had held for four years. Republican aldermen joined in confirming his successor. Similar treatment, accorded his office-holding associates, stripped him of patronage except in the office of register.

Then his Democratic opponents proposed depriving him of control in conventions, and having failed to reorganise him out of Tammany (April, 1881), they founded the County Democracy. William C. Whitney, corporation counsel, Hubert O. Thompson, the young commissioner of public works, and other leaders of similar character, heading a Committee of One Hundred, became its inspiration. Under the Tammany system twenty-four men constituted the Committee on Organisation, while a few persons at any Assembly primary might represent all the votes of the district. The new organisation proposed to make its Committee on Organisation consist of six hundred and seventy-eight members and to place the control of all nominations in the hands of the people. It was a catchy scheme and quickly became popular. To carry it into effect a public enrolment was made of the Democratic voters in each election district, who had an opportunity, by registering their names, to join the Election District Committee. When thus affiliated each one could vote for a member of the Committee on Organisation and for delegates to nominating conventions. On October 7 (1881) Abram S. Hewitt, chairman of the Committee of One Hundred, issued an address, declaring that the organisation had 26,500

enrolled members, and had elected delegates to attend the State convention which met at Albany on October 11.

Kelly did not attend the convention. On his way from the depot to the hotel he found the air too chilly and the speech of people far from complimentary. It was plain, also, that the crushing defeat of Hancock had obliterated factional division in the up-State counties and that Daniel E. Manning was in control. Nevertheless, Tammany's delegates, without the slightest resemblance to penitents, claimed regularity. The convention answered that the County Democracy appeared upon the preliminary roll. To make its rebuff more emphatic Rufus W. Peckham, in presenting the report on contested seats, briefly stated that the committee, by a unanimous vote, found "the gentlemen now occupying seats entitled to them by virtue of their regularity."[\[1013\]](#) Kelly's conceit did not blind his penetration to the fact that for the present, at least, he had reached his end.

The Republican convention (October 5) proved not less harmonious. Arthur had become President (September 19),[\[1014\]](#) Conkling did not appear, and Warner Miller's surprising vote for temporary chairman (298 to 190), sustaining the verdict of the Legislature in the prolonged senatorial struggle, completely silenced the Stalwarts. Conkling's name, presented as a contesting delegate from Oneida, provoked no support, while Depew, whom the Senator a year earlier had sneeringly referred to as a "creature of no influence," became permanent chairman without opposition. In the selection of State candidates few organization men found favour.[\[1015\]](#) Finally, in their overconfidence the Independents carelessly postponed a resolution reorganising the party in New York City to an hour when their rural support had left the convention, and the most important business before it failed by five majority. "Thus by sheer negligence," said George William Curtis, "the convention has left a formidable nucleus for the reconstruction of the machine which had been overthrown."[\[1016\]](#) The platform deplored the death of Garfield, expressed confidence in President Arthur, praised Cornell's wisdom, prudence, and economy, and insisted upon equal taxation of corporations and individuals.

Although the deep silence that characterised the October contest in Ohio pervaded the campaign in New York, Republicans believed that President Arthur, by the moderation and dignity of his course, had favourably

impressed the public.^[1017] His nomination of Postmaster General James and the tender of the Treasury to Edwin D. Morgan commanded universal approval. When Morgan declined, the nomination of Charles J. Folger, suggested by Morgan, added to his prestige. In fact, the most ardent champions of Garfield had taken little exception to the acts of the new Administration, and although Arthur's supporters had suffered defeat in convention, it was inferred that the President and his friends sincerely desired the triumph of their party. Moreover, the action of Tammany and the County Democracy in nominating separate local tickets had stimulated Republican confidence. It meant that Kelly, in his inevitable desire to defeat his enemy, would trade, combine, and descend to other underhand jobbery, which usually benefited the opposite party.

However, the harmony blandly predicted did not appear. James W. Husted was overwhelmingly defeated, while his party, for the first time in twelve years, lost both branches of the Legislature.^[1018] This amazing disclosure exhibited the bitter animosity of faction. In Albany, Erie, Oneida, and Oswego counties, Stalwart and Independent resolutely opposed each other, even to the point in some instances of supporting the Democratic ticket.

On the other hand, the County Democracy was exultant. In spite of the combined opposition of Tammany and Irving Hall, the Whitney organisation carried the county by several thousand majority, securing four of the seven senators, twelve of the twenty-four assemblymen, and twelve of the twenty-two aldermen. This left Tammany absolutely without patronage. It was not unnatural that many of Kelly's co-workers should doubt the possibility of longer working harmoniously under his leadership, and the great secession of prominent men from Tammany after the formation of the County Democracy created little surprise. But that the movement should include the rank and file was an astonishing revelation.

Nevertheless, Kelly, gathering up his three senators and eight assemblymen, carried the war to Albany. Strangely enough Republican discord had given him the balance of power in each legislative body, and until the Democrats acceded to his terms (February 2) the Assembly remained without a speaker.^[1019] Two weeks later, upon the announcement of the Assembly committees, Tammany, declaring its agreement violated, joined the Republicans in modifying the rules of the Senate so as to permit the

Lieutenant-Governor to appoint its committees and complete its organisation.

No one knowing Kelly expected him to act otherwise. Nor can it be seriously doubted that he fully expected the Democracy, at the very next opportunity, to make substantial concessions. At all events Kelly presented with great confidence Tammany's claims to representation in the State convention which assembled at Syracuse on September 22 (1882).^[1020] He knew it was a critical moment for the Democracy. The poverty of the Republican majority in the preceding election, and the Administration's highhanded efforts to defeat Cornell for renomination, seemed to put the State within the grasp of a united party. Yet the Tilden leaders, although divided among themselves, shrank from giving him power. This feeling was intensified by the renewed activity of the old canal ring. The presence, too, of Stephen T. Arnot of Chemung, who served as a member of the Kelly State Committee in 1879, added to their hostility. Indeed, so pronounced was the resentment that on the first day of the convention Tammany was refused tickets of admission.

But behind Kelly stood the two leading candidates for governor.^[1021] In his canvass of the State Roswell P. Flower, hopeful of Kelly's support, had created a strong sentiment favourable to Tammany's admission, while Henry W. Slocum, mindful of Tammany's dislike, had also done what he could to smooth its way. Under such pressure the leaders, after recognising the County Democracy as the regular organisation with thirty-eight votes, gave Tammany twenty-four and Irving Hall ten.

Although this preliminary struggle did not clarify the gubernatorial situation, it had the effect of materially weakening Flower. Of his popularity no doubt existed. As an industrious young man in Watertown he had been a general favourite, and in New York, whither he went in early manhood to take charge of his sister's property, left by her millionaire husband, he became the head of a prosperous banking house and the friend of all classes. The liberality of his charities equalled the splendour of his social entertainments, while a few months in Congress as the successor of Levi P. Morton and the successful opponent of William W. Astor, had introduced him to the voters of the metropolis. He was now forty-four years old, with

ample wealth, a wide acquaintance, and surrounded by scores of experienced political diplomats.

But Manning distrusted Flower. Back of him were Arnot, DeWolf, and other anti-Tilden leaders. He also deeply resented Flower's support of Kelly. It gave the Boss a new lease of power and practically paralysed all efforts to discipline him. Besides, it betrayed an indisposition to seek advice of the organisation and an indifference to political methods. He seemed to be the rich man in politics, relying for control upon money rather than political wisdom. Nor did it improve Flower's chances among the country delegates that one of the convention speakers thought him guided by Jay Gould, in whose questionable deals he had generously participated.

Slocum had likewise sinned. Manning thought well of the distinguished soldier whom he promised one hundred votes, which he delivered. But his support of Kelly had been distasteful to the County Democracy. Besides, he was charged with voting, when in Congress, for the "salary grab," and one delegate, speaking on the floor of the convention, declared that as a trustee of the Brooklyn Bridge, "Slocum would be held responsible for the colossal frauds connected with its erection."[\[1022\]](#) It added to the chaos of the situation that Flower's supporters resented Slocum's activity, while Slocum's friends excepted to the County Democracy's use of Allan Campbell as a stalking horse.

Grover Cleveland's candidacy seemed not very important. He was not wholly unknown throughout the State. Lawyers recognised him as a prominent member of the profession, and politicians knew him as sheriff of Erie County in the early seventies and as the recently elected mayor of Buffalo. But people outside the Lake city knew nothing of his character for stubborn independence, uncompromising honesty, and fearless devotion to duty. His friends tried to tell the delegates that he insisted upon public officials treating the people's money as its trustees, and that he had promptly vetoed every departure from this rule. They claimed also that he could neither be coaxed nor constrained into the approval of men or measures that were not honest and proper, citing several illustrations that had greatly gratified and aroused his home people. This was the gist of Daniel N. Lockwood's short, happy, and forceful speech in presenting his name to the convention.

But such recommendations of candidates were not unusual, and although Erie and the surrounding counties mustered fifty or sixty votes, no movement toward Cleveland existed other than that growing out of the peculiar political situation. If Slocum and Flower failed, Nelson or Corning might benefit. Edward Murphy of Rensselaer, then mayor of Troy for the fourth term and closely associated with Manning in leadership, represented Corning with spirit, while the Dutchess friends of Homer A. Nelson exhibited their devotion by an energetic canvass. Yet Cleveland possessed one strategic point stronger than either of them. His absolute freedom from the political antagonisms of New York and King counties commended him to the County Democracy. This organisation of extraordinary leadership had tired of deals and quarrels. The hammering of Tilden, the sacrifice of Robinson, the defeat of Hancock, and the hold-up in the last Legislature made a new departure necessary, and it may be said with truth and without injustice that the night before the convention opened the nomination of Cleveland, if it could be accomplished, seemed to the County Democracy the wisest and safest result.

When the roll-call began Kelly, playing for position, divided Tammany's vote among the possible winners, giving Flower seven, Slocum six, Cleveland six, and Corning five. The County Democracy voted for Campbell. Corning's withdrawal and large secessions from Nelson and Belmont sent Slocum and Flower far in the lead on the second ballot, while Cleveland moved up five points with the help of Kelly and others. The County Democracy again voted for Campbell. On the third ballot a break was inevitable. Hutchins had remained stationary, Nelson and Belmont were practically out of the race, and Slocum and Flower stood even. It was now in the power of the County Democracy to nominate Slocum. Manning approved it and Murphy had already given him the Corning vote. But the County Democracy, inspired by men of prescience and of iron nerve, went to Cleveland in a body, making the hall resound with cheers. Had Tammany, the next delegation called, followed suit, Kelly might have divided with his opponents the honour of Cleveland's nomination. Instead, it practically voted as before. But Albany, Rensselaer, and other counties, catching the tide at its turn, threw the convention into a bedlam. Finally, when Kelly could secure recognition, he changed Tammany's vote to Cleveland.

To the tally-clerks Cleveland's nomination by two majority was known before the completion of the ballot. Yet upon the insistence of the Slocum men, because of confusion in making changes, the convention refused to receive the result and ordered another roll-call. This gave Cleveland eighteen votes to spare.[\[1023\]](#)

The result brought the Democrats into perfect accord for the first time in many years. It had come without the exercise of illegitimate influences or the incurrance of personal obligation. To no one in particular did Cleveland owe his nomination. Besides, his success as a politician, his character as a public official, and his enthusiastic devotion to the clients whose causes he championed, challenged the most careful scrutiny. He was then unmarried, forty-four years old, tall, stoutly-built, with a large head, dark brown hair, clear keen eyes, and a generous and kindly nature concealed under a slightly brusque manner. His sturdy old-fashioned rectitude, and the just conviction that by taste and adaptability for public life he had peculiar qualifications for the great office of governor, commended him to popular confidence. In Buffalo, where he had lived for a quarter of a century, people knew him as a man without guile.

Two days before Cleveland's nomination (September 20), the Republicans had selected Charles J. Folger, then secretary of the treasury. In character for honesty and ability the two men were not dissimilar, but the manner of their selection was antipodal. Of the five candidates who appealed to the convention, Cornell was the only real opponent of the Secretary.[\[1024\]](#) For more than a year, ever since he took office, in fact, Cornell had counted upon a renomination. He cleverly strengthened the State machine, surrounded himself with able lieutenants, and never failed to make appointments promotive of his ambition. The confirmation of Isaac V. Baker as superintendent of prisons with the aid of Tammany's three senators, especially illustrated his skill in reaching men. But he had done more than organise. His numerous vetoes called attention to his discriminating work, indicating honesty, efficiency, activity in promoting the people's interests, and fidelity to Republican principles. An honest public sentiment recognised these good features of his work. Indeed, his administration admittedly ranked with the best that had adorned the State for a century, and his friends, including Independents and many Stalwarts,

rallied with energy to his support. It was known, too, that the wisdom of Blaine permeated his councils.

Nevertheless, Conkling and the President marked him for defeat. It was notorious that their hostility grew out of the Governor's passivity in the senatorial election, Arthur feeling the humiliation of that defeat scarcely less than Conkling, while memories of Crowley's failure and of the Governor's exultation had not faded. Conkling, not less bitter, had more recent cause for resentment. As the attorney of Jay Gould he had indicated a willingness to forgive and forget the past if the Governor would approve legislation favourable to the Gould properties. But Cornell, satisfied of its unfairness, courageously refused.^[1025] When he did so he knew and subsequently declared, that if he had signed the bill, neither Gould nor Conkling would have opposed his renomination.^[1026]

For these purely personal reasons an extraordinary situation was created, revealing the methods of purse and patronage by which the Gould-Conkling combine and the Administration got revenge. In their efforts in Folger's behalf delegates were coerced, and efficient officials at Albany, Brooklyn, Utica, and Ogdensburg, removed in the middle of their terms, were replaced by partisans of the President. Even after the patronage packed convention assembled the questionable methods continued. Gould's agent hovered about Saratoga. To secure the selection of a temporary chairman by the State committee, Stephen B. French, an intimate of Arthur, presented a fraudulent proxy to represent William H. Robertson.^[1027] Had the convention known this at the moment of voting swift defeat must have come to the Administration, which barely escaped (251 to 243) by getting postmasters into line.^[1028]

The candidacy of James W. Wadsworth, son of the famous general, and recently state-comptroller, likewise became a decoy for Folger. Wadsworth himself had no understanding with that wing. He was absolutely independent and unpledged. But the Stalwarts, in districts opposed to them, promoted the choice of such so-called Wadsworth delegates as could be captured by the persuasive plea for harmony, and under the stress of the second ballot, when Starin's and Robinson's support broke to Cornell, some of them voted for Folger. This gave the Administration's candidate eight more than the required number.^[1029]

The belated platform, fulsomely eulogistic of Cornell, added to the indignation of the Independents, since it seemed a mockery to present what the Stalwarts did not offer until after a nomination. It gave still greater offence when the State Committee selected John F. Smyth as its chairman to conduct the campaign.[1030]

"It is hardly worth while analysing the influences which have contributed to this result," said the *New York Times*. "The fact is plain that the Gould-Conkling combination, backed by the power of the Federal Administration, has accomplished what it set out to do." [1031] Henry Ward Beecher in a Sunday evening sermon, said that "When Cornell went out, Avarice and Revenge kissed each other." Theodore L. Cuyler, then pastor of the Lafayette Avenue Presbyterian Church in Brooklyn, declared that he "stood by the cradle of the Republican party, but when it shunted off on the wrong track I will not go over the precipice with it." [1032] In hastening to deny that *Harper's Weekly* would support Folger, George William Curtis wrote: "Judge Folger's ability and character are not in question, but his nomination is. That nomination was procured by the combined power of fraud and patronage, and to support it would be to acquiesce in them as legitimate forces in a convention." [1033] The *Buffalo Express*, a vigorous and independent Republican journal, also bolted the ticket, [1034] an example followed by several other papers of similar character throughout the State. After the lapse of a fortnight, Hepburn, candidate for congressman-at-large, declined to accept because "it is quite apparent that a very large portion of the Republicans, owing to the unfortunate circumstances which have come to light since the adjournment of the convention, are not disposed to accept its conclusion as an authoritative utterance of the party." [1035]

Folger was not suspected of any personal complicity with unfair dealing, but the deep and general Republican dissatisfaction greatly disturbed him. His friends urged him to withdraw. Stewart L. Woodford, then United States attorney, insisted that fraud and forgery vitiated all the convention did, and that the "short, direct, and honourable way out of it was to refuse the nomination." [1036] The Kings County executive committee assured him that many influential Republicans considered this the wisest course. From prominent men in all parts of the State came similar advice. This view appealed to his own better judgment, and he had decided so to act until persuaded otherwise by the pleadings of the Stalwarts. [1037] His acceptance,

recalling the Tilden letter of 1880, was a touching appeal to the voters. Referring to the fraudulent practices, he said: "No one claims, no one believes, that I had lot or part therein, or previous hint or suspicion thereof. I scorn an end to be got by such means. I will not undertake to measure the truth of all these reports; that of one is beyond dispute."[\[1038\]](#) Nevertheless, Folger could not deny that he was a willing recipient of that "one," through the influence of which, by creating the impression that Robertson and other anti-Administration leaders favoured the Stalwart's choice of a temporary chairman, he gained a much greater power in the convention than his eight majority represented.[\[1039\]](#)

In accepting the Democratic nomination Cleveland had the great advantage of not being obliged to refer to anything of which he was ashamed. Its tone was simple, sober, and direct, and from the principles expressed, the measures advocated, or the language employed, the reader could form no idea to what party the writer belonged. He desired primary elections to be "uncontaminated and fairly conducted"; condemned the interference of "officials of any degree, State or Federal, for the purpose of thwarting or controlling the popular wish"; favoured tenure of office in the civil service being dependent upon "ability and merit"; and denounced the levying of political assessments, declaring "the expenditure of money to influence the action of the people at the polls or to secure legislation is calculated to excite the gravest concern."[\[1040\]](#)

The campaign became historic because it revealed the most serious disturbance in the Republican party since the war. Little was heard save apology, indignant protest, and appeal to tradition. Whatever Republican hope existed was based upon the unworthiness of the Democratic party. In a letter to an Albany meeting Folger declared, after highly praising his opponent, that "There is one difference which goes to the root of the matter when we are brought to view as public men and put forward to act in public affairs. He is a Democrat. I am a Republican." Then, becoming an alarmist, he referred to the shrinkage in the value of stocks on the day after the Democratic victory in Ohio. "That shrinkage has been going on ever since," he said. "Do the business interests of the country dread a return of the Democratic party to power? Will the election of Cleveland increase it? These are questions for hesitating Republicans to ponder."[\[1041\]](#) This Stock Exchange view of politics, redolent of the operations of brokers in Wall

Street, did not help the Republican candidate. Curtis thought it, coming from the Secretary of the Treasury, "most extraordinary."^[1042] Besides, the decline in the stock market began before the Ohio election, when conditions indicated Republican success.

The local campaign in the metropolis assumed more life. In spite of its avowed purpose to rid the city of dishonest political tricksters, the County Democracy made bedfellows of Tammany and Irving Hall, and nominated Franklin Edson for mayor. This union was the more offensive because in its accomplishment the Whitney organisation turned its back upon Allan Campbell, its choice for governor, whom a Citizens' Committee, with Republican support, afterwards selected for mayor. Campbell as city-comptroller was familiar with municipal affairs, and of the highest integrity, independence, and courage. His friends naturally resented the indignity, and for ten days an effective canvass deeply stirred New York.

Nevertheless, the Republican party was doomed. Managers beckoned hope by frequent assertions, sometimes in the form of bulletins, that the indignation was subsiding. Smyth and his State Committee disclaimed any part in the wrong-doing by expressing, in the form of a resolution, their "detestation of the forged proxy, and of all the methods and purposes to which such wretched fraud and treachery apply."^[1043] Even the nominee for lieutenant-governor argued that he was an honest man. But the people had their own opinion, and a count of the votes showed that Folger, in spite of his pure and very useful life, had been sacrificed,^[1044] while Cleveland had a majority greater than was ever known in a contested State election. It was so astounding that Democrats themselves did not claim it, in the usual sense, as a Democratic victory.^[1045] Everybody recognised it as a rebuke to Executive dictation and corrupt political methods. But no one denied that Cleveland helped swell the majority. He became known as the "Veto Mayor," and the history of his brief public life was common knowledge. His professional career, unlike Tilden's, disclosed no dark spots. He had been an honest lawyer as well as an upright public official, and the people believed that his stubborn independence and sturdy integrity would make him a real governor, the enemy of rings and bosses, and the foe of avarice and revenge.

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FOOTNOTES TO VOLUME III

- [1] Pleasant A. Stovall, *Life of Robert Toombs*, p. 226.
- [2] Official Records, Vol. 1, p. 297.
- [3] *Ibid.*, pp. 13, 59.
- [4] *Ibid.*, p. 301. Davis's message to the Confederate Congress, April 29; Moore's Rebellion Record, Vol. 1, Docs. p. 171.
- [5] Official Records, Vol. 1, pp. 14, 60.
- [6] *Ibid.*, Vol. 1, p. 12.
- [7] J.E. Cabot, *Life of Ralph Waldo Emerson*, p. 605.
- [8] *Life and Speeches of Daniel S. Dickinson*, Vol. 1, pp. 700-702.
- [9] New York *Tribune*, March 15, 1861.
- [10] Letter of John W. Forsyth, MSS. Confederate Diplomatic Correspondence, April 4, 1861.
- [11] *Life, Letters, and Speeches of Daniel S. Dickinson*. Vol. 2, pp. 4-7.
- [12] New York *Tribune*, April 22, 1861. New York *Times*, New York *Herald*, April 21.
- [13] New York *Herald*, April 21, 1861.
- [14] New York *Tribune*, July 21, 24.
- [15] F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 552.
- [16] "He went direct to the President, and asked him, in proper language, if he approved of the petty intrigues that

sought to defeat his patriotic purpose. 'I know nothing of them, General,' said the President, 'and have only this to say, that, whatever are the obstacles thrown in your way, come to me, and I will remove them promptly. Should you stand in need of my assistance to hasten the organisation of your brigade, come to me again, and I will give or do whatever is required. I want your men, General, and you are the man to lead them. Go to the Secretary of War and get your instructions immediately.'"—New York *Herald*, May 17, 1861.

