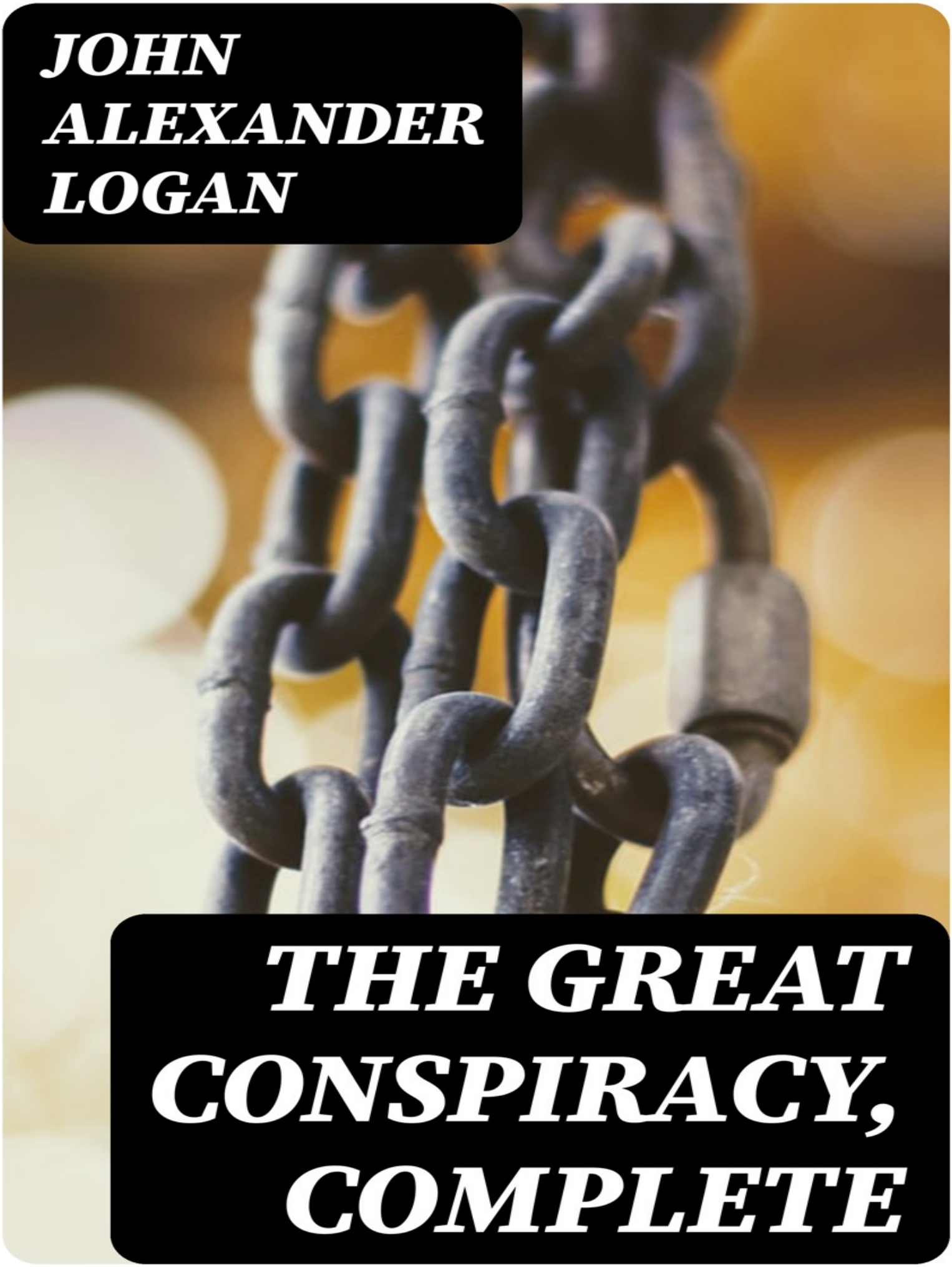

JOHN ALEXANDER LOGAN
THE GREAT CONSPIRACY, COMPLETE

John Alexander Logan

The Great Conspiracy, Complete

EAN 8596547170143

DigiCat, 2022
Contact: DigiCat@okpublishing.info

Table of Contents

IMAGES

Table of Contents

DAVID HUNTER

PATRICK HENRY

EDWARD D. BAKER

JOHN C. FREMONT

SIMON CAMERON

H. W. HALLECK

BENJ. F. BUTLER

LYMAN TRUMBULL

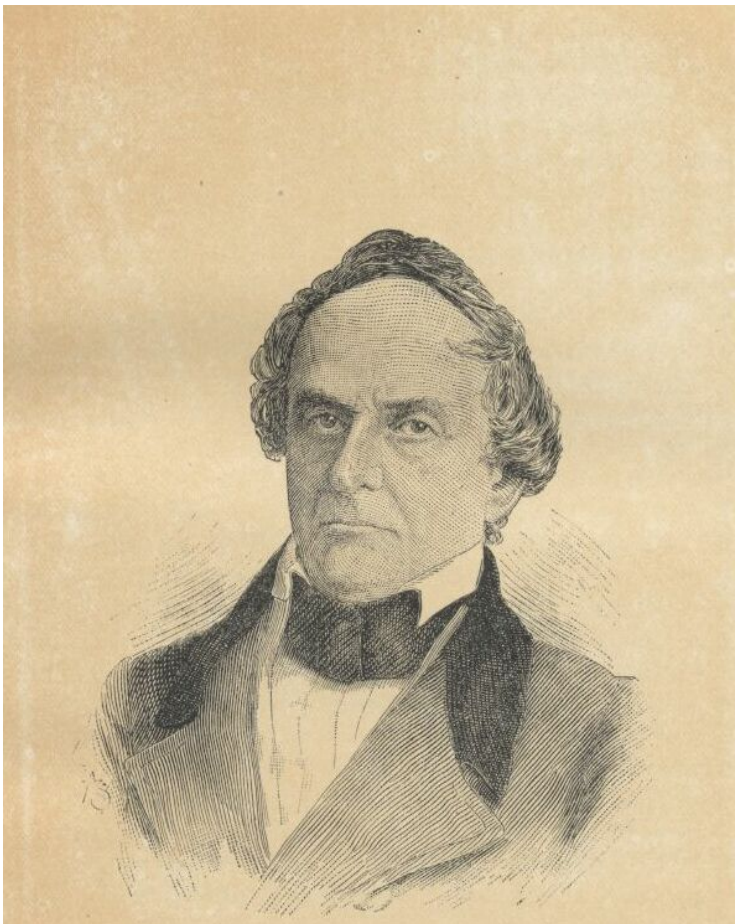
BENJ. F. WADE

GEO. B. MCCLELLAN

THAD. STEVENS

HENRY WINTER DAVIS

J. C. BRECKINRIDGE



DANIEL WEBSTER.

CHAPTER I.

A PRELIMINARY RETROSPECT.

Table of Contents

To properly understand the condition of things preceding the great war of the Rebellion, and the causes underlying that condition and the war itself, we must glance backward through the history of the Country to, and even beyond, that memorable 30th of November, 1782, when the Independence of the United States of America was at last conceded by Great Britain. At that time the population of the United States was about 2,500,000 free whites and some 500,000 black slaves. We had gained our Independence of the Mother Country, but she had left fastened upon us the curse of Slavery. Indeed African Slavery had already in 1620 been implanted on the soil of Virginia before Plymouth Rock was pressed by the feet of the Pilgrim Fathers, and had spread, prior to the Revolution, with greater or less rapidity, according to the surrounding adaptations of soil, production and climate, to every one of the thirteen Colonies.

But while it had thus spread more or less throughout all the original Colonies, and was, as it were, recognized and acquiesced in by all, as an existing and established institution, yet there were many, both in the South and North, who looked upon it as an evil—an inherited evil—and were anxious to prevent the increase of that evil. Hence it was that even as far back as 1699, a controversy sprang up between the Colonies and the Home Government, upon the African Slavery question—a controversy continuing with

more or less vehemence down to the Declaration of Independence itself.

It was this conviction that it was not alone an evil but a dangerous evil, that induced Jefferson to embody in his original draft of that Declaration a clause strongly condemnatory of the African Slave Trade—a clause afterward omitted from it solely, he tells us, "in complaisance to South Carolina and Georgia, who had never* attempted to restrain the importation of slaves, and who, on the contrary, still wished to continue it," as well as in deference to the sensitiveness of Northern people, who, though having few slaves themselves, "had been pretty considerable carriers of them to others" a clause of the great indictment of King George III., which, since it was not omitted for any other reason than that just given, shows pretty conclusively that where the fathers in that Declaration affirmed that "all men are created equal," they included in the term "men," black as well as white, bond as well as free; for the clause ran thus: "Determined to keep open a market where MEN should be bought and sold, he has prostituted his negative for suppressing every Legislative attempt to prohibit or to restrain this execrable commerce. And that this assemblage of horrors might want no fact of distinguished dye, he is now exciting those very people to rise in arms among us, and purchase that liberty of which he has deprived them, by murdering the people on whom he also obtruded them; thus paying of former crimes committed against the LIBERTIES of our people with crimes which he urges them to commit against the LIVES of another."