[17] Richmond *Examiner*, April 15, 1861.

[18] April 26, 1861.

[19] April 23, 1861.

[20] April 24, 1861.

[21] April 22, 1861.

[22] April 30, 1861.

[23] June 24, 1861.

[24] *Ibid.*, June 27.

[25] "Do you pretend to know more about military affairs than General Scott? ask a few knaves, whom a great many simpletons know no better than to echo. No, Sirs! we know very little of the art of war, and General Scott a great deal. The real question—which the above is asked only to shuffle out of sight—is this: Does General Scott contemplate the same ends, and is he animated by like impulses and purposes, with the great body of the loyal, liberty-loving people of this country? Does he want the Rebels routed, or would he prefer to have them conciliated?"—*Ibid.*, July 1, 1861.

[26] Of 49 regiments engaged, 19 were from New York, and of the 3,343 killed, wounded, and missing, 1,230 were New

Yorkers.—Official Records, Series 1, Vol. 2, pp. 314, 315, 351, 387, 405, 426.

[27] See the New York *Tribune*, *Herald*, *Times*, *World*, *Evening Post*, July 22, 23, 25, and later dates.

[28] New York *Journal of Commerce*, *News*, *Day-Book*, *Freeman's Journal*, *Brooklyn Eagle*.—Appleton's *Cyclopædia*, 1861, p. 329.

[29] "I have had a conversation this morning with a prominent Democrat, who is entirely devoted to sustaining the government in the present struggle. He informs me that the leaders of that party are opposed to the war and sympathise with the South; that they keep quiet because it will not advance their views to move just now." Letter of William Gray, dated September 4, to Secretary Chase.—Chase Papers, MS.

[30] New York *Herald*, August 9, 1861.

[31] New York *Tribune*, August 10.

[32] New York *Tribune*, September 5, 1861.

[33] "From what lodge in some vast wilderness, from what lone mountain in the desert, the convention obtained its Rip Van Winkle president, we are at a loss to conceive. He evidently has never heard of the Wilmot Proviso struggle of 1848, the compromise contest of 1850, the Kansas-Nebraska Act of 1854, the Lecompton constitution of 1858, nor the presidential election of 1860. It is plain that he has never even dreamed of the secession ordinances and of the fall of Sumter."—New York *Tribune*, September 6, 1861.

"The speech of Mr. Redfield is universally laughed at. He has completely proven that he does not belong to the present century, or, at least, that he has been asleep for the last twenty years. Barnum should deposit it among the

curiosities of his shop."—New York *Herald*, September 5, 1861.

[34] "Lieber says that *habeas corpus*, free meetings like this, and a free press, are the three elements which distinguish liberty from despotism. All that Saxon blood has gained in the battles and toils of two hundred years are these three things. But to-day, Mr. Chairman, every one of them is annihilated in every square mile of the republic. We live to-day, every one of us, under martial law. The Secretary of State puts into his bastille, with a warrant as irresponsible as that of Louis, any man whom he pleases. And you know that neither press nor lips may venture to arraign the government without being silenced. At this moment at least one thousand men are 'bastilled' by an authority as despotic as that of Louis, three times as many as Eldon and George III seized when they trembled for his throne. For the first time on this continent we have passports, which even Louis Napoleon pronounces useless and odious. For the first time in our history government spies frequent our cities."—Lecture of Wendell Phillips, delivered in New York, December, 1861.

[35] The State ticket was made up as follows: Secretary of State, David R. Floyd Jones of Queens; Judge of the Court of Appeals, George F. Comstock of Onondaga; Comptroller, George F. Scott of Saratoga; Attorney-General, Lyman Tremain of Albany; Treasurer of State, Francis C. Brouck of Erie; Canal Commissioners, Jarvis B. Lord of Monroe, William W. Wright of Ontario; State Prison Director, William C. Rhodes of New York.

[36] New York *Leader*, September 9, 1861.

[37] New York *Tribune*, September 10, 1861.

[38] Dickinson's Ithaca speech, delivered the day after the Democratic convention adjourned, is printed in full in the New York *Tribune* of September 10, 1861.

[39] The ticket was as follows: Attorney-general, Daniel S. Dickinson of Broome; Secretary of State, Horatio Ballard of Cortland; Comptroller, Lucius Robinson of Chemung; Treasurer, William B. Lewis of Kings; Court of Appeals, William B. Wright, Sullivan; Canal Commissioners, Franklin A. Alberger of Erie and Benjamin F. Bruce of New York; State Engineer, William B. Taylor of Oneida; State Prison Inspector, Abram B. Tappan of Westchester.

[40] New York *Herald* (editorial), September 13, 1861.

[41] Marshal M. Champlain of Allegany and William Williams of Erie were substituted for Tremaine and Brouck.

[42] New York *Tribune*, October 4, 1861.

[43] November 6, 1861.

[44] New York *Herald*, October 23, 1861.

[45] *Ibid.*, October 23, 1861.

[46] "There are sympathisers with the secessionists still remaining in the Democratic ranks, but they compose a small portion of the party. Nine-tenths of it is probably strenuous in the determination that the constitutional authority of the government shall be maintained and enforced without compromise. This sentiment is far more prevalent and decided than it was two months ago."—New York *Tribune*, November 19, 1861.

[47] "I have now no doubt this causeless and most flagitious rebellion is to be put down much sooner than many, myself included, thought practicable."—Edwin Croswell, letter in New York *Tribune*, November 25, 1861.

[48] Political Essays, p. 94.—*North American Review*, April, 1864.

[49] Daniel S. Dickinson's *Life, Letters, and Speeches*, Vol. 2, pp. 550-551.

[50] "I have just finished a second reading of your speech in Wyoming County, and with so much pleasure and admiration that I cannot refrain from thanking you. It is a speech worthy of an American statesman, and will command the attention of the country by its high and generous patriotism, no less than by its eloquence and power."—Letter of John K. Porter of Albany to D.S. Dickinson, August 23, 1861. *Dickinson's Life, Letters, and Speeches*, Vol. 2, p. 553. Similar letters were written by Henry W. Rogers of Buffalo, William H. Seward, Dr. N. Niles, and others.—*Ibid.*, pp. 555, 559, 561.

[51] *Public Record of Horatio Seymour*, pp. 32-43.

[52] *Congressional Globe*, January 6, 1862.

[53] *New York Tribune*, May 27, 1861.

[54] *Ibid.*, September 18.

[55] Letter of Secretary Chase, dated February 3, 1862.—E.G. Spaulding, *History of the Legal Tender*, p. 59.

[56] Spaulding, *History of the Legal Tender*, p. 18.

[57] The bill escaped from the committee by one majority.

[58] On Spaulding's motion to close debate, Conkling demanded tellers, and the motion was lost,—yeas, 52; nays, 62.—*Congressional Globe*, February 5, 1862; *Ibid.*, p. 618.

[59] *New York Tribune*, July 30, 1862.

[60] *Ibid.*, August 4.

[61] *New York Times*, July 17, 1862.

[62] *New York Tribune*, July 19, 1862.

[63] *Ibid.*, August 20.

Lincoln's reply appeared in the *National Intelligencer* of Washington. He said in part: "I would save the Union. If there be those who would not save the Union unless they could at the same time save slavery, I do not agree with them. If there be those who would not save the Union unless they could at the same time destroy slavery, I do not agree with them. My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slave, I would do it; and if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone, I would do that. What I do about slavery and the colored race, I do because I believe it helps to save the Union; and what I forbear, I forbear because I do not believe it would help to save the Union. I shall do less whenever I believe what I am doing hurts the cause, and I shall do more when I shall believe doing more will help the cause."—*Lincoln's Works*, Vol. 2, p. 227.

[64] New York *Herald*, October 15, 1862.

[65] The author is indebted to Henry A. Richmond, son of Dean Richmond, for this outline of Seymour's interview.

[66] Cook and Knox, *Public Record of Horatio Seymour*, pp. 45-58.

[67] The ticket nominated was as follows: Governor, Horatio Seymour of Oneida; Lieutenant-Governor, David E. Floyd Jones of Queens; Canal Commissioner, William I. Skinner of Herkimer; Prison Inspector, Gaylord J. Clark of Niagara; Clerk of Appeals, Fred A. Tallmadge of New York.

[68] Seward to his wife.—F.W. Seward, *Life of W.H. Seward*, Vol. 2, p. 590.

[69] Frank B. Carpenter, *Six Months at the White House*, pp. 22, 23.

[70] New York *Herald*, September 19 and October 15, 1862.

[71] *Albany Evening Journal*, November 6, 1862.

[72] T.W. Barnes, *Life of Thurlow Weed*, Vol. 2, p. 413.

[73] *Albany Evening Journal*, July 31, 1861.

[74] "This estimate was afterward verified as correct."—*New York Tribune*, September 22, 1862.

[75] *New York Tribune*, September 22, 1862.

[76] *New York Times*, September 25, 1862.

[77] "Though we met Governor Morgan repeatedly during the summer, he never hinted that he expected or desired to be again a candidate."—*New York Tribune*, December 12, 1862.

[78] *Albany Evening Journal*, December 10, 1862.

[79] The vote resulted as follows: Wadsworth, 234; Dix, 110; Lyman Tremain, 33; Dickinson, 2.

The ticket was as follows: Governor, James S. Wadsworth of Genesee; Lieutenant-Governor, Lyman Tremain of Albany; Canal Commissioner, Oliver Ladue of Herkimer; Prison Inspector, Andreas Willman of New York; Clerk of Appeals, Charles Hughes of Washington.

[80] *New York Tribune*, September 17, 1862.

[81] *New York Tribune*, Oct. 8, 1862.

[82] *Ibid.*, Oct. 9.

[83] *Ibid.*, Oct. 24.

[84] *New York Herald*, Oct. 9, 1862.

[85] *Ibid.*, Sept. 26.

[86] *Ibid.*, Oct. 1.

- [87] New York *Herald*, October 8 and 9, 1862.
- [88] *Lincoln's Works*, Vol. 2, p. 239.
- [89] Benjamin E. Curtis, *Pamphlet on Executive Power*.
- [90] New York *Herald*, October 4, 1862.
- [91] *Ibid.*, October 24.
- [92] New York *Tribune*, October 28, 1862.
- [93] *Ibid.*, October 30.
- [94] New York *Herald*, October 29, 1862.
- [95] *Ibid.*, October 15 and 17.
- [96] Morgan Dix, *Memoirs of John A. Dix*, Vol. 2, pp. 51-52.
- [97] New York *Tribune*, October 17, 1862. See other views: New York *Herald*, October 17, 18, 19.
- [98] Henry B. Stanton, *Random Recollections*, p. 216.
- [99] New York *Tribune*, October 31, 1862.
- [100] New York *Herald*, October 17, 1862.
- [101] New York *Tribune*, Nov. 6.
- [102] "Seymour, 307,063; Wadsworth, 296,492."—*Ibid.*, November 24.
- [103] New York *Times*, November 7.
- [104] Henry B. Stanton, *Random Recollections*, p. 216.
- [105] Albany *Evening Journal*, Nov. 6.
- [106] New York *Tribune*, Nov. 5.
- [107] Cary, *Life of Curtis*, p. 161.

[108] *Ibid.*, p. 161.

[109] Laws of 1842. Ch. 130, title 6, article 4, sec. 32.

[110] Horace Bemis of Steuben.

[111] The writer is indebted to Mr. Depew for the interviews between himself, Van Buren, and Callicot.

[112] Albany *Evening Journal*, December 10, 1862.

[113] Sedgwick, assailed by damaging charges growing out of his chairmanship of the Naval Committee, failed to be renominated for Congress in 1864 after a most bitter contest in which 130 ballots were taken.

[114] New York *Journal of Commerce*, February 3, 1863.

"Informal ballot: Morgan, 25; King, 16; Dickinson, 15; Sedgwick, 11; Field, 7; Raymond, 6; Hunt, 4; Selden, 1; blank, 1. Whole number, 86. Necessary to a choice, 44.

"First formal ballot: Morgan, 39; King, 16; Dickinson, 11; Raymond, 8; Sedgwick, 7; Field, 5.

"Second formal ballot: Morgan, 50; Dickinson, 13; King, 11; Raymond, 9; Field, 2; Sedgwick, 1."—*Ibid.*, February 3.

[115] New York *Tribune*, October 7, 1863.

The Democratic caucus stood 28 for Erastus Corning, 25 for Fernando Wood, and scattering 18.

The vote of the Senate stood: Morgan, 23; Erastus Corning, 7; 2 absent or silent. On the first ballot the Assembly gave Morgan 64, Corning 62, Fernando Wood 1, John A. Dix 1 (cast by Speaker Callicot). On a second ballot all the Unionists voted with Callicot for Dix, giving him 65 to 63 for Corning and placing him in nomination. In joint convention Morgan was elected by 86 votes to 70 for

Corning, one (Callicot's) for Dix, and 1 for Dickinson.—*Ibid.*, February 4.

[116] "My dear Weed: It is difficult for me to express my personal obligations to you for this renewed evidence of your friendship, as manifested by the result of yesterday's proceedings at Albany."—Letter of Edwin D. Morgan, February 3, 1863. Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 430.

[117] *Albany Evening Journal*, January 28, 1863.

[118] *New York Tribune*, January 30, 1863.

[119] Thurlow Weed Barnes, *Life of Thurlow Weed*, Vol. 2, p. 485.

[120] *Albany Evening Journal*, January 28, 1863.

[121] "Let it pass whether or not the editor of the *Tribune* has been intensely ambitious for office. It would have been a blessed thing for the country if the editor of the *Journal* had been impelled by the same passion. For avarice is more ignoble than ambition, and the craving for jobs has a more corrupting influence, alike on the individual and the public, than aspiration to office."—*New York Tribune*, December 12, 1862.

[122] Thurlow Weed, *Autobiography*, pp. 360-361.

[123] George S. Boutwell, *Sixty Years in Public Affairs*, Vol. 2, p. 207.

[124] This opprobrious epithet first appeared in the *New York Tribune* of January 12, 1863, and in the *Times* of February 13.

[125] The Union League Club of New York was organized February 6, 1863; its club house, No. 26 E. 17th St., was opened May 12.

[126] F.W. Seward, *Life of W.H. Seward*, Vol. 3, p. 159.

[127] Horatio Seymour, *Public Record*, pp. 85-105.

[128] T.W. Barnes, *Life of Thurlow Weed*, Vol. 2, p. 428.

[129] Nicolay-Hay, *Abraham Lincoln*, Vol. 7, pp. 10, 11.

[130] *New York Times*, August 18, 1879.

[131] "Governor Seymour was a patriotic man, after his fashion, but his hatred of the Lincoln Administration was evidently deep; and it was also clear that he did not believe that the war for the Union could be brought to a successful termination."—Andrew D. White, *Autobiography*, Vol. 1, p. 105.

[132] Nicolay-Hay, *Abraham Lincoln*, Vol. 7, p. 11.

[133] Horatio Seymour, *Public Record*, p. 109.

[134] Nicolay-Hay, *Abraham Lincoln*, Vol. 7, p. 12.

[135] Appleton's *Cyclopædia*, 1863, p. 689.

[136] Appleton's *Cyclopædia*, 1863, pp. 800-802. Lincoln, *Complete Works*, Vol. 2, p. 347.

[137] 4 Wallace, p. 125.

[138] Couch's report, *Official Records*, Vol. 27, Part 2, 214.

[139] Horatio Seymour, *Public Record*, pp. 118-124.

Ten days later, in the midst of riot and bloodshed, the *World* said: "Will the insensate men at Washington now give ear to our warnings? Will they now believe that defiance of law in the rulers breeds defiance of law in the people? Does the doctrine that in war laws are silent, please them when put in practice in the streets of New York?"—*New York World*, July 14, 1863.

[140] New York *Tribune*, July 15, 1863.

[141] Nicolay-Hay, *Abraham Lincoln*, Vol. 7, p. 26.

[142] *Ibid.*, p. 23.

[143] James B. Fry, *New York and the Conscription*, p. 33.

[144] New York *Tribune*, *Herald*, *Times*, and *World*, July 15; also, *Public Record of Horatio Seymour*, pp. 127-128.

[145] New York *Tribune*, *Herald*, and *Times*.

[146] James B. Fry, *New York and the Conscription*, p. 14. "Seymour showed his lack of executive ability by not filling up the quota of New York by volunteers in less than a month after the Conscription Act was passed. This a clever executive could easily have done and so avoided all trouble."—New York *Herald*, September 11, 1863.

[147] James B. Fry, *New York and the Conscription*, p. 32.

[148] *The Public Record of Horatio Seymour*, p. 153.

[149] The constitutionality of the Conscription Act of March 3, 1863, was affirmed by the United States Circuit Courts of Pennsylvania and Illinois.

[150] *The Public Record of Horatio Seymour*, p. 156.

[151] Wakeman was postmaster at New York City.

[152] "Porter received 213 votes to 140 for Depew, who made a remarkable run under the circumstances."—New York *Herald*, September 3, 1863.

"Greeley sent for me some weeks before the convention and pressed me with such vigour to take a position upon the State ticket that I finally consented. He then secured from practically the whole State an endorsement of the suggestion on my behalf. On the morning of the convention he suddenly decided that some one connected with the army must be

chosen and sent around an order for a change of programme just before the roll was called. It was the most fortunate thing that could have happened to me, but created widespread distrust of his qualities as a leader."—Speech of Chauncey M. Depew, April 4, 1902. *Addresses of*, November, 1896, to April, 1902, pp. 238-239.

[153] "So far as politics were concerned, Greeley's affections seemed to be lavished on politicians who flattered and coddled him. Of this the rise of Governor Fenton was a striking example."—Andrew D. White, *Autobiography*, Vol. 1, p. 160.

[154] The State ticket was as follows: Secretary of state, Chauncey M. Depew of Westchester; Comptroller, Lucius Robinson of Chemung; Canal Commissioner, Benjamin F. Bruce of Madison; Treasurer, George W. Schuyler of Tompkins; State Engineer, William B. Taylor of Oneida; Prison Inspector, James K. Bates of Jefferson; Judge of Appeals, Henry S. Selden of Monroe; Attorney-General, John Cochrane of New York.

[155] New York *Herald*, September 3, 1863.

[156] The Constitutional Union convention, meeting at Albany on September 8, named candidates for attorney-general and prison inspector, with the request that the Democratic convention endorse them; otherwise it would put a full ticket into the field. Among its State Committee appeared the names of former governor Washington Hunt and Lorenzo Burrows. It resolved to resist all departures from the strict letter of the Constitution, whether based upon military necessity or a usurpation of doubtful powers.

"We tender the Democratic State convention our hearty thanks for their contemptuous treatment of Jim Brooks & Co.'s one-horse concern, consisting of fifteen or twenty officers and three or four privates. That concern is thoroughly bogus—a barefaced imposture which should be

squelched and its annual nuisance abated."—New York *Tribune*, September 11, 1863.

[157] "Governor Seymour can talk more without saying anything, and write more without meaning anything, than any other man we know.... We consider Seymour not much of a man, and no Governor at all."—New York *Herald* (editorial), September 11, 1863.

[158] *Ibid.*, September 10.

[159] The ticket was made up as follows: Secretary of state, David B. St. John of Otsego; Comptroller, Sanford E. Church of Orleans; Attorney-General, Marshall B. Champlain of Allegany; State Engineer, Van R. Richmond of Wayne; Treasurer, William B. Lewis of Kings; Canal Commissioner, William W. Wright, of Ontario; Inspector of Prisons, David B. McNeil of Clinton; Judge of Appeals, William F. Allen, of Oswego.—*Ibid.*

[160] *Ibid.*, September 26.

[161] New York *Tribune*, October 9.

[162] New York *Tribune*, October 1, 1863.

[163] Seymour spoke at Buffalo, Syracuse, Utica, and New York City, on October 26, 28, 29, and 31 respectively.

[164] *Record of Horatio Seymour*, pp. 168-176.

[165] New York *Tribune*, November 2, 1863.

[166] New York *Herald*, November 6, 1863.

[167] "Depew received 29,405 votes more than St. John for secretary of state." *Ibid.*, December 5, 1863.

[168] Delivered November 3, 1863. New York *Herald*, November 6.

- [169] Nicolay-Hay, *Abraham Lincoln*, Vol. 6, p. 266. Senators Sumner of Massachusetts, Trumbull of Illinois, Grimes of Iowa, and Pomeroy of Kansas, voted Yes; Collamer of Vermont, Fessenden of Maine, and Howard of Michigan declined to vote. Wade of Ohio was absent.
- [170] Nicolay-Hay, *Abraham Lincoln*, Vol. 6, p. 268.
- [171] Seward, *Life of W.H. Seward*, Vol. 3, p. 197.
- [172] *Ibid.*, p. 196.
- [173] T.W. Barnes, *Life of Thurlow Weed*, Vol. 2, p. 434.
- [174] Maunsell B. Field, *Memories of Many Men*, p. 304.
- [175] Barnes, *Life of Thurlow Weed*, Vol. 2, p. 440.
- [176] *Ibid.*, p. 437.
- [177] T.W. Barnes, *Life of Thurlow Weed*, Vol. 2, pp. 437-439.
- [178] New York *Herald*, May 24, 1864.
- [179] *Ibid.*, February 7.
- [180] It was called to meet on June 7.
- [181] Appleton's *Cyclopædia*, 1864, p. 785.
- [182] New York *Tribune*, April 25, 1864.
- [183] New York *Independent*, February 25, 1864.
- [184] New York *Tribune*, February 23, 1864.
- [185] Nicolay-Hay, *Abraham Lincoln*, Vol. 7, p. 389.
- [186] Nicolay-Hay, *Abraham Lincoln*, Vol. 9, p. 20.
- [187] Appleton's *Cyclopædia*, 1864, p. 786.
- [188] New York *Tribune*, May 10, 1864.

[189] New York *Herald*, May 29.

[190] "Greeley received an almost unanimous call to lead the party in the State and the first convention which he attended (1862) bowed absolutely to his will. He thought he was a great political leader, and he might have been if he had ever been sure of himself; but he was one of the poorest judges of men, and in that way was often deceived, often misled, and often led to change his opinions.... In less than two years his power was gone."—From speech of Chauncey M. Depew, April 4, 1902. *Addresses of*, November, 1896, to April, 1902, pp. 238-239.

[191] Cochrane's speech at Cleveland. McPherson's *History of the Rebellion*, p. 411.

[192] *Ibid.*, p. 413.

[193] *Ibid.*, p. 412.

[194] A singular mistake of the convention was its nomination, contrary to the requirement of the Constitution, of both candidates from the same State.

[195] Nicolay-Hay, *Abraham Lincoln*, Vol. 9, p. 40.

[196] T.W. Barnes, *Life of Thurlow Weed*, Vol. 2, p. 443.

[197] See New York *Herald*, April 25, 27, May 7, 9, 14, 16, 18, 23, 26, 28, 29, 31, June 1, 4; New York *Tribune*, May 10, 12, 13, 14; New York *Times*, May 9, 10, 11, 12, 13, 14, 19; New York *World*, May 2, 11, 12, 13, 14.

[198] Edward McPherson, *History of the Rebellion*, pp. 406-407.

[199] *Ibid.*, p. 407.

[200] Johnson received 200 votes to 108 for Dickinson. After recording all changes, the ballot stood: Johnson, 494;

Dickinson, 17; Hamlin, 9. McPherson, *Hist. of the Rebellion*, p. 407.

[201] Alex. K. McClure, *Lincoln and Men of War Times*, p. 444.

[202] Nicolay-Hay, *Abraham Lincoln*, Vol. 9, pp. 72-73.

[203] Alex. K. McClure, *Lincoln and Men of War Times*, pp. 425-449.

[204] Nicolay-Hay, *Abraham Lincoln*, Vol. 9, p. 93.

[205] *Ibid.*, pp. 93-94.

[206] Nicolay-Hay, *Abraham Lincoln*, Vol. 9, p. 95.

[207] "Simeon Draper was impulsive and demonstrative. With the advantages of a fine person, good conversational powers, and ready wit, his genial presence and cheerful voice imparted life and spirit to the numerous social circles in which he was ever a welcome guest." *Weed's Reminiscences*, T.W. Barnes, *Life of Thurlow Weed*, Vol. 2, p. 483.

[208] Except certain ones specifically exempted.

[209] Lincoln, *Complete Works*, Vol. 2, p. 443.

[210] *Public Record of Horatio Seymour*, pp. 198-212.

[211] Horace Greeley, *History of the Rebellion*, Vol. 2, p. 667.

[212] Motley's *Letters*, Vol. 2, p. 168.

[213] Nicolay-Hay, *Abraham Lincoln*, Vol. 9, p. 186.

[214] *Ibid.*, pp. 187-188.

[215] J.R. Gilmore (Kirke), *Down in Tennessee*, pp. 272-280.

[216] "To whom it may concern: Any proposition which embraces the restoration of peace, the integrity of the whole Union, and the abandonment of slavery, and which comes by and with an authority that can control the armies now at war against the United States will be received and considered by the executive government of the United States and will be met by liberal terms on other substantial and collateral points, and the bearer or bearers thereof shall have safe conduct both ways. Abraham Lincoln."—Horace Greeley, *The American Conflict*, Vol. 2, p. 665; Appleton's *Cyclopædia*, 1864, p. 780; Nicolay-Hay, *Abraham Lincoln*, Vol. 9, p. 192.

[217] "The undersigned, citizens of the State of New York and unconditional supporters of the national government, convinced that a union of all loyal citizens of the United States upon the basis of a common patriotism is essential to the safety and honour of the country in this crisis of its affairs; that the present distraction and apathy which depress the friends of the Union threaten to throw the Government into the hands of its enemies; and that a convention of the people should be assembled to consider the state of the nation and to concentrate the union strength on some one candidate, who commands the confidence of the country, even by a new nomination if necessary; do therefore invite their fellow citizens ... to send delegates ... to a convention at Cincinnati on Wednesday, September 28, for friendly consultation, with the purpose above stated."—*New York Sun*, June 30, 1889.

[218] Under date of Aug. 18, 1864, Greeley wrote Opdyke: "I must go out of town to-morrow and cannot attend the meeting at your house. Allow me to say a word. Mr. Lincoln is already beaten. He cannot be elected. We must have another ticket to save us from utter overthrow. And such a ticket we ought to have anyhow, with or without a convention."—*Ibid.*

On August 26, Dickinson declared that "the cry for a change, whether wise or ill founded, should be both heard and heeded."—*Ibid.*

On August 29, Lucius Robinson regretted "that it will be impossible for me to be present at the meeting at Mr. Field's to-morrow evening.... McClellan will be the next President unless Lincoln is at once withdrawn."—*Ibid.*

[219] Nicolay-Hay, *Abraham Lincoln*, Vol. 9, p. 366.

[220] *New York Sun*, June 30, 1889.

[221] Nicolay-Hay, *Abraham Lincoln*, Vol. 9, p. 250.

[222] *Ibid.*, p. 218.

[223] *Lincoln's Complete Works*, Vol. 2, p. 563.

[224] Nicolay-Hay, *Abraham Lincoln*, Vol. 9, p. 251.

[225] "The announcement in the Albany *Argus* that Governor Seymour was not a candidate was written by Seymour himself, and taken to the *Argus* by his private secretary. It is now announced that it was intended as a feeler. The whole force of the opposition to McClellan is centred in this move for Seymour."—*New York Herald* (Chicago despatch), August 28, 1864.

[226] "Dean Richmond remains firm for McClellan, and has cut loose from the Regency. He is at the present moment closeted with Seymour, trying to convince him of the fallacy of the move."—*New York Herald* (Chicago despatch), August 28, 1864.

[227] *Ibid.*, September 1, 1864.

[228] Statement to Preston King in 1854. *Harper's Weekly*, September 16, 1876.

[229] Letter to William Kent in October, 1860.

[230] Horace Greeley, *The American Conflict*, Vol. 1, pp. 388-394. William H. Russell's *Diary*, entry March 17, 1861, p. 20.

[231] *Harper's Weekly*, September 9, 1876.

[232] John Bigelow, *Life of Tilden*, Vol. 1, pp. 173-174.

[233] *Harper's Weekly*, September 9 and 27, 1876.

[234] "Never did men work harder than Messrs. Guthrie of Kentucky and Tilden of New York. All they asked finally was that the platform should not be so strong for peace that it would drive the war vote from them."—New York *Herald*, September 5, 1864.

"Vallandigham wrote the second, the material resolution, of the Chicago platform, and carried it through the sub-committee and the general committee, in spite of the most desperate and persistent opposition on the part of Tilden and his friends, Mr. Cassidy himself in an adjoining room labouring to defeat it."—New York *News*, October 22, 1864.

"The platform which declared the war a failure was jointly concocted by Seymour and Vallandigham."—New York *Tribune*, November 5, 1868.

[235] "Governor Seymour was an elegant and accomplished gentleman with a high-bred manner which never unbent, and he was always faultlessly dressed. He looked the ideal of an aristocrat, and yet he was and continued to be until his death the idol of the Democracy."—*Speeches of Chauncey M. Depew*, November, 1896, to April, 1902, p. 105.

[236] Horatio Seymour's *Public Record*, pp. 230-232.

[237] Edward McPherson, *History of the Rebellion*, p. 419; Appleton's *Cyclopædia*, 1864, p. 793.

[238] "McClellan's supporters are not scared by any paper pellets of the brain, wise or otherwise, which ever came

from the midnight sessions of a resolution committee in the hurly-burly of a national convention."—Speech of Robert C. Winthrop in New York City, September 17, 1864.—*Addresses and Speeches*, Vol. 2, p. 598.

[239] "When the resolution, as reported, had been debated in the committee, Mr. Tilden, far from protesting, stated in the convention that there was no dissent among the members. His remarks were confirmed by Mr. Brown of Delaware, who said there was not the slightest dissension, and by Mr. Weller of California, who said that all were in favour of peace."—*Harper's Weekly*, September 9, 1876.

[240] The first ballot resulted as follows: Seymour of New York, 12; Seymour of Connecticut, 38; McClellan, 181. In the adjustment, after the conclusion of the roll-call, McClellan had 202½ and Seymour of Connecticut, 28½. Vallandigham moved to make the nomination unanimous. George H. Pendleton of Ohio was named for Vice-President.

[241] "McClellan's name, associated with a noble struggle for the national cause, has elicited and will elicit the wildest enthusiasm; but leagued with propositions for national humiliation, it is not a name the people will honor. McClellan is not large enough to cover out of sight the bad points in the Chicago platform."—*New York Herald*, September 6, 1864.

[242] *New York Herald*, September 8.

[243] *New York Tribune*, December 7, 1863.

[244] "The informal vote was as follows: Fenton, 247½; Tremaine, 69; Dix, 35½."—*New York Herald*, September 8, 1864.

[245] "The ticket is as follows: Governor, Reuben E. Fenton of Chautauqua; Lieutenant-Governor, Thomas G. Alvord of Onondaga; Canal Commissioner, Franklin A. Alberger of

Erie; Inspector of Prisons, David P. Forrest of Schenectady."—New York *Tribune*, September 14, 1864.

[246] "The following is the vote for presidential elector-at-large: Horace Greeley, 215; Preston King, 191½; Daniel S. Dickinson, 143; Richard M. Blatchford, 86; John A. King, 10; Lyman Tremain, 13; J.S.T. Stranahan, 27; Thurlow Weed, 1."—*Ibid.*, September 8.

[247] "The nomination of Horace Greeley for elector-at-large is a bitter pill. The Weed men make no secret that Fenton's name is the only thing that will save the ticket."—New York *Herald*, September 8.

[248] Held at Albany on September 14.

[249] New York *Herald*, September 14, 1864.

[250] *Ibid.*, September 16.

[251] "Seymour tried to get the nomination at Chicago by the same tricky means he has secured it at Albany,—by declaring beforehand that he would not be a candidate. He failed at Chicago because of the overwhelming popularity of McClellan; he succeeded at Albany by his friends seizing a moment to nominate him when the convention was in a delirium of enthusiasm at his apparent self-sacrifice in persisting to decline."—New York *Herald* (editorial), September 17, 1864.

[252] From Chauncey M. Depew's speech, March 23, 1901. —*Addresses of*, p. 105.

"The ticket nominated is as follows: Governor, Horatio Seymour of Oneida; Lieutenant-Governor, David R. Floyd Jones of Queens; Canal Commissioner, Jarvis Lord of Monroe; Prison Inspector, David B. McNeil of Clinton; electors-at-large, William E. Kelley of Dutchess and Washington Hunt of Niagara."—New York *Herald*, September 16, 1864.

[\[253\]](#) Official Records, Vol. 43, Part 1, p. 26.

[254] *New York Times*, September 9, 1864; Appleton's *Cyclopædia*, 1864, p. 134.

[255] *New York Tribune*, October 11, 1864.

[256] Edward Cary, *Life of G.W. Curtis*, pp. 186-187.

[257] *New York Sun*, June 30, 1889.

[258] *Public Record of Horatio Seymour*, p. 254.

[259] *New York World*, September 22, 23, 1864.

[260] "The *Journal of Commerce* of yesterday indulges in a general fling against the personal habits of the President and other members of his family."—*New York Herald*, October 11, 1864.

[261] *Ibid.*, November 5.

[262] *Public Record of Horatio Seymour*, p. 257.

[263] Appleton's *Cyclopædia*, 1864, pp. 584-8; *New York Herald*, November 4 and 5; *New York Tribune*, October 27, 28, 29, November 2, 4. 5.

[264] *Ibid.*, November 5, 1864.

[265] Appleton's *Cyclopædia*, 1864, pp. 584-588.

[266] *New York Tribune*, January 18, 1869.

[267] Apropos of Greeley's desire for office, Waldo M. Hutchins when in Congress in 1879 told Joseph G. Cannon, now the distinguished speaker of the House of Representatives, that in September, 1864, during a call upon Greeley, the latter exhibited a letter from Lincoln two days old, inviting him to the White House. Greeley, mindful of his efforts to substitute another candidate for Lincoln, said he would not reply and should not go, but Hutchins finally gained consent to represent him. Hutchins reached

Washington very early the next morning, and the President, although clad only in undershirt and trousers, received him and began enlarging upon the importance of a re-election, suggesting that in such event Seward would enjoy being minister to England, and that Greeley would make an admirable successor to Benjamin Franklin, the first postmaster-general. Hutchins reported this to Greeley, who immediately turned the *Tribune* into a Lincoln organ. In the following April Greeley recalled Lincoln's statement to Hutchins, who at once left for the capital. He reached Washington the morning after the President's assassination.

[268] Except certain specified classes, the most important of which were civil or diplomatic officers of the Confederacy, military officers above the rank of colonel, governors of States, former members of Congress who had left their seats to aid the rebellion, and all who owned property to exceed \$20,000 in value. But these excepted persons might make special application to the President for pardon and to them clemency would be "liberally extended."

[269] New York *Tribune*, June 14, 15, 20, 26, 28, July 8, 10, 31, August 26, September 20, October 7, 19, 1864.

[270] New York *Herald*, September 9.

[271] New York *Tribune*, September 9, 1864.

"The ticket nominated was as follows: Secretary of State, Henry W. Slocum, Onondaga; Comptroller, Lucius Robinson, Chemung; Attorney-General, John Van Buren, New York; Treasurer, Marsena R. Patrick, Ontario; State Engineer, Sylvanus H. Sweet, Oneida; Canal Commissioner, Cornelius W. Armstrong, Albany; Prison Inspector, Andrew J. McNutt, Allegany; Judges of Appeals, John W. Brown, Orange; Martin Grover, Allegany; Clerk of Appeals, Edward O. Perkins, Kings."—New York *Herald*, September 9, 1864.

[272] The ticket nominated was as follows: Secretary of State, Francis G. Barlow of New York; Comptroller, Thomas Hillhouse of Ontario; Attorney-General, John H. Martindale of Monroe; Treasurer, Joseph Howland of Dutchess; State Engineer, J. Platt Goodsell of Oneida; Canal Commissioner, Robert C. Dorn of Schenectady; Inspector of Prisons, Henry W. Barnum of Onondaga; Judges of Court of Appeals, Ward Hunt of Oneida; John K. Porter of Albany; Clerk of Appeals, Henry Jones of Cattaraugus.

[273] Edward L. Pierce, *Life of Sumner*, Vol. 4, pp. 230, 250.

[274] *Autobiography of Thurlow Weed*, p. 475.

[275] *Sumner's Works*, Vol. 9, p. 480.

[276] Edward L. Pierce, *Life of Sumner*, Vol. 4, p. 480.

[277] *New York Tribune*, September 21, 1865.

[278] *New York Herald*, September 21, 1865.

[279] *New York Tribune*, September 21, 1865.

[280] *New York Times*, October 17, 1865.

[281] *New York World*, November 2, 1865.

[282] From letter of Chauncey M. Depew.—*Albany Evening Journal*, October 23, 1864.

[283] *New York Tribune*, November 3, 1865.

[284] For more than a year Van Buren's health had been impaired, and in the spring of 1866 he went to Europe. But a change of climate brought no relief, and he died, on the return voyage, at the age of fifty-six. That the people deeply mourned his loss is the evidence of those, still living, to whom there was something dashing and captivating even in his errors.

[285] Senate Ex. Doc. No. 2, 39th Cong., 1st Session.

[286] McPherson, *History of Reconstruction*, pp. 67-68.

[287] *Congressional Globe*, Vol. 37, Part 1, pp. 73-74.

[288] New York and the New England States except Connecticut, although New York required a property qualification, but none for the white.

[289] *Congressional Globe*, Vol. 37, Part 1, pp. 120-123.

[290] *Congressional Globe*, Vol. 37, Part 2, pp. 1307-1308.

[291] *Congressional Globe*, p. 474.

[292] *Congressional Globe*, Appendix, p. 124.

[293] T.W. Barnes, *Life of Thurlow Weed*, Vol. 1, p. 630.

[294] Augustus Maverick, *Life of Henry J. Raymond*, p. 225.

Apropos of Raymond's fickleness Stevens remarked, when the former appealed to his friends on the floor to furnish him a pair, that he saw no reason for it, since he had observed that the gentleman from New York found no difficulty in pairing with himself.—William M. Stewart, *Reminiscences*, pp. 205-206.

At another time when an excited member declared that Stevens commands us to "go it blind," Hale of New York, with an innocent expression, asked the meaning of the phrase. Instantly Stevens retorted: "It means following Raymond." The hit was doubly happy since Hale had followed Raymond in his support of Johnson.—Boutwell, *Reminiscences*, Vol. 2, p. 11.

[295] Edward McPherson, *History of the Reconstruction*, p. 81.

[296] The above statement is based upon the diary of Raymond, published by his son.

- [297] Letter of July 17.—Augustus Maverick, *Life of Raymond*, pp. 173-174.
- [298] New York *Tribune*, August 22, 1866.
- [299] *Ibid.*, September 28.
- [300] *Ibid.*, September 4 and 6.
- [301] Augustus Maverick, *Life of Raymond*, p. 174.
- [302] McPherson's *Reconstruction*, p. 45.
- [303] Blaine's *Twenty Tears of Congress*, Vol. 2, p. 14.
- [304] Edward L. Pierce, *Life of Sumner*, Vol. 4, p. 376; Sumner's *Works*, Vol. 11, p. 19.
- [305] James G. Blaine, *Twenty Years of Congress*, Vol. 2, p. 63.
- [306] New York *Tribune*, September 4, 1866.
- [307] Thornton K. Lothrop, *Life of Seward*, p. 424.
- [308] James G. Blaine, *Twenty Years of Congress*, Vol. 2, p. 115.
- [309] This speech does not appear in his *Works*, but was published at the time of its delivery in pamphlet form.
- [310] New York *Independent*, May 31, 1866.
- [311] James Russell Lowell, *Political Essays*, p. 296.
- [312] F.W. Seward, *Life of W.H. Seward*, Vol. 3, p. 339.
- [313] Sherman's Letters, p. 278.
- [314] New York *Nation*, Vol. 3, p. 234.
- [315] New York *Tribune*, September 6, 1866.

[316] "There stood Fenton, marking the lowest point in the choice of a State executive ever reached in our Commonwealth by the Republican party."—*Autobiography*, Vol. 1, p. 131.

[317] "The Republican ticket was as follows: Governor, Reuben E. Fenton, Chautauqua; Lieutenant-Governor, Stewart L. Woodford, Kings; Canal Commissioner, Stephen T. Hoyt, Steuben; Prison Inspector, John Hammond, Essex."—*New York Tribune*, September 7, 1866.

[318] *New York Times* (editorial), September 7, 1866.

[319] *New York Evening Post*, August 27, 1866.

[320] *New York Times*, September 7.

[321] Letter of Thurlow Weed, *New York Times*, October 9, 1866.

[322] *New York Times*, September 10, 1866.

[323] *New York Times*, September 13, 1866.

[324] James F. Rhodes, *History of the United States*, Vol. 6, p. 401, note.

[325] *New York World*, October 5, 1866.

[326] The ticket was as follows: Governor, John T. Hoffman, New York; Lieutenant-Governor, Robert H. Pruyn, Albany; Canal Commissioner, William W. Wright; Prison Inspector, Frank B. Gallagher, Erie.

[327] *New York Times*, October 9, 1866.

[328] *New York Times*, September 13, 1866.

[329] *Ibid.*, September 17.

[330] *Buffalo Commercial Advertiser*, September 14, 1866.

- [331] New York *Times*, September 27, 1866.
- [332] *Ibid.*, October 2, 5.
- [333] *Ibid.*, September 27.
- [334] New York *Times*, October 9, 1866.
- [335] *Ibid.*
- [336] The *Nation*, September 6, p. 191; September 27, p. 241.
- [337] New York *Tribune*, October 1, 1866.
- [338] New York *Evening Post*, September 11, 1866.
- [339] Extract from private letter, September 6, 1866.
- [340] New York *Tribune*, October 16, 1866.
- [341] *Ibid.*, September 7.
- [342] New York *Times*, September 13, 1866.
- [343] *Ibid.*, September 9.
- [344] New York *Tribune*, November 1, 1866.
- [345] New York *Tribune*, Oct. 5, 1866.
- [346] *Ibid.*, Oct. 10.
- [347] *Ibid.*
- [348] Gustavus Myers, *History of Tammany Hall*, p. 250.
- [349] Fenton, 366,315; Hoffman, 352,526.—*Civil List, State of New York*, 1887, p. 166.
- [350] New York *Tribune*, January 18, 1869.
- [351] *Ibid.*, November 9, 1866.

[352] Andrew D. White, *Autobiography*, Vol. 1, p. 134.

[353] "As to the gentleman's cruel sarcasm," said Blaine, "I hope he will not be too severe. The contempt of that large-minded gentleman is so wilting, his haughty disdain, his grandiloquent swell, his majestic, supereminent, overpowering, turkey-gobbler strut has been so crushing to myself and all the members of this House, that I know it was an act of the greatest temerity for me to venture upon a controversy with him." Referring to a comparison which had been made of Conkling to Henry Winter Davis, Blaine continued: "The gentleman took it seriously, and it has given his strut additional pomposity. The resemblance is great; it is striking. Hyperion to a Satyr, Thersites to Hercules, mud to marble, dunghill to diamond, a singed cat to a Bengal tiger, a whining puppy to a roaring lion."—*Congressional Globe*, April 20, 1866, Vol. 37, Part 3, p. 2298.

"I do not think Conkling was the equal in debate with Blaine."—George F. Hoar, *Autobiography*, Vol. 2, p. 55. "Conkling was the more dignified and commanding, but Blaine more aggravating and personal. When Blaine likened Conkling to a strutting turkey-gobbler, the House slightly hissed. But on the whole that debate was regarded as a draw."—William M. Stewart, *Reminiscences*, p. 206.

[354] *New York Times*, January 3, 1867.

[355] A.R. Conkling, *Life of Conkling*, pp. 286-7.

[356] *New York Tribune*, November 9, 1866.

[357] Edward Cary, *Life of Curtis*, p. 193.

[358] Conkling and Roberts quarrelled in the early seventies—the former, perhaps, unwilling to have two great men in Oneida County—and Roberts was defeated for Congress in 1874. After that the *Utica Herald* became Conkling's bitterest enemy. See interviews, *New York Herald*,

November 9, 1877, and *New York Tribune*, November 10, 1877.

[359] A.R. Conkling, *Life of Roscoe Conkling*, pp. 286-287.

[360] *New York Times*, January 4, 1867.

[361] *New York Times*, January 10.

[362] The vote by ballots stood as follows:

	First	Second	Third	Fourth	Fifth
Conkling	33	39	45	53	59
Davis	30	41	44	50	49
Harris	32	24	18	6	—
Balcom	7	4	2	—	—
Greeley	6	—	—	—	—
Folger	1	1	—	—	1

The Democratic caucus, held the same evening, nominated Henry C. Murphy of Brooklyn, who received 25 votes to 21 for A. Oakey Hall of New York.

[363] *Washington Chronicle*, March 28, 1867.

[364] The following were nominated: Secretary of State, James B. McKean, Saratoga; Comptroller, Calvin T. Hulburd, St. Lawrence; Treasurer, Theodore B. Gates, Ulster; Attorney-General, Joshua M. Van Cott, Kings; State Engineer, Archibald C. Powell, Onondaga; Canal Commissioner, John M. Hammond, Allegany; Prison Inspector, Gilbert De Lamatyr, Wyoming; Court of Appeals, Charles Mason, Madison. Of those selected, McKean and Hulburd had served two terms each in Congress.

[365] *New York World*, October 4, 1867.

[366] *Buffalo Commercial Advertiser*, September 25, 1867.

[367] *New York Times*, September 27, 1867.

[368] James G. Blaine, *Twenty Years of Congress*, Vol. 2, p. 140.

[369] Gustavus Myers, *History of Tammany Hall*, p. 250.

[370] *New York Tribune*, March 5, 1868.

[371] Tweed's testimony, Document No. 8, p. 105.

[372] Gustavus Myers, *History of Tammany Hall*, p. 257.

[373] *New York World*, October 4, 1867.

[374] The following persons were nominated: Secretary of State, Homer A. Nelson, Dutchess; Comptroller, William F. Allen, Oswego; Treasurer, Wheeler H. Bristol, Tioga; Attorney-General, Marshal B. Champlain, Allegany; State Engineer, Van R. Richmond, Wayne; Canal Commissioner, John F. Fay, Monroe; Prison Inspector, Nicholas B. Scheu, Erie; Court of Appeals, Martin Grover, Allegany.

[375] *New York World*, October 4, 1867.

[376] *New York World*, October 4, 1867.

[377] *New York World*, September 27, 1867.

The story of these frauds is found in two volumes of testimony submitted by the Canal Investigation Committee to the Constitutional Convention of 1867.

[378] *New York World*, September 27, 1867.

[379] *Ibid.*, October 16, 22.

[380] *Ibid.*, October 22.

[381] *New York World*, October 25.

[382] *Ibid.*, October 4.

[383] *New York Tribune*, September 26, 1867.

- [384] New York *World*, September 27, 1867.
- [385] New York *World*, October 25, 1867.
- [386] Gustavus Myers, *History of Tammany Hall*, p. 250.
- [387] Buffalo *Commercial Advertiser*, November 6, 1867.
- [388] Albany *Evening Journal*, November 6.
- [389] New York *Tribune*, November 6.
- [390] Sherman's Letters, p. 299.
- [391] *Impeachment Trial*, Vol. 1, p. 223.
- [392] New York *World*, July 25, 1867.
- [393] New York *Tribune*, October 15, 1867.
- [394] New York *Tribune*, November 7, 1867.
- [395] T.W. Barnes, *Life of Thurlow Weed*, Vol. 2, p. 458.
- [396] New York *Times*, February 4, 1868.
- [397] T.W. Barnes, *Life of Thurlow Weed*, Vol. 2, p. 459.
- [398] *Official Proceedings of the Convention*, p. 96.
- [399]

BALLOTS

	1	2	3	4	5	6
Wade	147	170	178	206	207	38
Colfax	115	145	165	186	226	541
Fenton	126	144	139	144	139	69
Wilson	119	114	101	87	56	
Hamlin	28	30	25	25	20	
Curtin	51	45	40			

Outside of New York Fenton's vote was as follows:

Northern States 23 33 32 32 31 2

Southern States 44 45 42 48 61 1

[400] New York *Tribune*, July 9, 1868.

[401] New York *Tribune*, July 9, 1868.

[402] *Ibid.*

[403] *Ibid.*

[404] New York *Times*, July 9.

[405] The *Nation*, July 16.

[406] New York *Times*, July 9, 1868.

[407] Conversation with the author.

The ticket nominated was as follows: Governor, John A. Griswold, Rensselaer; Lieutenant-Governor, Alonzo B. Cornell, Wyoming; Canal Commissioner, Alexander Barkley, Washington; Prison Inspector, Henry A. Barnum, Onondaga.

[408] The *Nation*, November 11, 1869.

[409] New York *Tribune*, July 9, 1868.

[410] New York *Tribune*, March 5, 1868.

[411] New York *Times*, September 4, 1868.

[412] New York *World*, July 10, 1868.

[413] New York *World*, July 10, 1868.

[414] New York *Times*, Sept. 4.

[415] New York *World*, July 10.

[416] New York *Times*, Sept. 4, 1868.

[417] New York *World*, July 10.

[418] New York *Times*, July 10.

[419] *Ibid.*

[420] New York *Times*, July 10, 1868.

[421] *Ibid.*

[422] New York *Times*, September 4, 1868.

[423] John Bigelow, *Life of Samuel J. Tilden*, Vol. 1, p. 211.

[424] New York *World*, July 10, 1868.

[425] John Bigelow, *Life of Tilden*, Vol. 1, p. 212.

[426] *Public Record of Horatio Seymour*, p. 343.

[427] New York *Times*, August 10.

[428] New York *Tribune*, November 5, 1868.

[429] "Then we have John T. Hoffman, who is kept by Tammany Hall as a kind of respectable attaché. His humble work is to wear good clothes and be always gloved, to be decorous and polite; to be as much a model of deportment as Mr. Turvydrop; to repeat as often as need be, in a loud voice, sentences about 'honesty' and 'public welfare,' but to appoint to rich places such men as Mr. Sweeny. Hoffman is kept for the edification of the country Democrats, but all he has or ever can have comes from Tammany Hall."—*Ibid.*, March 5, 1868.

[430] New York *Times*, *World*, and *Tribune*, September 3, 1868.

[431] New York *World*, July 10, 1868.

[432] New York *Tribune*, March 5.

The ticket nominated was as follows: Governor, John T. Hoffman, New York; Lieutenant-Governor, Allen C. Beach, Jefferson; Canal Commissioner, Oliver Bascom, Washington; Inspector of Prisons, David B. McNeil, Cayuga; Clerk of Court of Appeals, Edward O. Perrin, Queens.

[433] Report of the Secretary of War, 1868, p. 81.

[434] Albert B. Paine, *Life of Thomas Nast*, p. 130.

[435] McPherson, *History of Reconstruction*, p. 381.

[436] Horatio Seymour, *Public Record*, p. 345.

[437] A.R. Conkling, *Life of Roscoe Conkling*, p. 313.

[438] *Seward's Works*, Vol. 5, pp. 550-556.

[439] *Autobiography*, Vol. 1, p. 151.

[440] John Bigelow, *Life of Samuel J. Tilden*, Vol. 1, p. 217.

[441] *New York Tribune*, November 14, 1868.

[442] *New York Evening Post*, November 4, 1868; *Harper's Weekly*, September 30, 1876.

[443] *New York Times*, November 2, 1868.

[444] *New York Tribune*, November 6, 1868.

[445] *Ibid.*, November 7.

[446] *Ibid.*, November 23.

[447] From speech of Conkling delivered in the U.S. Senate, April 24, 1879.—Thomas V. Cooper, *American Politics*, Book 3, p. 180.

[448] *The Nation*, October 29, 1868.

[449] *The Nation*, October 29, 1868.

- [450] *Ibid.*, March 4, 1869.
- [451] New York *Tribune*, January 13 and 18, 1869.
- [452] New York *Times*, January 12, 1869.
- [453] New York *World*, January 6, 1869.
- [454] New York *Commercial Advertiser*, January 2, 1869.
- [455] New York *Sun*, January 4.
- [456] New York *Tribune*, January 9.
- [457] New York *World*, January 6.
- [458] The *Nation*, March 18.
- [459] New York *Times*, January 9, 1869.
- [460] New York *Tribune*, January 13, 1881.
- [461] T.W. Barnes, *Life of Thurlow Weed*, Vol. 2, p. 462.
- [462] New York *Nation*, September 30, 1869.
- [463] New York *World*, January 12, 1869.
- [464] Gustavus Myers, *History of Tammany Hall*, p. 274.
- [465] New York *Tribune*, July 24, 1869.
- [466] New York *Tribune*, July 24, 1869.
- [467] *Ibid.*, July 22.
- [468] *Ibid.*, July 24, and 29.
- [469] The Republican State convention, held at Syracuse on September 30, 1869, nominated the following ticket: Secretary of state, George William Curtis, Richmond; Comptroller Thomas Hillhouse, Ontario; Treasurer, Thomas S. Chatfield, Tioga; Attorney-General, Martin I. Townsend, Rensselaer; Engineer and Surveyor, John C. Robinson,

Broome; Canal Commissioner, Stephen F. Hoyt, Steuben; Prison Inspector, Daniel D. Conover, New York; Court of Appeals, Lewis B. Woodruff, New York; Charles Mason, Madison.

Franz Sigel, Horace Greeley, and William B. Taylor of Oneida were subsequently substituted for Curtis, Hillhouse, and Robinson.

[470] New York *Tribune*, October 11, 1869.

[471] Appleton's *Cyclopædia*, 1869, p. 486.

[472] The Democratic ticket was as follows: Secretary of state, Homer A. Nelson, Dutchess; Comptroller, William F. Allen, Oswego; Treasurer, Wheeler H. Bristol, Tioga; Attorney-General, Marshall B. Champlain, Allegany; State Engineer, Van Rensselaer Richmond, Wayne; Canal Commissioner, William W. Wright; Prison Inspector, Fordyce Laflin, Ulster; Court of Appeals, John A. Lott, Kings; Robert Earl, Herkimer.

[473] New York *Tribune*, October 11, 1869.

[474] Nelson for secretary of state over Sigel, 22,524; Allen for comptroller over Greeley, 26,533; Greeley over Sigel in New York City, 1,774; Sigel over Greeley in the State, 4,938; against the constitution, 19,759; majority for the judiciary article, 6,006.—New York *Tribune*, November 23, 1869.

[475] New York *Times*, March 25, 1870.

[476] The Tweed Case, 1876, Vol. 2, p. 1212.

[477] Document No. 8, pp. 84-92; Gustavus Myers, *History of Tammany Hall*, p. 272; James F. Rhodes, *History of the United States*, Vol. 6, p. 395; New York *Tribune*, September 17, 1877.

[478] Albert B. Paine, *Life of Thomas Nast*, p. 143.

[479] John Bigelow, *Life of Tilden*, Vol. 2, p. 185.

[480] *The Nation*, May 27, 1869.

[481] *The Nation*, September 29, 1870.

[482] *Ibid.*

[483] *Ibid.*, October 6.

The following officials were nominated by acclamation: Governor, John T. Hoffman; Lieutenant-Governor, Allen C. Beach; Comptroller, Asher P. Nichols; Canal Commissioners, John D. Fay and George W. Chapman; Prison Inspector, Solomon E. Scheu.

[484] *The Nation*, September 29.

[485] Charles E. Fitch, formerly editor of the Rochester *Democrat-Chronicle*.

[486] *Harper's Weekly*, June 24, 1871.

[487] Conkling's speech, *New York Times*, July 24, 1872.

[488] William M. Stewart, *Reminiscences*, p. 255.

[489] June 17, 1870.

[490] September 19, 1871.

[491] *New York Times*, July 24, 1872.

[492] Stewart, *Reminiscences*, pp. 255-256.

[493] Under the provisions of the new judiciary article of the Constitution a chief justice and six associate justices of the Court of Appeals were elected on May 17, 1870, each party being allowed to put up only four candidates for associate justices. To complete their ticket the Democrats selected Folger and Andrews, two of the four Republican candidates. The election resulted in the choice of the Democratic ticket.

[494] New York *Times*, July 12, 1870.

[495] Stewart, *Reminiscences*, pp. 256-7.

"In early life Fenton, having undertaken to carry \$12,000 to Albany, reported the money lost. He was arrested and discharged after much testimony was taken. Whether accused justly or unjustly (most persons thought unjustly) it blurred his career. Conkling had a copy of the proceedings before the criminal court."—*Ibid.* See also *The Nation*, July 14, 1870.

[496] A.R. Conkling, *Life of Roscoe Conkling*, p. 328. New York *World*, September 8, 1870.

[497] *The Nation*, September 15, 1870.

[498] "During the vote the delegates commenced a system of cheering, first for Conkling, then for Fenton. Senator Conkling was very conspicuous throughout the balloting. His friends gathered around him, while the other side surrounded Fenton, and whenever either moved their friends cheered.... Had there been a secret ballot Fenton would have won in spite of the threats and bribes."—New York *World*, September 8, 1870.

[499] New York *Tribune*, August 27, 1870.

[500] *Ibid.*, September 8.

[501] Edward Cary, *Life of George William Curtis*, p. 230.

[502] Three ballots were cast as follows:

Woodford	153	170½	258
Greeley	143	139	105½
Curtis	104½	87½	20
Total	390½	397	383½

The following ticket was nominated: Governor, Stewart L. Woodford, Kings; Lieutenant-Governor, Sigmund Kaufman, Kings; Comptroller, Abiah W. Palmer, Dutchess; Canal Commissioners, Absalom Nelson, Erie; Alexander Barkley, Washington; Prison Inspector, John Parkhurst, Clinton.

[503] September 10 and 14, 1870.

[504] From speech of July 23, 1872, *New York Times*, July 24, 1872.

[505] *New York Tribune*, September 13, 1870.

[506] A.R. Conkling, *Life of Roscoe Conkling*, p. 329.

[507] "Governor Fenton and his friends were lukewarm throughout the campaign, the Governor absenting himself from the State much of the time. Late in October he returned from the Western States, and on the 31st, five days before election, he made a speech." From Conkling's speech of July 22, 1872. *New York Times*, July 24.

[508] *New York Times*, November 7, 1870.

[509] *Harper's Weekly*, November 5, 1870.

[510] *Harper's Weekly*, October 29, 1870.

[511] Appleton's *Cyclopædia*, 1870, pp. 543, 544; Frank J. Goodnow in Bryce's *American Commonwealth*, Vol. 1, p. 342.

[512] *New York World*, March 29, 1870.

[513] *Ibid.*, June 13, 1871.

[514] *Ibid.*, Oct. 28, 1870.

[515] Hoffman over Woodford, 33,096. James S. Graham, Labor Reform candidate, received 1,907 votes, and Myron H. Clark, Temperance candidate, 1,459 votes. Assembly, 65 Democrats to 63 Republicans; Senate, 17 Democrats to 14

Republicans. Hall's majority, 23,811. Hoffman's majority in New York City, 52,037, being 16,000 less than in 1868. Appleton's *Cyclopædia*, 1870, p. 547.

[516] Myers, *History of Tammany*, p. 276.

[517] Myers, *History of Tammany*, p. 276.

[518] Without provocation James Irving of New York assaulted Smith M. Weed of Clinton.

[519] New York *Tribune*, April 14, 1871.

[520] "Winans was unfortunate in his bargain, for after rendering the service agreed upon Tweed gave him only one-tenth of the sum promised." Myers' *History of Tammany Hall*, p. 277. It might be added that Winans' wife left him, and that the contempt of his neighbours drove him from home. A rumour that he subsequently committed suicide remains unverified.

[521] Paine, *Life of Nast*, p. 153.

[522] *Ibid.*, p. 182.

[523] Paine, *Life of Nast*, p. 145.

[524] February 24, 1871.

[525] *Harper's Weekly*, February 22, 1890; Paine, *Life of Nast*, p. 170.

[526] New York *Times*, July 21, 1871.

[527] Subsequently the charred remains of these accounts were discovered in an ash-heap in the City Hall attic. Myers, *History of Tammany Hall*, p. 387.

[528] Hall was indicted and tried, but the jury disagreed. The second grand jury did not indict.

[529] Sweeny afterwards compromised for \$400,000 and returned to New York. Connolly, who was reported to have taken away \$6,000,000, died abroad.

[530] Myers, *History of Tammany Hall*, pp. 297-298; New York *Herald*, January 13, 1901.

[531] New York *Tribune*, November 10, 1870.

[532] *Ibid.*, April 4, 1871.

[533] "Mr. Murphy's 'weeding out' process is exactly the one which the devil would use if he were appointed collector of this port, and that he would perform it on exactly the same principles and with the same objects and results as Mr. Murphy performs it, we challenge any one to deny who is familiar with the devil's character and habits and Mr. Murphy's late doings."—*The Nation*, January 19, 1871.

"No collector was ever more destitute of fit qualifications for the office." He made "three hundred and thirty-eight removals every five days during the eighteen months" he held office. Report of D.B. Eaton, chairman of the Civil Service Commission, p. 23.

[534] Stephen Fiske, *Off-Hand Portraits*, p. 58.

[535] "Mr. Conkling had already had much to do with the appointment of this committee, but it is worthy of note that several changes in the federal offices were made almost simultaneously with the vote of the committee for Mr. Murphy's reorganisation, and that the men who voted for it got the best places. Addison H. Laflin was made naval officer, Lockwood L. Doty was made pension agent, Richard Crowley was made United States attorney for the Northern District. It will be seen that the committee were not disinterested in trying to please Conkling and Murphy."—New York *Evening Post*, September 29, 1871.

[536] New York *Times*, March 11, 1871.

[537] New York *Tribune*, March 3 and May 2, 1871.

[538] New York *Times*, January 26.

[539] New York *Tribune*, September 8.

[540] New York *Times*, February 3.

[541] New York *Times*, Feb. 3, 1871.

[542] *Ibid.*, Jan. 7, 12, 25.

[543] *Ibid.*, Jan. 25.

[544] New York *Tribune*, September 15, 1871.

[545] *The Nation*, May 9, 1872.

[546] New York *Tribune*, September 4, 1871.

[547] New York *Times*, April 7, 1871.

[548] *Ibid.*

[549] New York *Tribune*, May 6, September 15, 1871.

[550] New York *Tribune* (editorials), May 19, 20, 25, 1871.

[551] White, *Autobiography*, Vol. 1, p. 164.

[552] New York *Tribune*, September 28, 1871.

[553] "In particular they [the Fenton men] felt sure of one vote not received from Allegany County, two from Broome, three from Columbia, two from Cortlandt, three from Dutchess, three from Jefferson, one from Ontario, three from Washington, and three from Wayne."—*Ibid.*

"Mr. Murphy's office-holders were numerous and active, and turned the whole organisation into an instrument for the service of his [Conkling's] personal ambition. When the State convention was to meet, Mr. Conkling and Mr. Murphy were among the first at Syracuse. It was remarked

that while they worked hard, they took no thought of the reform movement. Their sole object was to control the convention. The confidence which the delegates placed in them was astonishing, but more astonishing still was the manner in which Andrew D. White lent himself to this faction and did its work."—New York *Evening Post*, September 29, 1871.

[554] "Mr. White personally sought the votes of Fenton members for the temporary chairmanship on the pledge that he would so act as to promote harmony."—New York *Tribune*, October 21, 1871.

[555] "I received the list of the convention committees from the State committee with express assurance that the list represented fairly the two wings of the party. I had no reason then, and have no reason now, to believe that the State committee abused my confidence."—White, *Autobiography*, Vol. 1, p. 166.

[556] New York *Tribune*, September 29, 1871.

[557] New York *Tribune*, September 28, 1871.

[558] "Such a speech, in its terms, its forcible eloquence, its overwhelming results, was perhaps never heard in a similar assemblage. Many of Senator Conkling's friends insist that this was one of his most remarkable speeches."—Alfred R. Conkling, *Life of Roscoe Conkling*, p. 341.

[559] *Syracuse Standard*, New York *Times*, September 28, 1871.

[560] "Just as the whole convention had agreed upon the compromise, Conkling arose and ordered his office-holders to reject it."—New York *Evening Post*, September 29.

[561] New York *Tribune*, June 1, 1871.

[562] New York *Tribune*, September 29, 1871.

[563] The State ticket was as follows: Secretary of State, G. Hilton Scribner, Westchester; Comptroller, Nelson K. Hopkins, Erie; Treasurer, Thomas Raines, Monroe; Attorney-General, Francis C. Barlow, New York; Engineer, William B. Taylor, Oneida; Canal Commissioner, Alexander Barkley, Washington; Prison Inspector, Thomas Kirkpatrick, Cayuga.

[564] New York *Tribune*, September 29, 1871.

[565] *Ibid.*

[566] Paine, *Life of Nast*, p. 194.

[567] This remark was addressed to Henry Richmond, whose father, Dean Richmond, died in Tilden's home in Gramercy Park. Richmond succeeded his father as State committeeman.

[568] Tilden's letter to the Democracy, dated September 11, 1871.—New York *Tribune*, September 22, 1871.

[569] Tilden's interview.—*Ibid.*, Sept 23.

[570] Tilden's letter, *Ibid.*, Sept. 22.

[571] Tilden's Speech.—New York *Times*, November 3, 1871.

[572] Tweed's Speech.—*Ibid.*

[573] The German Democratic General Committee, with 30,000 votes; the Democratic Union, with 27,000; the Ledwith party, with 10,000; and the Young Democracy, led by ex-Sheriff O'Brien. For five years Mozart Hall, under Fernando Wood, had not placed a ticket in the field.

[574] Interview, New York *Tribune*, September 23, 1871.

[575] "Governor Seymour was given to understand that he could not be president of the convention unless he would

forego his philippic against the Tammany thieves. This he declined to do."—*New York Times* (editorial), October 9, 1871.

[576] *New York Tribune*, October 6, 1871.

[577] *New York Tribune*, October 6, 1871.

[578] Except the candidate for Secretary of State, the old Tweed ticket was renominated as follows: Secretary of State, Diedrich Willers, Seneca; Comptroller, Asher P. Nichols, Erie; Treasurer, Wheeler H. Bristol, Tioga; Attorney-General, Marshall B. Champlain, Allegany; Engineer, Van R. Richmond, Wayne; Canal Commissioner, George W. Chapman; Prison Inspector, David B. McNeil, Cayuga.

[579] *Harper's Weekly*, November 4, 1871.

[580] Paine, *Life of Nast*, p. 179.

[581] Scribner, 387,107; Willers, 368,204. Legislature: Senate, 24 Republicans, 8 Democrats. Assembly, 97 Republicans, 31 Democrats.—*New York Tribune*, November 27, 1871.

Compared with the returns for 1870, the Democratic vote, outside of New York and the six counties in its immediate vicinity, fell off 24,167, while the Republican vote fell off 9,235. In New York and adjoining counties the Republican vote increased 30,338.—*Ibid.*

In New York City the majority for the Democratic candidate for secretary of state was 29,189, while the majority for the Republican or Union Reform candidate for register was 28,117.—*Ibid.*

[582] *New York Tribune*, September 5, 1872.

[583] *Congressional Globe*, January 30, 1872, p. 699.

[584] Pierce, *Life of Sumner*, Vol. 4, p. 477.

[585] New York *Tribune*, April 13, 1872.

[586] George F. Hoar, *Autobiography*, Vol. 1, p. 306; Vol. 2, p. 77.

[587] New York *Tribune*, April 13, 1872.

[588] Cary, *Life of Curtis*, p. 213.

[589] *Letters of*, Vol. 2, p. 57.

"There was undoubtedly great corruption and maladministration in the country in the time of President Grant. Selfish men and ambitious men got the ear of that simple man and confiding President. They studied Grant, some of them, as the shoemaker measures the foot of his customer."—Hoar, *Autobiography*, Vol. 1, p. 197.

[590] Springfield (Mass.) *Republican*, November 12, 1870.

[591] New York *Tribune*, May 31, 1870; February 27, 1871; May 1, 1872.

[592] *Ibid.*, April 25, 1872.

[593] *Ibid.*

[594] *Ibid.*

[595] *Ibid.*, March 30, 1872.

[596] New York *Tribune*, April 14, 1872.

[597] Dudley Foulke, *Life of Morton*, Vol. 2, p. 255.

[598] New York *Tribune*, June 13, 1871.

[599] Paine, *Life of Nast*, p. 162.

[600] *Ibid.*, p. 223.

[601] New York *Tribune*, May 30, 1871.

[602] New York *Post*, May 2, 1872.

[603] New York *Times*, May 3.

[604] New York *Evening Post*, May 2, 1872.

[605] *Ibid.*

[606] New York *Evening Post*, May 4, 1872.

[607] Southern States, 104; Middle, 96; New England, 15; Western, 19; Pacific, 24.

[608]

Whole number of votes 714
Necessary to a choice 358

	First	Second	Third	Fourth	Fifth	Sixth
Adams	203	243	264	279	309	187
Greeley	147	245	258	251	258	482
Trumbull	110	148	156	141	91	10
Davis	92½	75	44	51	30	6
Brown	95	2	2	2		
Curtin	62					
Chase	2½	1			2	29

[609] Merriam, *Life of Bowles*, Vol. 2, p. 210.

[610] New York *Evening Post*, May 4, 1872.

[611] Warden, *Life of Chase*, p. 732.

[612] Appleton's *Cyclopædia*, 1872, p. 779.

[613] July 9, 1872.

[614] New York *Tribune*, November 1, 1871. Cox's election to Congress from New York occurred in 1870, three years

after he became a resident of the State.

[615] Myers, *History of Tammany*, pp. 301, 305.

[616] *Ibid.*, pp. 261 and note, 300 and 301.

[617] "About the same time, and in adjoining city districts, two bosses entered upon public life. While Tweed was learning to make chairs, Kelly was being taught grate-setting. While Tweed was amusing himself as a runner with a fire engine, Kelly was captain of the Carroll Target Guard. Tweed led fire laddies and Kelly dragged about target-shooters upon the eve of elections. Both entered the Board of Aldermen about the same time. About the same time, too, they went to Congress. Within a few years of each other's candidacy they ran for sheriff. Tweed was defeated. Kelly was elected. While Kelly was making bills as sheriff, Tweed was auditing them in the Board of Supervisors. Tweed became the Tammany boss, and Kelly succeeded him. Tweed fell a victim to his greed, Kelly escaped by the Statute of Limitations."—*New York Times*, October 30, 1875.

[618] Of the 46 opposition votes, James A. Bayard received 6 from Delaware and 9 from New Jersey; Jeremiah S. Black 21 from Pennsylvania; William S. Groesbeck 2 from Ohio. There were 8 blanks.

[619] *New York Tribune*, July 11, 1872.

[620] July 11.

[621] *Century Dictionary*.

[622] Wilson received 364½ votes to 321½ for Colfax of Indiana, who had declared his intention to retire from public life. When, later, he changed his mind, Wilson possessed the advantage.

[623] *New York Tribune*, February 15, 1872.

[624] *Ibid.*, April 11.

[625] For narration of this *coup de main*, see Morgan Dix, *Life of John A. Dix*, Vol. 2, pp. 163-167.

[626] *The Century*, March, 1885, p. 734.

[627] August 21, 1872; *New York Tribune*, August 22.

"Senator Robertson failed to be governor only from lack of boldness."—*Ibid.*, May 8, 1880.

[628] Henry Clews, *Fifty Years in Wall Street*, pp. 307-309; *New York Herald*, August 22.

[629] Bigelow's *Life of Tilden*, Vol. 1, p. 228.

[630] *Ibid.*, p. 232.

[631] Barnes' *Life of Weed*, Vol. 2, p. 485.

[632] The ticket was as follows: Governor, John A. Dix of New York; Lieutenant-Governor, John C. Robinson of Broome; Canal Commissioner, Reuben W. Stroud of Onondaga; Prison Inspector, Ezra Graves of Herkimer; Congressman-at-large, Lyman Tremaine of Albany; Thurlow Weed declined to head the electoral ticket, but suggested the name of Frederick Douglass, who was nominated by acclamation.—Barnes, *Life of Weed*, Vol. 2, p. 486.

[633] *New York Tribune*, September 6.

[634] *New York Tribune*, August 23, 1872; *New York World*, September 10, 1874; *Times*, September 11.

[635] Among them were Augustus Schell of New York, Francis Kernan of Oneida, Allen C. Beach of Jefferson, then lieutenant-governor, Homer A. Nelson of Dutchess, formerly secretary of state, and Lucius Robinson of Chemung, the distinguished comptroller.

[636] September 6, 1872.

[637] Bigelow, *Life of Tilden*, Vol. 1, p. 226.

[638] The first ballot resulted as follows: Kernan, 42½; Beach, 32; Schell, 24½; Nelson, 10; Church, 11; Robinson, 6; necessary to a choice, 64.

The ticket nominated by the two conventions was as follows: Governor, Francis Kernan of Oneida, Democrat; Lieutenant-Governor, Chauncey M. Depew of Westchester, Liberal; Canal Commissioner, John Hubbard of Chenango, Democrat; Prison Inspector, Enos C. Brooks of Cattaraugus, Liberal; 1 Congressman-at-large, Samuel S. Cox of New York, Democrat.

[639] New York *Tribune*, September 6, 1872.

[640] Attorney-General Champlain had publicly announced his purpose to authorise O'Connor to bring such suits before the Committee of Seventy had had its interview with the Governor.—Tilden's *Public Writings and Speeches*, Vol. 1, p. 590.

[641] James F. Rhodes, *History of the United States*, Vol. 6, p. 401, note.

[642] Elected in 1844 and 1847. Declined a renomination in 1849.

[643] New York *Tribune*, September 5, 1872.

[644] *Ibid.*, May 22, 1872.

[645] *Twenty Years in Congress*, Vol. 2, p. 534.

[646] "We asked our contemporary [*World*] to state frankly whether the pugilists, blacklegs, thieves, burglars, keepers of dens of prostitution, etc., etc., who make up so large a share of our city's inhabitants, were not almost unanimously Democrats."—*Tribune*, January 4, 1868.

"So every one who chooses to live by pugilism, or gambling, or harlotry, with nearly every keeper of a tippling house, is politically a Democrat.... A purely selfish interest attaches the lewd, ruffianly, criminal and dangerous class to the Democratic party by the instinct of self-preservation."—*Ibid.*, January 7. Conkling quoted these extracts in his Cooper Institute speech of July 23.—*New York Times*, July 24, 1872.

[647] *New York Tribune*, *Syracuse Herald*, and *Watertown Times*.

[648] *New York Tribune*, August 22.

[649] *New York Times*, July 24. "The longest and greatest campaign speech of his life."—Alfred R. Conkling, *Life of Conkling*, p. 436.

[650] Hollister's *Life of Colfax*, p. 387, note.

[651] The same article enumerates some of the charges published against him: "In Washington he was a briber. In Albany he was the head of the lobby. In New York he was a partner in the Ring frauds. He defended the rascalities of Tweed. He sold the influence of his paper to Tammany Hall. He intrigued to restore the thieves to power. He was involved in schemes for robbing the national treasury. He was plotting the payment of the Confederate debt. He had promised pensions to Rebel soldiers. He was an original Secessionist. He was once a slave-trader in Memphis. He was the friend of the Ku-Klux and ballot-box stuffers.... Dix blamed him for expressing ten or twelve years ago sentiments identical with those of Dix himself."—*New York Tribune*, November 22, 1872.

[652] *Messages and Papers of the Presidents*, Richardson, Vol. 7, p. 223.

[653] After the North Carolina election would-be Liberals rejoined the Republican party in great numbers.

[654] Grant, 440,759; Greeley, 387,279; majority, 53,480. Dix, 447,801; Kernan, 392,350; majority, 55,451. Robinson, 442,297; Depew, 397,754; majority, 44,543. Tremaine, 438,456; Cox, 400,697; majority, 37,759.

[655] Havermeyer, 53,806; Lawrence, 45,398; O'Brien, 31,121.

[656] Seymour (1868), 429,883. Greeley (1872), 387,279. Kernan (1872), 392,350. Cox (1872), 400,697.

[657] George W. Julian, *Political Recollections*, p. 348.

[658] He died November 29, 1872.

[659] "In the darkest hour my suffering wife left me, none too soon for she had suffered too deeply and too long. I laid her in the ground with hard dry eyes. Well, I am used up. I cannot see before me. I have slept little for weeks and my eyes are still hard to close, while they soon open again." Letter to his friend, Mason W. Tappan of New Hampshire.—Hollister's *Life of Colfax*, p. 387, note.

[660] New York *Tribune*, December 5, 1872.

[661] Cornell resigned as surveyor of the port and was elected to the Assembly.

[662] The Democrats voted for Charles Wheaton of Dutchess, distinguished locally as a county judge.

[663] Alfred R. Conkling, *Life of Conkling*, p. 451.

[664] Report of Civil Service Commission, 1871, p. 18.

[665] Conkling, *Life of Conkling*, p. 656.

[666] "He who does a thing by the agency of another, does it himself."

[667] The *Nation*, December 4, 1873.

[668] Bigelow, *Life of Tilden*, Vol. 1, p. 245.

[669] This letter, dated September 14, 1874, is published in nearly all the State papers of September 18. It is given in full in the New York *Herald* and *Times*.

Sanford E. Church, in a published interview, charged that the story of his connection with the ring originated with Barlow. —New York *Tribune*, April 2, 1875.

[670] The ticket presented was as follows: Secretary of State, Francis S. Thayer, Rensselaer; Comptroller, Nelson K. Hopkins, Erie; Treasurer, Daniel G. Fort, Oswego; Attorney-General, Benj. D. Silliman, Kings; Canal Commissioner, Sidney Mead, Cayuga; State Engineer, William B. Taylor, Oneida; Prison Inspector, Moss K. Platt, Essex.

[671] The following ticket was nominated: Secretary of State, Diedrich Willers, Seneca; Comptroller, Asher P. Nichols, Erie; Treasurer, Thomas Raines, Monroe; Attorney-General, Daniel Pratt, Onondaga; Canal Commissioner, James Jackson, Niagara; State Engineer, Sylvanus H. Sweet, Albany; Prison Inspector, George W. Mellspaugh, Orange.

[672] James Brooks was the only New York congressman implicated. The committee, finding him guilty of corruption as a member of the House and as a government director of the Union Pacific Railroad, recommended his expulsion, but on February 27, 1873, the House, by a vote of 174 to 32 (34 not voting) changed the sentence to one of censure. Brooks died on April 30 following.

[673] *Harper's Weekly*, September 10, 1874.

[674] July 24.

[675] September 18.

[676] New York *Herald*, September 7, 1874. See also Buffalo *Courier*, September 14.

[677] Bigelow, *Life of Tilden*, Vol. 1, pp. 221-222.

[678] For copy of this statement see New York *World*, September 10, 1874.

[679] Buffalo *Courier*, September 11; New York *Herald*, September 9.

[680] New York *World*, September 10, 1874.

[681] Bigelow, *Life of Tilden*, Vol. 1, p. 226. See also the *Nation*, September 10, 1874.

[682] September 11. Reprinted from the Rochester *Union* of September 4.

[683] September 16 and 17, at Syracuse.

[684] New York *World*, September 17.

[685] Tilden, 252; Parker, 126; Robinson, 6.

[686] William Dorsheimer, 193; Weed, 155; Stephen T. Hoyt of Allegany (Liberal), 34; Edward F. Jones of Broome (Liberal), 15.

[687] He was appointed U.S. Attorney for the Northern District of New York on March 28, 1867. His successor's commission was dated March 23, 1871.—*State Department Records*.

The ticket nominated was as follows: Governor, Samuel J. Tilden, New York; Lieutenant-Governor, William Dorsheimer, Erie; Court of Appeals, Theodore Miller, Columbia; Canal Commissioner, Adin Thayer, Rensselaer; Prison Inspector, George Wagner, Yates.

[688] "Wickham has no conception beyond making a pleasant thing for himself and our friends out of the seat which he occupies." Letter of Charles O'Connor.—Bigelow, *Life of Tilden*, Vol. 1, p. 245.

[689] Myers, *History of Tammany Hall*, p. 307.

[690] The convention met at Utica on September 23. The ticket was as follows: Governor, John A. Dix, New York; Lieutenant-Governor, John C. Robinson, Broome; Court of Appeals, Alexander S. Johnson, Oneida; Canal Commissioner, Reuben W. Stroud, Onondaga; Prison Inspector, Ezra Graves, Herkimer.

[691] On June 23 the friends of total abstinence, resenting Dix's veto of a local option measure passed by the Legislature of 1873, assembled at Auburn, approved the organisation of a Prohibition party, and nominated a State ticket with Myron H. Clark for governor. About 350 delegates from twenty-five counties were present.

[692] Bigelow, *Life of Tilden*, Vol. 1, p. 233.

[693] Morgan A. Dix, *Life of Dix*, Vol. 2, pp. 128, 149.

[694] Morgan A. Dix, *Life of Dix*, Vol. 2, pp. 195-196.

[695] October 30, 1874.

[696] New York *Herald*, July 7, 1873.

[697] The *Nation*, October 29, 1874.

[698] April 16, 1874.

[699] Until then Croker had been an attaché of Connolly's office.

[700] "No law authorised Kelly to include convictions in the Police Courts, yet he did include them, thereby robbing the city of over thirty thousand dollars. He charged, at one time, double the rates for conveying prisoners to and from the Island; at another, 133 per cent. more. He charged for 11,000 vagrants committed to the work-house, a clear fraud upon the treasury."—New York *Times*, October 20, 1875.

[701] New York papers of September 18, 1874.

[702] New York *World*, September 10, 1874.

[703] In 1872 Dix had 55,451.

[704] Tilden, 416,391; Dix, 366,074; Clark, 11,768; Dorsheimer, 416,714; Robinson, 365,226; Bagg, 11,310.

New York City: Tilden, 87,623; Dix, 44,871; Clark, 160; Wickham, 70,071; Wales, 36,953; Ottendorfer, 24,226. Legislature: Assembly, Democrats, 75; Republicans, 53. Senate, Democrats, 12; Republicans, 18; Independents, 2. The Senators were elected in 1873.

[705] New York *Times*, November 4, 1874.

Eleven amendments to the Constitution were ratified at this election. Those relating to political matters required thirty days' residence in an election district; abolished property qualification, thus removing all distinction between white and coloured voters; fixed the pay of legislators at \$1500 per year, without limiting the length of a session; changed the terms of governor and lieutenant-governor from two to three years, with salaries of \$10,000 and \$5,000, respectively; required two-thirds of all the members elected to each house to override the governor's veto; authorised the veto of individual items in an appropriation act; and prohibited extra compensation being paid to a canal contractor.

[706] The Republicans voted for ex-Governor Edwin D. Morgan, the vote standing: Kernan, 87; Morgan, 68; Hoffman, 1.

[707] Bigelow, *Life of Tilden*, Vol. 1, p. 285.

[708] The Governor plainly illustrated this device. The engineer having estimated the amount of work and materials, the bidders added their prices.

A bid as follows:

100 cubic yards of vertical wall, at \$3	\$ 300.00
3,855 cubic yards of slope wall, at \$1.50	5,782.50
2,400 feet B.M. white oak, at \$50	120.00
60,000 feet B.M. hemlock, at \$15	900.00
Total estimate of A	\$7,102.50

B bid as follows:

100 cubic yards of vertical wall, at \$6	\$ 600.00
3,855 cubic yards of slope wall, at 30 cents	1,156.50
2,400 feet B.M. white oak, at \$70	168.00
60,000 feet B.M. hemlock, at \$3	180.00
Total estimate of B	<u>\$2,104.50</u>

B was given the contract as the lowest bidder, after which the work was changed as follows:

3,955 cubic yards of vertical wall, at \$6	\$23,730.00
62,400 feet B.M. white oak, at \$70	<u>4,368.00</u>
Actually paid B by the State	<u>\$28,098.00</u>

On ten of these contracts, originally amounting to \$424,735.90 the State paid \$1,560,769.84.—Tilden's *Public Writings and Speeches*, Vol. 2, pp. 106-108.

[709] This commission was composed of John Bigelow, Daniel Magone of Ogdensburg, Alexander E. Orr of Brooklyn, and John D. Van Buren of New York.

[710] Indictments were found against the son of a State senator, a member of the board of canal appraisers, an ex-canal commissioner, two ex-superintendents of canals and one division engineer, besides numerous subordinates and contractors.—See Bigelow's *Life of Tilden*, pp. 262-263; for names of the parties, see Appleton's *Cyclopædia*, 1875, p. 558.

[711] Bigelow, *Life of Tilden*, Vol. 2, p. 263.

[712] *Harper's Weekly*, August 28, 1875.

[713] Held at Saratoga on September 8, 1875.

[714] Appleton's *Cyclopædia*, 1875, p. 560.

[715] The ticket was as follows: Secretary of State, Frederick W. Seward, New York; Comptroller, Francis E. Spinner, Herkimer; Treasurer, Edwin A. Merritt, St. Lawrence; Attorney-General, George F. Danforth, Monroe; Engineer, Oliver H.P. Cornell, Tompkins; Canal Commissioner, William F. Tinsley, Wayne; Prison Inspector, Benoni J. Ives, Cayuga.

[716] After James Hayes' defeat for register in 1874, Kelly deprived Morrissey of his district leadership because he stirred up disaffection among the working men and sowed seeds of disloyalty. In their contest the Morrissey and Kelly factions were known as "Swallow-tails" and "Short-hairs," Morrissey, to rebuke Wickham's custom of requiring cards of callers in advance of admission to his office, having called upon the Mayor during business hours in evening dress, with white kids and patent-leather pumps.

[717] The ticket was as follows: Secretary of State, John Bigelow, Ulster; Comptroller, Lucius Robinson, Chemung; Attorney-General, Charles S. Fairchild, New York; Treasurer, Charles N. Ross, Cayuga; Engineer, John D. Van Buren, New York; Canal Commissioner, Christopher A. Walruth, Oneida; Prison Inspector, Rodney R. Crowley, Cattaraugus.

On September 22 the Liberals met at Albany. They eulogised Tilden by name, favored the Greeley doctrine of a single term for President, arraigned the Federal administration, and recommended the support of candidates who would coöperate with the Executive in his work of reform.

For governor the Prohibitionists nominated George H. Dusenberre.

[718] Address at Utica Fair, September 30, 1875.—Tilden's *Public Writings and Speeches*, Vol. 2, pp. 229-233.

[719] In the summer of 1875 he made a brief visit to Europe.—Conkling, *Life of Conkling*, p. 490.

[720] See Rhodes' *History of the United States*, Vol. 7, pp. 104-127. Also, Tilden's message to the Legislature, January 12, 1875, *Public Writings and Speeches*, Vol. 2, pp. 75-84.

[721] Godwin, *Life of Bryant*, p. 357. This meeting was held January 11.

[722] *New York Sun*, February 17.

[723] Appleton's *Cyclopædia*, 1875, p. 743.

[724] See remarks of Forster of Westchester, a delegate to the Republican State convention of March 22, 1876.—*New York Tribune*, March 23, 1876.

[725] *The Nation*, October 28.

[726] Bigelow, 390,211; Seward, 375,401. Robinson, 389,699; Spinner, 376,150. Legislature: Senate: 20 Republicans, 12 Democrats. Assembly: 71 Republicans, 57 Democrats. Morrissey's majority, 3,377. Dusenberre, Prohibitionist, total vote, 11,103.—Appleton's *Cyclopædia*, 1875, p. 564.

Bigelow's majority in New York City was 17,013.—*New York World*, November 7, 1875.

[727] *New York Tribune*, March 23, 1876.

[728] *New York Tribune*, June 15, 1876.

[729] *Official Proceedings of National Republican Conventions*, p. 292.

[730] *New York Commercial Advertiser*, September 28, 1877.

[731] Conkling's votes came from the following States: California, 1; Florida, 3; Georgia, 8; Michigan, 1;

Mississippi, 1; Missouri, 1; Nevada, 2; New York, 69; North Carolina, 7; Texas, 3; Virginia, 3. Total, 99. George William Curtis refused to vote for Conkling.

Seven ballots were taken, as follows:

Blaine	285	296	293	286	308	351
Bristow	113	114	121	126	111	21
Morton	124	120	113	108	85	
Conkling	99	93	90	84	81	
Hayes	61	64	67	68	113	384
Hartranft	58	63	68	71	50	
Jewell	11					
Wheeler	3	3	2	2	2	2

On the final ballot the following New York delegates voted for Blaine: William H. Robertson, Westchester; James W. Husted, Westchester; Jacob Worth, Kings; John H. Ketcham, Dutchess; Jacob W. Haysradt, Columbia; James M. Marvin, Saratoga; Stephen Sanford, Montgomery; Amos V. Smiley, Lewis, and James C. Feeter, Herkimer.

[732] John Russell Young, *Around the World with General Grant*, Vol. 2, p. 275.

[733] New York *Herald*, June 17, 1876.

[734] Hoar, *Autobiography*, Vol. 1, p. 244.

[735] Wheeler's name was presented by Luke P. Poland of Vermont, and seconded by S.H. Russell of Texas, and Henry R. James of New York (Ogdensburg). Thomas C. Platt presented Woodford.

"Wheeler very much disliked Roscoe Conkling and all his ways. Conkling once said to him: 'If you will join us and act with us, there is nothing in the gift of the State of New York to which you may not reasonably aspire.' To which Wheeler replied: 'Mr. Conkling, there is nothing in the gift of the

State which will compensate me for the forfeiture of my own self-respect."—Hoar, *Autobiography*, Vol. 1, p. 243.

[736] "It was not to the credit of the New York delegation that Wheeler was obliged to look to other States for his presentation and support."—Utica *Herald*, June 17.

[737] With fifteen States and Territories to be called, the vote stood as follows: Wheeler, 366; all others, 245.

[738] The Republican State convention met at Saratoga on August 23.

[739] Although many prominent Republicans who voted for Greeley in 1872 had previously renewed their allegiance, the Liberals as an organisation did not formally coalesce with the Republican party until August 23, 1876. On that day about 200 delegates, headed by John Cochrane and Benjamin F. Manierre, met in convention at Saratoga, and after accepting Hayes and Wheeler as the exponents of their reform principles, were invited amidst loud applause to seats in the Republican State convention.

[740] Whole number of votes cast, 410. Necessary to a choice, 206. Morgan received 242; Evarts, 126; Robertson, 24; Martin, 1; Townsend, 18.

[741] New York *Tribune*, August 24.

[742] The ballot resulted: Rogers, 240; Pomeroy, 178. Necessary to a choice, 210.

The ticket was as follows: Governor, Edwin D. Morgan, New York; Lieutenant-Governor, Sherman S. Rogers, Erie; Court of Appeals, George F. Danforth, Monroe; Canal Commissioner, Daniel C. Spencer, Livingston; Prison Inspector, Charles W. Trowbridge, Kings.

[743] Tilden's policy of pardoning members of the Tweed ring had become intolerable. "On an average about nine out

of ten men who were confessedly guilty of stealing were accepted as witnesses against the other one man, until the time came when there was but one man against whom any testimony could be used, and it was not considered wise to try him. It was a shameful condition of affairs."—John D. Townsend, *New York in Bondage*, p. 141.

[744] Tilden's *Public Writings and Speeches*, Vol. 2, pp. 237-295.

[745] The Democratic State convention was held at Utica, April 26, 1876.

[746] "It is natural enough that the canal ring and its followers, Tammany and its adherents, and that sort of Democrats who are commonly called Bourbons, should labour to defeat the nomination for high office of the man who represents everything that they oppose, and opposes everything that they represent; but it will be a most discouraging thing to every person who hopes for good at the hands of the Democratic party if such opposition is permitted to prevail in its councils. He has put his principles in practice in the most fearless and resolute manner, and has made himself especially obnoxious to his opponents as their hostility to him clearly shows."—*New York Evening Post* (editorial by William Cullen Bryant), May 26, 1876.

[747] *New York Tribune*, June 17.

[748] *New York Evening Express*, June 23, 1876.

[749] The National Democratic convention assembled on June 27 and 28.

[750] Bigelow, *Life of Tilden*, Vol. 1, p. 308.

[751] Francis Kernan presented Tilden's name very effectively.

[752] First ballot. Necessary two-thirds, 492. Samuel J. Tilden of New York, 404½; Thomas A. Hendricks of Indiana, 133½; Winfield Scott Hancock of Pennsylvania, 75; William Allen of Ohio, 56; Thomas F. Bayard of Delaware, 27; Joel Parker of New Jersey, 18.

Second ballot: Tilden, 535; Hendricks, 60; Hancock, 59; Allen, 54; Bayard, 11; Parker, 18; Thurman of Ohio, 2.

[753] This act terminates as follows: "And the United States also solemnly pledges its faith to make provision at the earliest practicable period for the redemption of the United States notes in coin."

[754] "Tilden's letter was a disappointment to those who had studied his words and acts as Governor."—Rhodes, *History of the United States*, Vol. 7, p. 216.

[755] Appleton's *Cyclopædia*, 1876, p. 790.

[756] "The public interest in an honest, skilful performance of official trust must not be sacrificed to the usufruct of the incumbents."—Appleton's *Cyclopædia*, 1876, p. 790.

[757] *Ibid.*, p. 783.

[758] The Democratic State convention convened on August 30.

[759] *Utica Herald*, August 31, 1876.

[760] For Seymour's letter, see New York papers of September 5.

[761] The ballot stood: Potter, 106½; Robinson, 192½; scattering, 59. Necessary to a choice, 191. Before its announcement changes gave Robinson 243½.

The ticket was as follows: Governor, Lucius Robinson, Chemung; Lieutenant-Governor, William Dorsheimer, Erie; Court of Appeals, Robert Earl, Herkimer; Canal

Commissioner, Darius A. Ogden, Yates; Prison Inspector, Robert H. Anderson, Kings.

[762] On March 15, several disaffected Democrats met at Syracuse and organised a Greenback party, which opposed the resumption of specie payment and favoured legal tender notes as the standard of value. A second convention, held in New York City on June 1, selected four delegates-at-large to the Democratic national convention, and a third, meeting at Albany on September 26, nominated Richard M. Griffin for governor. Other State nominations were made by the Prohibitionists, Albert J. Groo being selected for governor.

[763] Appleton's *Cyclopædia*, 1876, pp. 785, 786.

[764] Delivered at Utica, October 3. See New York papers, October 4.

[765] It was claimed that in 1862 Tilden had a net income of \$89,000. He made oath to \$7,118, and afterward acknowledged receiving \$20,000 in the Terre Haute Railroad case. He alleged that this covered the work of several years. Moreover, that his income-producing property was largely in railroad stocks, bonds, and other securities on which the tax was deducted by the companies before the interest and dividends were paid.—Bigelow, *Life of Tilden*, Vol. 2, p. 232; see also, *Nation*, September 22, 1876.

[766] *Harper's Weekly*, 1876, pp. 828, 885, 906, 907.

[767] "The amount of the State tax for 1876 was \$8,529,174.32, against \$14,206,680.61 in 1875, and \$15,727,482.08 in 1874." Appleton's *Cyclopædia*, 1876, p. 598.

[768] Tilden, plurality, 32,742; Robinson, 30,460. Groo, total vote, 3,412 (Prohibitionist); Griffin, 1,436 (Greenback). Congress, 17 Republicans, 16 Democrats. Assembly, 71 Republicans, 57 Democrats. Ely's majority for mayor of

New York City, 53,517. Tilden's majority in New York City, 53,682.

Republican losses occurred chiefly in the Hudson River and western counties. Elbridge G. Spaulding of Buffalo, and Levi P. Morton of New York, were defeated for Congress.

[769] Manton Marble visited Florida. On November 22, under the *sobriquet* "Moses," he telegraphed in cipher to William T. Pelton, Tilden's nephew, then domiciled in Tilden's home at 15 Gramercy Park: "Have just received proposition to hand over a Tilden decision of Board and certificate of Governor for \$200,000." Pelton thought it too much, and Marble again telegraphed that one Elector could be secured for \$50,000. Pelton replied that he "could not draw until the vote of the Elector was received." On December 5, Marble wired: "Proposition failed.... Tell Tilden to saddle Blackstone."

Smith M. Weed visited South Carolina. On November 16, without the use of cipher or *sobriquet*, he telegraphed Henry Havermeyer: "Board demand \$75,000 for two or three electors." Later in the day he added: "Looks now as though \$75,000 would secure all seven votes." The next day he wired: "Press everywhere. No certainty here. Simply a hope." On November 18, he announced: "Majority of Board secured. Cost \$80,000. Send one parcel of \$65,000; one of \$10,000; one of \$5,000. All to be in \$1000 or \$500 bills. Have cash ready to reach Baltimore Sunday night." Pelton met Weed at Baltimore without the money and both went to New York to secure it. Meantime, the canvassing board reported in favour of Hayes.

Pelton also corresponded with one J.N.H. Patrick, who telegraphed from Oregon: "Must purchase Republican elector to recognise and act with the Democrat, and secure vote to prevent trouble. Deposit \$10,000 to my credit." Pelton replied: "If you will make obligation contingent on

result in March it will be done." Patrick said fee could not be made contingent, whereupon \$8,000 was deposited on January 1, 1877, to his credit, but too late to complete the transaction.

When these telegrams, translated by the New York *Tribune*, were investigated by the Potter Congressional committee in January, 1879, Marble testified that he transmitted them simply "as danger signals"; Weed admitted and attempted to justify; Pelton accepted the full responsibility, intending, he said, to get the money of Edward Cooper; Cooper testified that the telegram requesting \$80,000 sent to Baltimore was his first knowledge of Pelton's activity; that he immediately informed Tilden, who recalled his nephew and put a stop to negotiations. Tilden swore that "no offer, no negotiation in behalf of any member of any Returning Board was ever entertained by me, or by my authority, or with my sanction.... There never was a moment in which I ever entertained any idea of seeking to obtain those certificates by any venal inducement, any promise of money or office, to the men who had them to grant or dispose of. My purpose on that subject was perfectly distinct, invariable, and it was generally assumed by all my friends without discussion. It may have sometimes been expressed and whenever the slightest occasion arose for it to be discussed, it was expressed. It was never deviated from in word or act."—Testimony in relation to Cipher Telegraphic Dispatches, pp. 200-274; see also, Bigelow's *Life of Tilden*, Vol. 2, pp. 180-223.

[770] From an editorial signed by Henry Watterson, January 8, 1877.

[771] Rhodes, *History of the United States*, Vol. 7, p. 243.

[772] *The Nation*, June 25, 1885.

[773] Upon this committee Conkling was substituted in place of Logan, detained at home. Abram S. Hewitt was one

of the House appointees.

[774] Clifford and Field were accounted Democrats, and Miller and Strong, Republicans.

[775] Bigelow, *Life of Tilden*, Vol. 2, p. 60.

[776] Bigelow, *Life of Tilden*, pp. 67-74.

[777] Manton Marble to the New York *Sun*, August 5, 1878.

[778] Bigelow, *Life of Tilden*, Vol. 2, p. 76.

[779] *Ibid.*, pp. 76, 79, 80.

[780] New York *Times*, January 2, 1877.

[781] January 4.

[782] Bigelow, *Life of Tilden*, Vol. 2, p. 74, note.

[783] *Ibid.*, p. 63.

[784] Blaine, *Twenty Tears of Congress*, Vol. 2, p. 584. Morrison of Illinois declared that Davis' "most intimate friends, among whom I may count myself, don't know to-day whether he favored Tilden or Hayes. He didn't vote at all."—*Century Magazine*, October, 1901, p. 928.

[785] Senate: For, 26 Democrats, 21 Republicans; against, 16 Republicans, 1 Democrat. House: For, 160 Democrats, 31 Republicans; against, 69 Republicans, 17 Democrats.

[786] *Century Magazine*, October, 1901, p. 933.

[787] Bigelow, *Life of Tilden*, Vol. 2, p. 64, note.

[788] "General Grant sent for Senator Conkling, and said with deep earnestness: 'This matter is a serious one, and the people feel it very deeply. I think this Electoral Commission ought to be appointed.' Conkling answered: 'Mr. President, Senator Morton' (who was then the acknowledged leader of

the Senate), 'is opposed to it and opposed to your efforts; but if you wish the Commission carried, I can help do it.' Grant said: 'I wish it done.'"—George W. Childs, *Recollections*, pp. 79, 80.

[789] Conkling, *Life of Conkling*, p. 521.

[790] Rhodes, *History of the United States*, Vol. 7, p. 263.

[791] Bigelow, *Life of Tilden*, Vol. 2, p. 84.

[792] "In all his political official life the most important vote which he [Conkling] has been or can be called upon to give—that upon the Louisiana electoral question—he evaded."—*Harper's Weekly*, February 8, 1879.

[793] "He [Conkling] was at the time most suspected by the Republicans, who feared that his admitted dislike to Hayes would cause him to favour a bill which would secure the return of Tilden."—Thomas V. Cooper and Hector T. Fenton, *American Politics*, p. 230; see also, Rhodes, *History of the United States*, Vol. 7, p. 263.

[794] Bigelow, *Life of Tilden*, Vol. 2, p. 84.

"Mr. Conkling felt that neither Mr. Tilden nor Mr. Hayes should be inaugurated."—Conkling, *Life of Conkling*, p. 528.

[795] Letter of Stanley Matthews and Charles Foster, dated February 17, 1877.—Appleton's *Cyclopædia*, 1877, p. 459.

[796] This commission consisted of Charles B. Lawrence, Joseph B. Hawley, John M. Harlan, John C. Brown, and Wayne McVeigh.—*Ibid.*, p. 465.

[797] *Ibid.*, pp. 456-465. Packard became consul to Liverpool.

[798] The commission reported the Packard government's insistence that the Legislature of 1870 had the power to

create a Returning Board with all the authority with which the Act clothed it, and that the Supreme Court of the State had affirmed its constitutionality. On the other hand, the Nichols government admitted the Legislature's right to confide to a Returning Board the appointment of electors for President and Vice-President, but denied its power to modify the constitutional provision for counting the vote for governor without first amending the State Constitution, declaring the Supreme Court's decision to the contrary not to be authoritative.—Appleton's *Cyclopædia*, 1877, pp. 403-404.

[799] Durrell, a United States Circuit judge, sustained Kellogg in his contest with McEnery.

[800] "The President directs me to say that he does not believe public opinion will longer support the maintenance of the State government in Louisiana by the use of the military, and he must concur in this manifest feeling." Grant's telegram to Packard, dated Mar. 1, 1877.

[801] New York *Tribune*, July 10, 1877.

[802] The first step towards a change in the manner of appointments and removals was a bill introduced in Congress on December 20, 1865, by Thomas A. Jenckes of Rhode Island "to regulate the civil service of the United States." A few months later Senator B. Gratz Brown of Missouri submitted a resolution for "such change in the civil service as shall secure appointments to the same after previous examinations by proper Boards, and as shall provide for promotions on the score of merit or seniority." On March 3, 1871, Congress appended a section to an appropriation bill, authorising the President to "prescribe such regulations for the admission of persons into the civil service as may best promote efficiency therein and ascertain the fitness of each candidate in respect to age, health, character, knowledge and ability for the branch of service in

which he seeks to enter; and for this purpose he may employ suitable persons to conduct such inquiries, prescribe their duties, and establish regulations for the conduct of persons who may receive appointments." Under this authority President Grant organised a commission composed of George William Curtis, Joseph Medill, Alexander C. Cattell, Davidson A. Walker, E.B. Ellicott, Joseph H. Blackfan, and David C. Cox. This commission soon found that Congress was indisposed to clothe them with the requisite power, and although in the three years from 1872 to 1875, they had established the entire soundness of the reform, an appropriation to continue the work was refused and the labours of the commission came to an end.

[803] New York *Tribune*, June 25, 1877.

[804] New York *Tribune*, July 28, 1877.

[805] *Ibid.*

[806] In his speech at Woodstock, Conn., on July 4, Blaine disapproved the President's action; a gathering of Republicans in New Jersey, celebrating the return of Robeson from a foreign tour, indicated an unfriendly disposition; the Camerons of Pennsylvania, father and son, exhibited dissent; one branch of the New Hampshire Legislature tabled a resolution approving the President's course; and an early Republican State convention in Iowa indirectly condemned it.

[807] In H.R. 45th Cong., 3d Sess., No. 140, p. 48 (Potter report) is a list of those connected with the Louisiana count "subsequently appointed to or retained in office."

[808] These conventions occurred as follows: Ohio, August 2; Maine, August 9; Pennsylvania, September 6; Wisconsin, September 12; Massachusetts, September 20; New Jersey, September 25. See New York papers on the day following each.

[809] New York *Tribune*, February 28, 1877.

[810] "Platt and I imbibed politics with our earliest nutriment. I was on the stump the year I became a voter, and so was he. I was doing the part of a campaign orator and he was chief of the campaign glee club. The speech amounted to little in those days unless it was assisted by the glee club. In fact the glee club largely drew the audience and held it. The favorite song of that day was 'John Brown's Body,' and the very heights of ecstatic applause were reached when Brother Platt's fine tenor voice rang through the arches of the building or the trees of the woodland, carrying the refrain, 'We'll hang Jeff Davis on a sour apple tree, while John Brown's soul goes marching on.'"—Chauncey M. Depew, *Speeches*, 1896 to 1902, p. 237.

[811] The vote stood 311 to 110 in favour of the motion.

[812] Appleton's *Cyclopædia*, 1877, pp. 562-563.

[813] New York *Tribune*, September 27.

[814] Curtis declined chiefly from the motive ascribed in Lowell's lines:

"At courts, in senates, who so fit to serve?
And both invited, but you would not swerve,
All meaner prizes waiving that you might
In civic duty spend your heat and light,
Unpaid, untrammelled, with a sweet disdain.
Refusing posts men grovel to attain."
—*Lowell's Poems*, Vol. 4, pp. 138-139.

[815] See [Chapter XII.](#), [p. 166.](#)

[816] New York *Tribune*, September 27, 1877.

[817] "He [Conkling] never linked his name with any important principle or policy."—*Political Recollections*,

George W. Julian, p. 359.

"Strictly speaking Senator Conkling was not an originator of legislative measures. He introduced few bills which became laws. He was not an originator, but a moulder of legislation.... It may be said that during his last seven years in the Senate, no other member of that body has, since the time of Webster and Clay, exercised so much influence on legislation."—Alfred R. Conkling, *Life of Conkling*, pp. 645-649.

[818] *Harper's Weekly*, March 11, 1876. For other editorials referred to, see February 5; April 8, 15, 29; May 20; June 3, 17, 1876; March 24; April 21; July 21; August 11; September 22, 1877.

[819] Conkling, *Life of Conkling*, pp. 538-549; *New York Tribune*, October 1, 1877.

[820] After the death of Thomas B. Reed of Maine, this speech was found in his scrap-book among the masterpieces of sarcasm and invective.

[821] White, *Autobiography*, Vol. 1, p. 171.

[822] "Because half-a-dozen grasshoppers under a fern make the field ring with their importunate chink, while thousands of great cattle beneath the shadow of the British oak chew the cud and are silent, pray do not imagine that those who make the noise are the only inhabitants of the field, that of course they are many in number, or that, after all, they are other than the little, shrivelled, meagre, hopping, though loud and troublesome, insects of the hour."—Edmund Burke. George H. Jennings, *Anecdotal History of the British Parliament*, p. 159.

[823] *New York Tribune* (correspondence), September 28.

[824] Alfred R. Conkling, *Life of Conkling*, p. 540.

[825] Edward Cary, *Life of Curtis*, p. 258.

[826] Curtis's amendment was defeated by 311 to 110.

[827] The candidates were: Secretary of State, John C. Churchill, Oswego; Comptroller, Francis Sylvester, Columbia; Treasurer, William L. Bostwick, Ithaca; Attorney-General, Grenville Tremaine, Albany; Engineer, Howard Soule, Onondaga.

[828] The Democratic State convention met at Albany on October 3, 1877.

[829] New York *Tribune*, September 1, 1877.

[830] "The man who has been the most effective organiser of corruption strikes boldly for release. He is arrayed as an element in the combination which attacks the Governor and Democratic State officers, and which seeks to reverse their policy."—Albany *Argus*, October 4, 1877.

[831] "How the Kelly faction got control of the Democratic convention and used it for the supposed benefit of Kelly is hardly worth trying to tell. A description of the intrigues of a parcel of vulgar tricksters is neither edifying nor entertaining reading."—The *Nation*, October 11, 1877.

[832] New York *Tribune*, October 4, 1877.

[833] New York *Tribune*, October 4.

"The defeat of Bigelow and Fairchild will be the triumph of the reactionists who think that the golden era of the State was in the days before thieves were chastised and driven out of the Capital and State House."—Albany *Argus*, October 4, 1877.

[834] Secretary of State, Allen C. Beach, Jefferson; Comptroller, Frederick P. Olcott, Albany; Treasurer, James Mackin, Dutchess; Attorney-General, Augustus

Schoonmaker, Jr., Ulster; Engineer, Horatio Seymour, Jr., Oneida.

On October 6, a convention of Labor Reformers, held at Troy, nominated a State ticket with John J. Junio for Secretary of State. The Prohibition and Greenback parties also nominated State officers, Henry Hagner and Francis E. Spinner being their candidates for secretary of state. The Social Democrats likewise presented a ticket with James McIntosh at its head.

[835] New York *Tribune*, October 4.

[836] This meeting was held in New York City on October 10. See New York papers of the 11th.

[837] "The Utica *Republican* is an aggressive sheet. It calls George William Curtis 'the Apostle of Swash.'"—New York *Tribune*, October 27.

[838] *Ibid.*, November 2.

[839] Democrats elected a governor by 22,520 plurality and carried the Legislature by forty on joint ballot.—Appleton's *Cyclopædia*, 1877, p. 621.

[840] New York *Tribune*, November 3, 1877.

[841] Total vote of John J. Junio (Labour Reformer), 20,282; Henry Hagner (Prohibitionist), 7,230; John McIntosh (Social Democrat), 1,799; Francis E. Spinner (Greenback), 997.—Appleton's *Cyclopædia*, 1877, p. 566.

[842] "We elected our district attorney by 2,336 majority, but the candidate for State senator, who was known to represent Senator Conkling, although personally popular and most deserving, was beaten by 1,133.... It is fair to say that the unpopularity of the federal office-holders, who are Mr. Conkling's most zealous supporters, is in part the cause of

this remarkable result." Interview of Ellis H. Roberts.—New York *Tribune*, November 10, 1877.

"The energies of all the opposition to me were concentrated upon that district. I believe Tammany and the lofty coterie of Republican gentlemen in this city (New York) threw money into my district to carry it against me.... Had we been sufficiently aroused and sagacious we could have defeated this manœuvre, but we found out too late. We sent the tickets to the polls, in the ward in which I live, at daylight, as did the Democrats. Not one of our tickets was found at the polls. They were all thrown into the canal." Interview with Conkling.—New York *Herald*, November 9, 1877.

[843] The Legislature of 1878 had in the Senate: 18 Republicans, 13 Democrats, 1 Independent; in the Assembly: 66 Republicans, 61 Democrats, 1 Independent.

[844] Tammany elected its entire county ticket. Its majority for the State ticket was 30,520.

[845] New York *Times*, May 2, 1878.

[846] The *Utica Republican*, July 1, 1878.

[847] New York *Times* (correspondence), September 27.

[848] A single roll-call resulted as follows: George F. Danforth, Monroe, 226; Joshua M. Van Cott, Kings, 99; George Parsons, Westchester, 79. The Prohibition State convention, which assembled at Albany on April 24, had nominated Van Cott.

[849] "The Democratic convention at Syracuse was perhaps the noisiest, most rowdy, ill-natured, and riotous body of men which ever represented the ruling party of a great Commonwealth."—The *Nation*, October 3.

[850] Cooper had resigned from Tammany in 1877.

[851] Appleton's *Cyclopædia*, 1878, p. 624.

[852] *The Nation*, October 3.

[853] Appleton's *Cyclopædia*, 1878, p. 623.

[854] *New York Tribune*, October 8 and 16.

[855] See [Chapter XXVII.](#), pp. [350](#), [351](#), note.

[856] October 24, 1878.

[857] On May 13, 1878, Congressman Potter of New York secured the appointment of a committee of eleven to investigate alleged frauds in the Florida and Louisiana Returning Boards, with authority to send for persons and papers. He refused to widen the scope of the investigation to include all the States, presumably to avoid the damaging evidence already known relating to Pelton's effort to secure a presidential elector in Oregon. The *Tribune's* timely exposure of the telegrams turned the investigation into a Democratic boomerang.

[858] In reference to Kelly's despotic rule see speeches of Anti-Tammany opponents in *New York Tribune* (first page), October 31, 1878.

[859] Myers, *History of Tammany*, p. 310.

[860] Danforth, Republican, 391,112; Bradley, Democrat, 356,451; Tucker, National, 75,133; Van Cott, Prohibitionist, 4,294. Assembly: Republicans, 98; Democrats, 28; Nationals, 2. Congress: Republicans, 26; Democrats, 7. Cooper over Schell, 19,361.

[861] The following table gave great offense:

Democratic Districts.	Counties. Population.	Republican Districts.	Counties. Population.
3d	Kings 292,258	20th	Herkimer, Otsego 89,338

8th	New York	235,482	18th	Jefferson, Lewis	90,596
7th	New York	173,225	26th	Ontario, Yates, Seneca	91,064
2d	Kings	172,725	16th	Clinton, Essex, Warren	101,327
9th	New York	167,530	27th	Cayuga, Wayne	106,120

[862] Appleton's *Cyclopædia*, 1879, p. 672.

[863] Sharpe's term having expired he had withdrawn his application for reappointment.

[864] "You remember, don't you, what Orville Baker told us about Arthur's two passions, as he heard them discussed at Sam Ward's dinner in New York? New coats being one, he then having ordered twenty-five from his tailor since the New Year came in."—Mrs. James G. Blaine, *Letters* (January 28, 1882), Vol. 1, p. 294.

[865] New York *Tribune*, November 22, 1871. See also, *Ibid.*, November 21.

[866] See his letters to the Secretary of the Treasury, New York *Tribune*, January 28, 1879.

[867] In his testimony before the Jay Commission, Arthur spoke of "10,000 applicants," backed and pressed upon him with unabated energy by the most prominent men "all over the country."—New York *Tribune*, July 28, 1877.

[868] Arthur was offered an appointment as consul-general to Paris.—See Theodore E. Burton, *Life of John Sherman*, p. 294.

[869] New York *Herald*, November 9, 1877. Respecting this interview Conkling made a personal explanation in the Senate, in which he said: "Though some of the remarks in question may at some time have been made in private casual conversations, others of them never proceeded from me at any time."—New York *Tribune*, November 13. It is assumed that the portions quoted above, taken from a three-column interview, are substantially correct, since they are corroborated by several persons now living (1908) who heard the Senator's expressions. See, also, Alfred R. Conkling, *Life of Conkling*, pp. 552-554.

"Mr. Conkling, in all his conversations, seemed to consider men who differed from him as enemies of the human race."—White, *Autobiography*, Vol. 1, p. 188.

"Conkling spoke with great severity of President Hayes, and said he hoped it would be the last time that any man would attempt to steal the presidency."—Hoar, *Autobiography*, Vol. 2, p. 44.

[870] *Harper's Weekly*, December 8, 1877.

[871] Conkling, *Life of Conkling*, p. 373.

[872] *Harper's Weekly*, December 22, 1877.

[873] New York *Tribune*, December 17, 1878.

[874] Theodore Roosevelt died on February 9.

[875] The strength of the anti-Conkling sentiment was clearly shown in the contest for speaker of the Assembly. Thomas G. Alvord received 52 votes to 43 for George B. Sloan of Oswego. Although Sloan and his supporters declared for Conkling, Alvord was confessedly the Conkling candidate.

[876] New York *Tribune* (correspondence), February 1, 1879.

[877] *Ibid.*, January 28.

[878] These exhibits made a document of 423 pages, of which 308 were extracts from the testimony taken by the Jay Commission, then published for the first time.

[879] Cooper, *American Politics*, Book 3, pp. 176-186.

[880] The extra session of Congress adjourned July 1, 1879.

[881] On August 29, the State convention of Nationals assembled at Utica, and nominated Harris Lewis of Herkimer, for governor. The platform opposed National banks and demanded an issue of greenbacks at the rate of \$50 per capita, at least. Lewis, who had been a member of the Assembly twenty years before, was president of the Farmers' Alliance.

The State Prohibition convention met at Syracuse, September 3, and nominated a full State ticket, with John W. Mears of Oneida, for governor. The platform declared the license system the cornerstone of the liquor traffic and favoured woman suffrage.

[882] "The only complaint that his friends have ever made of Mr. Wheeler is that his generous nature forbids him, politically, to fight. Had he been willing to lead in the State convention in 1879, it would have had a different result."—*Harper's Weekly*, March 26, 1881.

[883] Among the more influential Republican editors, who wrote with rare intelligence, representing both factions of the party, may be mentioned Charles E. Smith, *Albany Journal*; Carroll E. Smith, *Syracuse Journal*; Ellis H. Roberts, *Utica Herald*; James N. Matthews, *Buffalo Express*; S. Newton Dexter North, *Albany Express*; Whitelaw Reid, *New York Tribune*; John H. Selkreg, *Ithaca Journal*; John M. Francis, *Troy Times*; Beman Brockway, *Watertown Times*; Charles E. Fitch, *Rochester Democrat-Chronicle*; George William Curtis, *Harper's Weekly*; Charles

G. Fairman, *Elmira Advertiser*; William Edward Foster, *Buffalo Commercial*; George Dawson, *Albany Journal*; Lewis J. Jennings, *New York Times*.

[884] The sale of a condition powder for cattle started Starin on the road to wealth, which soon discovered itself in the ownership of canal, river, and harbour boats, until he became known as High Admiral of the Commerce of New York. Like success attended his railroad operations.

[885] Pomeroy was district-attorney of his County, 1851-56; in the Assembly, 1857; in Congress, 1861-69, being elected speaker in place of Colfax on the day the latter retired to be sworn in as Vice-President; mayor of Auburn, 1875-76; State Senate, 1878-79.

[886] Whole number of votes cast, 450. Necessary to a choice, 226. Cornell received 234; Robertson, 106; Starin, 40; Pomeroy, 35; Hiscock, 34; Sloan, 1.

[887] *Harper's Weekly*, October 25, 1879.

[888] *New York Sun*, September 8.

The following candidates were nominated: Governor, Alonzo B. Cornell, New York; Lieutenant-Governor, George G. Hoskins, Wyoming; Secretary of State, Joseph B. Carr, Rensselaer; Comptroller, James W. Wadsworth, Livingston; Attorney-General, Hamilton Ward, Allegany; Treasurer, Nathan D. Wendell, Albany; Engineer, Howard Soule, Onondaga.

[889] *New York Star*, Sept. 17, 1879.

[890] *New York Sun*, Sept. 12.

[891] In the early forties Manning began as an office-boy on the *Albany Atlas*, and in 1865, as associate editor of the *Argus*, he dominated its policy. Upon the death of James

Cassidy, in 1873, he succeeded to the presidency of the company with which he continued throughout his life.

[892] After service on the *New York World*, and the *Brooklyn Eagle*, McKelway became chief editor of the *Argus* in 1878. He rejoined the *Eagle* in 1885. Among other accomplished editors who made their journals conspicuous in party (Democratic) and State from 1865 to 1880, may be mentioned William Cassidy, *Albany Argus*; Thomas Kinsella, *Brooklyn Eagle*; Joseph Warren and David Gray, *Buffalo Courier*; Samuel M. Shaw, *Cooperstown Freeman's Journal*; James and Erastus Brooks, *New York Express*; Benjamin Wood, *New York News*; Manton Marble and Joseph Pulitzer, *New York World*; William Purcell, *Rochester Union-Advertiser*; Henry A. Reeves, *Greenport Republican Watchman*; E. Prentiss Bailey, *Utica Observer*. Although previously of Democratic tendencies, the *New York Herald*, by 1865, had become wholly independent.

[893] The platform, which dealt mainly with State issues, repeated the fraud-cry of 1876, advocated hard money, and upheld the Democratic programme in Congress.—See Appleton's *Cyclopædia*, 1879, p. 680.

[894] See New York papers of September 12, 1879.

[895] The ticket presented was as follows: Governor, Lucius Robinson, Chemung; Lieutenant-Governor, Clarkson N. Potter, New York; Secretary of State, Allen C. Beach, Jefferson; Comptroller, Frederick P. Olcott, New York; Treasurer, James Mackin, Dutchess; Attorney-General, Augustus Schoonmaker, Ulster; State Engineer, Horatio Seymour, Jr., Oneida.

[896] *Harper's Weekly*, October 4, 1879.

[897] New York papers, October 10, 1879.

[898] *Harper's Weekly*, November 8, 1879.

[899] Cooper Union speech, October 21.

[900] October 23.

[901] *Harper's Weekly*, November 8.

[902] *The Nation*, September 25 and October 23, 1879; *New York Times*, September 19, 20, 24, 25.

[903] *New York World*, October 11, 14, 16, 17.

"John Kelly. Oh! John Kelly!
We read you like a book;
We've got plain country common-sense,
Though homely we may look;
And we know each vote you beg, John,
Is only begged to sell;
You are but the tool of Conkling,
And bargained to Cornell."

—*New York World*, October 17.

[904] The election held on November 4, resulted as follows: Governor, Cornell, 418,567; Robinson, 375,790; Kelly, 77,566; Lewis (National), 20,286; Mears (Prohibition), 4,437. Lieutenant-Governor, Hoskins, 435,304; Potter, 435,014. Secretary of State, Carr (Republican), 436,013; Beach (Democrat), 434,138. Comptroller, Wadsworth, 438,253; Olcott, 432,325. Treasurer, Wendell, 436,300; Mackin, 433,485. Attorney-General, Ward, 437,382; Schoonmaker, 433,238. Engineer and Surveyor, Soule, 427,240; Seymour, 439,681. Legislature: Assembly, Republicans, 92; Democrats, 35; National, 1; Senate (elected the previous year), Republicans, 25; Democrats, 8.

[905] To criticisms of his course in taking part in the campaign, Sherman replied; "We must carry New York next year or see all the result of the war overthrown and the constitutional amendments absolutely nullified. We cannot do this if our friends defeat a Republican candidate for governor, fairly nominated, and against whom there are no

substantial charges affecting his integrity."—Burton, *Life of Sherman*, p. 296.

[906] The Albany Club was organised early in January, 1880.

[907] *New York Times* (editorial), February 18, 1880.

[908] "The Governor showed his contempt for public opinion by nominating John F. Smyth, while the Senate had self-respect enough to refrain from confirming him."—*Ibid.*, May 28, 1880.

[909] "Mr. Smith is one of the happily diminishing class of amphibious editors, one-third journalist, two-thirds 'worker,' who consult with the Bosses in hotels all over the State about 'fixing things,' draw fustian platforms for State conventions, embody the Boss view of the nation and the world in 'editorials,' and supply the pure milk of the word to local committees and henchmen, and 'make it hot' for the Democrats during the canvass."—*The Nation*, March 4, 1880.

[910] Smith was then thirty-eight years of age.

[911] "Mr. Smith's partners in the *Journal* had become enraged in the course of a factional controversy over public appointments, in particular that of Smyth to be the Insurance Commissioner. At a conference Mr. Smith's partners desired to get editorial control at once and to terminate his connection with the *Journal*."—*Philadelphia Press*, January 20, 1908.

"The first response of the conscience and courage of the party was the prompt change of the Albany *Evening Journal*, probably the most influential party paper in the State, from the position of a thick-and-thin machine organ to that of an advocate of sound and independent Republicanism."—*Harper's Weekly*, March 13, 1880.

[912]

"Passions are likened best to flowers and streams;
The shallows murmur but the deeps are dumb."
—*Works of Sir Walter Raleigh*, Vol. 8, p. 716
(Oxford, 1829).

[913] *New York Tribune*, February 26, 1880.

[914] The vote on the resolution endorsing Grant, stood 216 to 183.

[915] Roscoe Conkling, Alonzo B. Cornell, Chester A. Arthur, and James D. Warren, were selected as delegates-at-large.

[916] *Harper's Weekly*, March 13, 20, April 3, 1880.

[917] *New York Tribune*, February 26.

[918] *New York Times*, May 8.

[919] From speech made in the Senate on May 7.—*New York Tribune*, May 8.

[920] *Harper's Weekly*, May 29.

[921] Letter dated May 6.—See Appleton's *Cyclopædia*, 1880, p. 575.

[922] *New York Tribune*, May 8.

[923] Everit Brown, *A Dictionary of American Politics*, p. 372; *Harper's Weekly*, February 5, 1881.

[924] *New York Times*, May 16.

[925] *Ibid.*

[926] *Ibid.*, June 2.

[927] *Ibid.*, May 8.

[928] The minority, representing fourteen States and ably led by Benjamin F. Tracy, sustained the authority of State conventions to overrule the choice of the districts.

[929] "Suggestions were made that the substitution of Mr. Conkling for General Grant would give him the nomination, and there was a moment when General Garfield apprehended such a result. There was, however, never a time when it was possible. The 306 would never have consented unless Grant's name were first withdrawn by his authority. A firmer obstacle would have been Conkling's sturdy refusal to allow the use of his name under any circumstances."—Boutwell, *Reminiscences*, Vol. 2, p. 269.

[930]

"When asked what State he hails from,
Our sole reply shall be,
He comes from Appomattox
And its famous apple-tree."

[931] From his speech nominating Elihu B. Washburne.—*Chicago Tribune*, June 7, 1880.

[932] *Chicago Inter-Ocean*, June 7, 1880.

[933] *New York Times*, June 7.

[934] The first ballot was as follows: Grant, 304; Blaine, 284; Sherman, 93; Edmunds, 34; Washburne, 30; Windom, 10. Whole number of votes, 755; necessary to a choice, 378.

[935] Thirty-fifth ballot: Grant, 313; Blaine, 257; Sherman, 99; Edmunds, 11; Washburne, 23; Windom, 3; Garfield, 50. Thirty-sixth ballot: Grant, 306; Blaine, 42; Sherman, 3; Washburne, 5; Garfield, 399.

Conkling's peculiar manner of announcing New York's vote excited criticism. "Two delegates," he declared, "are said to be for Sherman, eighteen for Blaine, and fifty are for Grant."

The chairman of the West Virginia delegation, whom the Senator had sought to unseat, mimicking the latter's emphasis, announced: "One delegate is said to be for Grant, and eight are known to be for Blaine."

[936] Some months later Chauncey I. Filley, a delegate from St. Louis, caused the Grant medals to be struck for the 306, on which was emblazoned "The Old Guard."

[937] "It has been asserted that this nomination was a boon to Roscoe Conkling to secure his support of Garfield. To deny this is almost supererogatory. He sternly refused to make any suggestion."—Conkling, *Life of Conkling*, p. 607-608.

[938] Woodford's interview with the writer, October 4, 1908.

[939] Mr. Morton's letter to the author, dated September 14, 1908.

[940] Letter of Howard Carroll to the author, dated October 15, 1908.

[941] Interview of author with General Woodford.

[942] New York *Tribune*, June 9.

[943] After the nomination John Sherman wrote to a personal friend: "The nomination of Arthur is a ridiculous burlesque, inspired, I fear, by a desire to defeat the ticket. His nomination attaches to the ticket all the odium of machine politics, and will greatly endanger the success of Garfield. I cannot but wonder how a convention, even in the heat and hurry of closing scenes, could make such a blunder."—Burton, *Life of Sherman*, p. 296.

[944] "I do not think he [Arthur] knows anything. He can quote a verse of poetry, or a page from Dickens and Thackeray, but these are only leaves springing from a root out of dry ground. His vital forces are not fed, and very soon

he has given out his all." Mrs. James G. Blaine, *Letters* (February 21, 1882), Vol. 1, p. 309.

[945] Tilden's letter of June 18, 1880.—*Public Writings and Speeches*, Vol. 2, pp. 502-506.

[946] "If the Democrats do not nominate Mr. Tilden, they do relinquish the fraud issue—the strength of their canvass."—*New York Sun*, June 22, 1880.

[947] *The Nation*, April 22.

[948] See district attorney's letter, Bigelow, *Life of Tilden*, Vol. 2, pp. 254-259, 264.

[949] *Ibid.*

[950] Delegates-at-large: Lucius Robinson, Calvin E. Pratt, Rufus W. Peckham, and Lester B. Faulkner. The last named was chairman of the Democratic State committee.

[951] *New York Tribune*, April 21.

[952] *New York Sun*, April 21.

[953] Letter to Dr. George L. Miller, *New York Tribune*, June 21, 1880.

[954] *New York Sun*, April 21, 1880.

[955] *New York Times*, April 21.

[956] *New York Times*, April 21.

For delegate-at-large to Cincinnati the convention selected the following: Amasa J. Parker of Albany, William Dorsheimer of New York, Jeremiah McGuire of Chemung, George C. Green of Niagara.

[957] *New York Tribune* (correspondence), April 21.

[958] John Bigelow, *Life of Tilden*, Vol. 2, pp. 265, 271.

[959] Tilden's *Public Writings and Speeches*, Vol. 2, pp. 502-506.

[960] John Bigelow, *Life of Tilden*, Vol. 2, p. 272.

[961] *Ibid.*

[962] The vote of the delegation stood as follows: Paine, 38; Tilden, 11; English, 11; Bayard, 6; Hancock, 3; Randall, 1. Under the unit rule this gave Payne the entire number, 70.

[963] The first ballot gave Hancock, 171; Bayard, 153½; Payne, 81½; Thurman, 68½; Field, 65; Morrison, 62; Hendricks, 49½; Tilden, 38; with a few votes to minor candidates. Whole number of votes, 728. Necessary to a choice, 486.

[964] Before changes were made the second ballot gave Hancock 319; Randall, 129½; Bayard, 113; Field, 65½; Thurman, 50; Hendricks, 31; English, 19; Tilden, 6; scattering, 3. After the changes the result was as follows: Hancock, 705; Hendricks, 30; Tilden, 1; Bayard, 2.

[965] The vote stood, without New York, 205 to 457 in favor of rejecting the Shakespeare Hall delegation. With New York it would have been thirty-nine more than a two-thirds majority.

[966] For a copy of this letter, see *New York Tribune*, August 28.

[967] *Harper's Weekly*, May 15, 1873.

[968] Conkling's speech is printed in full in the *New York Tribune* of September 18, 1880.

[969] Alfred R. Conkling, *Life of Roscoe Conkling*, pp. 623-625.

"I was informed by Mr. Conkling that he had not been alone one minute with General Garfield, intending by that care-

taking to avoid the suggestion that his visit was designed to afford an opportunity for any personal or party arrangement."—Boutwell, *Reminiscences*, Vol. 2, p. 272.

[970] Garfield, 555,544; Hancock, 534,511; Weaver (Greenback), 12,373. Judge of Appeals: Folger, 562,821; Rapallo, 517,661; Armstrong (Greenback), 13,183. Mayor of New York: Grace, 101,760; Dowd, 98,715. Legislature: Assembly, Republicans, 81; Democrats, 47. Senate (hold over): Republicans, 32; Democrats, 18. Republican majority on joint ballot, 52.

[971] November 6, 1880.

[972] New York *Tribune* (editorial), January 3, 1881.

[973] "Senator Woodin spoke of Truman G. Younglove, the only speaker in the history of the State who had dared to hold back the committees in order to influence a senatorial caucus, as a 'political corpse,' and said that Sharpe would share his fate."—New York *Tribune*, January 13, 1881.

[974] "Blaine, representing Garfield, came to New York and asked me to enter the contest for the purpose of securing the election of a senator who would support the Administration. That was the reason why I became a candidate."—Interview of Mr. Depew with the author, February 19, 1909.

[975] *Harper's Weekly*, February 5, 1881.

[976] Interview of Mr. Depew with the author, March 28, 1909. See also New York *Tribune*, January 9, 1882. "Among others present at the conference," added Depew, "were Webster Wagner, John Birdsall, Dennis McCarthy, and William H. Robertson of the State Senate, James W. Husted, and George Dawson of the Albany *Evening Journal*. Woodin remarked, 'We can trust Platt, and when he's elected senator we shall not need a step-ladder to reach his ear.'"

[977] Total vote in caucus, 105. Necessary to a choice, 53. Platt, 54; Crowley, 26; Rogers, 10; Wheeler, 10; Lapham, 4; Morton, 1.

The election, which occurred on January 18, resulted: Senate, Platt, 25; Kernan, 6; Assembly, Platt, 79, Kernan, 44.

[978] Alfred R. Conkling, *Life of Conkling*, p. 634.

[979] Morton declined the navy portfolio, preferring the mission to France.

[980] Stewart L. Woodford, U.S. attorney, and Louis F. Payn, U.S. marshal for the Southern District; Asa W. Tenney, U.S. attorney for the Eastern District; Clinton D. MacDougall, U.S. marshal for the Northern District; and John Tyler, collector of customs, Buffalo. These were reappointments.

[981] New York *Tribune*, March 24, 1881.

[982] From Conkling's letter of resignation.—New York *Tribune*, May 17, 1881.

[983] Boutwell, *Reminiscences of Sixty Years*, Vol. 2, p. 274.

[984] New York *Tribune*, January 7, 1882.

[985] Hoar, *Autobiography*, Vol. 2, p. 57.

[986] Boutwell, *Reminiscences*, Vol. 2, p. 273.

[987] *Ibid.*, p. 274.

[988] Conversation with the author, December 7, 1908.

[989] Mrs. James G. Blaine, *Letters* (March 24, 1881), Vol. 1, p. 197.

[990] *Reminiscences*, Vol. 2, p. 273.

[991] Alfred R. Conkling, *Life of Conkling*, p. 637.

[992] For full text of telegram see *New York Tribune*, January 7, 1882. This confidential despatch found its way into the public press. "It must have been stolen from the wires," wrote Hay. "Nobody but myself has ever seen it—not even Garfield. I read it to him. It has been under lock and key ever since."—Mrs. James G. Blaine, *Letters*, Vol. 1, p. 286.

[993] *Ibid.*

[994] Conversation with the author, March 28, 1909.

[995] "If any Democratic senator is thinking only of New York politics, and of the mere party relations of the pending question of Presidential nominations, the Democrats of New York must frankly tell him that nothing but injury to the Democracy of New York has come or can come of coalitions with Senator Conkling. The past is eloquent on the subject. Whether set on foot by Mr. Tilden in 1873, or by Mr. Kelly at a later date, Democratic coalitions with Mr. Conkling have benefited only the Republicans. Mr. Tilden finally came to grief through them, and so did Mr. Kelly; and, what is more important, so did the Democratic party.... It is high time that the false lights which Senator Conkling displayed to certain Democratic senators, and with the help of whom the nominations of President Hayes were thwarted, should be understood. The chequered career of Senator Conkling should compel cautious people to inquire carefully into the evidence for any declaration which may be made by him as to President Garfield and his undertaking."—*New York World*, April 1, 1881.

[996] "I walked over to Conkling and said, 'I shall send my resignation to Governor Cornell to-night.' Conkling turned to me and replied: 'Don't be too hasty about this matter, young man.' We then went to the rear of the Senate Chamber and talked it over. Conkling insisted that we should wait, and fight it out in Committee. I replied, 'We have been so

humiliated that there is but one thing for us to do—rebuke the President by immediately turning in our resignations and then appeal to the Legislature to sustain us.' I induced Conkling to join me in offering our joint resignations, and that night the papers were forwarded to Cornell by special messenger." Platt's *Reminiscences*.—*Cosmopolitan Magazine*, April, 1909, p. 516.

It was at this time that Platt's opponents gave him the sobriquet of "Me Too," meaning that he merely followed Conkling's lead. This was unjust to the junior Senator, who at least took the lead in suggesting and insisting upon resigning.

[997] "The sensational resignations of Conkling and Platt produce no excitement here (Washington), and I have yet to hear one criticism complimentary of Conkling, though I have seen all sorts of people and of every shade of cowardice."—Mrs. James G. Blaine, *Letters* (May 17, 1881), Vol. 1, p. 199.

Robertson and Merritt were promptly and unanimously confirmed on May 18. Two days afterward the names of the five Stalwarts, which had been withdrawn, were resubmitted, except those of Payn and Tyler.

[998] "Conkling was unrelenting in his enmities. He used to get angry with men simply because they voted against him on questions in which he took an interest. Once he did not for months speak to Justin S. Morrill, one of the wisest and kindest of men, because of his pique at one of Morrill's votes."—George F. Hoar, *Autobiography*, Vol. 2, p. 55.

[999] The full text of the letter is published in the New York papers of May 17, 1881.

[1000] "I was very much surprised at Senator Conkling's action," said Senator Frye of Maine, "because of Judge Robertson's personal hostility to him and not on account of

his lack of fitness. During President Hayes' administration not an important appointment was made in Maine to which Senators Blaine and Hamlin were not bitterly opposed. One man was appointed after Mr. Blaine had stated that he was probably the only prominent Republican in the State personally hostile to him. Yet, with a single exception, all were confirmed, notwithstanding the opposition of the Maine Senators. But neither of them resigned. They were too good Republicans for that."—New York *Tribune*, May 17, 1881.

[1001] A.R. Conkling, *Life of Conkling*, p. 632.

[1002] Conkling spoke of Cornell as "The lizard on the hill."

[1003] The ballot resulted as follows: To succeed Platt (long term), Thomas C. Platt, 29; Chauncey M. Depew, 21; Alonzo B. Cornell, 12; Elbridge G. Lapham, 8; Warner Miller, 5; Richard Crowley, 3; scattering, 25. Francis Kernan (Dem.), 54. Total, 157.

To succeed Conkling (short term), Roscoe Conkling, 39; William A. Wheeler, 19; Alonzo B. Cornell, 9; Richard Crowley, 5; Warner Miller, 1; scattering 37. John C. Jacobs (Dem.), 53. Total, 159.

[1004] "Suddenly the adherents of the murdered President saw the powers of government about to be transferred to the leader of their defeated adversaries, and that transfer effected by the act of an assassin. Many of them could not instantly accept the truth that it was the act solely of a half-crazed and disappointed seeker for office; many of them questioned whether the men who were to profit by the act were not the instigators of it."—From address of Elihu Root, delivered at the unveiling of President Arthur's statue in Madison Square, New York, June 13, 1899.

[1005] On June 9, S.H. Bradley of Cattaraugus, made a personal explanation in the Assembly, charging Loren B.

Sessions, of the Senate, with offering him \$2,000 to cast his vote for Depew. Sessions denied the charge. Investigation proved nothing, and an indictment, subsequently returned against Sessions, resulted in a trial and an acquittal.

[1006] New York *Tribune*, July 7, 1881.

[1007] "At a conference held on May 22, at the house of Chester A. Arthur, No. 123 Lexington Avenue, the following persons were present: Chester A. Arthur, Thomas C. Platt, Louis F. Payn, Charles M. Denison, George H. Sharpe, John F. Smyth, A.B. Johnson, and Roscoe Conkling. Each person was asked to pass judgment upon the future course of the two Senators. Each one spoke in turn. The sense of the meeting was that they should proceed to the State capital."—A.R. Conkling, *Life of Conkling*, pp. 642-643.

"Payn warned both Conkling and Platt that they would be defeated. Speaker Sharpe admonished Payn that he was wrong. Payn predicted that while he and other friends were still battling for the organisation Sharpe would desert them. Payn proved himself a prophet. Sharpe went over to the opposition." Platt's Reminiscences.—*Cosmopolitan Magazine*, April, 1909, p. 517.

[1008] New York papers of July 23.

[1009] New York *Tribune*, July 23.

[1010] The candidacy of John C. Jacobs had been the subject of some criticism on the part of the Democrats because he was a member of the Legislature, and on June 22, after the twenty-third ballot, he withdrew. A caucus then substituted the name of Potter.

[1011] Conkling at once resumed the practice of law in New York City. The strain and exposure of making his way on foot through the snowdrifts of the historic blizzard which visited that city in the spring of 1888, resulted in an abscess in the inner ear, from which he died on April 18. A bronze statue, erected in his memory, is located in Madison Square.

"We have followed poor Conkling down to the gates of death and have been truly sorry to see them close upon him.

I have never heard your father, in all the twenty-two years since he spoke hard words to him, say a syllable which he need regret, but his deathbed seemed hardly less inaccessible than his life."—Mrs. James G. Blaine, *Letters*, Vol. 2, p. 203. Dated, San Remo, May 1, 1888. Addressed to Walker Blaine.

[1012] "He wantonly sacrificed the Hancock ticket to his unscrupulous quest of local power. The Democracy here and elsewhere perfectly understand his perfidy, and they only await an opportunity for a reckoning. They intend to punish him and make an example of him as a warning to bolting renegades and traitors."—New York *Herald*, November 5, 1880.

[1013] Appleton's *Cyclopædia*, 1881, p. 655.

The State ticket was as follows: Secretary of State, William Purcell, Monroe; Comptroller, George H. Lapham, Yates; Attorney-General, Roswell A. Parmenter, Rensselaer; Treasurer, Robert A. Maxwell, Genesee; Engineer, Thomas Evershed, Orleans; Judge, Court of Appeals, Augustus Schoonmaker, Ulster.

[1014] "It was a common saying of that time among those who knew him best, "'Chet" Arthur, President of the United States! Good God!"—White, *Autobiography*, Vol. 1, p. 193.

[1015] The ticket was as follows: Secretary of State, Joseph B. Carr, Rensselaer; Comptroller, Ira Davenport, Steuben; Attorney-General, Leslie W. Russell, St. Lawrence; Treasurer, James W. Husted, Westchester; Engineer and Surveyor, Silas Seymour, Saratoga; Judge of the Court of Appeals, Francis M. Finch, Tompkins.

[1016] *Harper's Weekly*, October 15.

[1017] "I dined at the President's on Wednesday. The dinner was extremely elegant, hardly a trace of the old White House taint being perceptible anywhere, the flowers, the

silver, the attendants, all showing the latest style and an abandon in expense and taste."—Mrs. James G. Blaine, *Letters* (March 13, 1882), Vol. 2, pp. 4, 5.

[1018] Plurality of Carr, secretary of state, 13,022. Other Republicans had about the same, except Husted, whom Maxwell, treasurer, defeated by 20,943. The Legislature stood: Senate, Democrats, 17; Republicans, 15. Assembly, Democrats, 67; Republicans, 61.

[1019] Kelly demanded the chairmanship of cities in both Houses, a satisfactory composition of the committees on railroads and on commerce and navigation, a share in the subordinate offices, and the exclusion of John C. Jacobs of Kings from the presidency of the Senate.

[1020] The Greenback-Labour party held its convention at Albany on July 19, nominating Epenetus Howe of Tompkins, for governor. It reaffirmed the principles of the party.

A labour convention was held at Buffalo on September 12, but no nominations were made. It favored abolition of the contract-labour system in prisons; of cigar factories in tenements; of child labour under fourteen; enforcement of the compulsory education act; reduction of labour to ten hours a day, etc.

An anti-monopoly convention assembled at Saratoga on September 13. No nominations were made. It demanded commissioners to supervise and control corporation charges; advocated free canals; government ownership of the telegraph; postal savings banks; discontinuance of railroad grants; prohibition of combinations to control prices, etc.

[1021] There were eight candidates for governor: Erastus Corning of Albany, Homer A. Nelson of Dutchess, Grover Cleveland of Erie, Roswell P. Flower of Jefferson, Henry W.

Slocum of Kings, and Allan Campbell, Waldo M. Hutchins, and Perry Belmont of New York.

[1022] New York *Tribune*, September 23.

[1023] Whole number of votes, 385; necessary to a choice, 193. First ballot: Slocum, 98; Flower, 97; Cleveland, 66; Corning, 35; Campbell, 37; Nelson, 26; Belmont, 12; Hutchins, 13. Second ballot: Slocum, 123; Flower, 123; Cleveland, 71; Campbell, 33; Nelson, 15; Belmont, 6; Hutchins, 13. Third ballot: Slocum, 156; Flower, 15; Cleveland, 211.

[1024] The candidates were Charles J. Folger, Alonzo B. Cornell, James W. Wadsworth of Genesee, John H. Starin of New York, and John C. Robinson of Broome.

[1025] The bill provided that the elevated railroad companies of New York should, in lieu of other public charges, pay a tax of four per cent. on their gross receipts. As first submitted the bill had the approval of the mayor and comptroller of the city, but after its modification they withdrew their approval and opposed its passage on the ground that it unjustly discriminated in favour of these particular corporations and deprived the city of a large amount of revenue.—Appleton's *Cyclopædia*, 1882, p. 600.

[1026] Albany *Evening Journal*, August 20, 1882.

[1027] French presented a telegram to the secretary of the State committee purporting to be sent from New York by Robertson. An investigation made later showed that the message was written in Albany on a sender's blank and had not been handled by the telegraph company. French explained that he had wired Robertson for a proxy, and when handed the message supposed it to be an answer. It was plain, however, that the telegram to Robertson and his alleged answer were parts of the same scheme.

[1028] *New York Times*, September 22; see also the *Nation*, October 5; *Harper's Weekly*, October 14 and 21; *New York Sun*, September 22; *Albany Evening Journal*, September 22.

[1029] Whole number of votes, 447. Necessary to a choice, 249. First ballot: Folger, 223; Cornell, 180; Wadsworth, 69; Starin, 19; Robinson, 6. Second ballot: Folger, 257; Cornell, 222; Wadsworth, 18.

The ticket was as follows: Governor, Charles J. Folger, Ontario; Lieutenant-Governor, B. Platt Carpenter, Dutchess; Chief Judge of Appeals, Charles Andrews, Onondaga; Congressman-at-large, A. Barton Hepburn, St. Lawrence. Subsequently, Howard Carroll of New York, was substituted for Hepburn.

[1030] "Look at John F. Smyth and B. Platt Carpenter. Instead of being at the head of the whole business, they should be at the tail or out of sight."—From speech of Theodore F. Pomeroy, the *Nation*, October 5.

[1031] September 23.

[1032] The *Nation*, October 5.

[1033] *New York Tribune*, October 4.

"By one of those curious blunders to which editorial offices are liable in the absence of the responsible head, an article by Mr. Curtis was modified to commit the paper to the support of the candidate. Curtis resigned the editorship. It was promptly and in the most manly manner disavowed by the house of Harper & Bros."—Edward Cary, *Life of Curtis*, p. 275.

[1034] September 22.

[1035] *New York daily papers*, October 4.

[1036] *New York Times*, September 29.

[1037] Albany *Evening Journal*, October 16.

[1038] Folger's letter is found in the daily papers of October 4.

[1039] It was generally known that this influence changed the votes of two acting State committeemen, who had agreed to act with the Cornell men.—See the *Nation* of October 5; also the New York *Tribune*, October 4.

[1040] Cleveland's letter appears in the press of October 10.

[1041] Albany *Evening Journal*, October 19.

[1042] *Harper's Weekly*, November 4.

[1043] Appleton's *Cyclopædia*, 1882, p. 608.

[1044] "It will be two weeks to-morrow since I dined with Judge Howe, the postmaster-general, going out to the table with him, and here he is dead! Poor Arthur, he will find the Presidency more gruesome with a favourite cabinet minister gone! If it were Folger now, I suppose he would not care, for they really do not know what to do with him."—Mrs. James G. Blaine, *Letters*, Vol. 2, p. 93.

[1045] The vote was as follows: Cleveland, 535,318; Folger, 342,464; plurality, 192,854. Hill, 534,636; Carpenter, 337,855; plurality, 196,781. Ruger, 482,222; Andrews, 409,423; plurality, 72,799. Slocum, 503,954; Carroll, 394,232; plurality, 109,722.

In New York City the vote stood: Cleveland, 124,914; Folger, 47,785; plurality, 77,129. Edson (mayor), 97,802; Campbell, 76,385; plurality, 21,417. Other candidates for governor received: Howe (Greenback), 11,974; Hopkins (Prohibition), 25,783.

Legislature: Senate, Democrats, 18; Republicans, 14. Assembly, Democrats, 84; Republicans, 42; Independents, 2. Congress, Democrats, 19; Republicans, 14.

A POLITICAL HISTORY
OF THE
STATE OF NEW YORK

BY
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