[Prior to 1752, when Georgia surrendered her charter and became a Royal Colony, the holding of slaves within its limits was expressly prohibited by law; and the Darien (Ga.)

resolutions of 1775 declared not only a "disapprobation and abhorrence of the unnatural practice of Slavery in America" as "a practice founded in injustice and cruelty, and highly dangerous to our Liberties (as well as lives) but a determination to use our utmost efforts for the manumission of our slaves in this colony upon the most safe and equitable footing for the masters and themselves."]

During the war of the Revolution following the Declaration of Independence, the half a million of slaves, nearly all of them in the Southern States, were found to be not only a source of weakness, but, through the incitements of British emissaries, a standing menace of peril to the Slaveholders. Thus it was that the South was overrun by hostile British armies, while in the North—comparatively free of this element of weakness—disaster after disaster met them. At last, however, in 1782, came the recognition of our Independence, and peace, followed by the evacuation of New York at the close of 1783.

The lessons of the war, touching Slavery, had not been lost upon our statesmen. Early in 1784 Virginia ceded to the United States her claims of jurisdiction and otherwise over the vast territory north-west of the Ohio; and upon its acceptance, Jefferson, as chairman of a Select Committee appointed at his instance to consider a plan of government therefor, reported to the ninth Continental Congress an Ordinance to govern the territory ceded already, or to be ceded, by individual States to the United States, extending from the 31st to the 47th degree of north latitude, which provided as "fundamental conditions between the thirteen original States and those newly described" as embryo States thereafter—to be carved out of such territory ceded or to be ceded to the United States, not only that "they shall forever

remain a part of the United States of America," but also that "after the year 1800 of the Christian era, there shall be neither Slavery nor involuntary servitude in any of the said States"—and that those fundamental conditions were "unalterable but by the joint consent of the United States in Congress assembled, and of the particular State within which such alteration is proposed to be made."

But now a signal misfortune befell. Upon a motion to strike out the clause prohibiting Slavery, six States: New Hampshire, Massachusetts, Rhode Island, Connecticut, New York and Pennsylvania, voted to retain the prohibitive clause, while three States, Maryland, Virginia and South Carolina, voted not to retain it. The vote of North Carolina was equally divided; and while one of the Delegates from New Jersey voted to retain it, yet as there was no other delegate present from that State, and the Articles of Confederation required the presence of "two or more" delegates to cast the vote of a State, the vote of New Jersey was lost; and, as the same Articles required an affirmative vote of a majority of all the States—and not simply of those present—the retention of the clause prohibiting Slavery was also lost. Thus was lost the great opportunity of restricting Slavery to the then existing Slave States, and of settling the question peaceably for all time. Three years afterward a similar Ordinance, since become famous as "the Ordinance of '87," for the government of the North-west Territory (from which the Free States of Ohio, Indiana, Illinois, Michigan and Wisconsin have since been carved and admitted to the Union) was adopted in Congress by the unanimous vote of all the eight States present. And the sixth article of this Ordinance, or "Articles of Compact," which it was stipulated should "forever remain unalterable, unless by common consent," was in these words:

"Art. 6. There shall be neither Slavery nor involuntary servitude in the said Territory, otherwise than in punishment

of crimes, whereof the party shall have been duly convicted; provided always that any person escaping into the same from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor, or service, as aforesaid."

But this Ordinance of '87, adopted almost simultaneously with the framing of our present Federal Constitution, was essentially different from the Ordinance of three years previous, in this: that while the latter included the territory south of the Ohio River as well as that north-west of it, this did not; and as a direct consequence of this failure to include in it the territory south of that river, the States of Tennessee, Alabama and Mississippi, which were taken out of it, were subsequently admitted to the Union as Slave States, and thus greatly augmented their political power. And at a later period it was this increased political power that secured the admission of still other Slave States—as Florida, Louisiana and Texas—which enabled the Slave States to hold the balance of such power as against the original States that had become Free, and the new Free States of the North-west.

Hence, while in a measure quieting the great question of Slavery for the time being, the Ordinance of '87 in reality laid the ground-work for the long series of irritations and agitations touching its restrictions and extension, which eventually culminated in the clash of arms that shook the Union from its centre to its circumference. Meanwhile, as we have seen—while the Ordinance of 1787 was being enacted in the last Congress of the old Confederation at New York—the Convention to frame the present Constitution was sitting at Philadelphia under the Presidency of George Washington himself. The old Confederation had proved itself to be "a rope of sand." A new and stronger form of government had become a necessity for National existence.

To create it out of the discordant elements whose harmony was essential to success, was an herculean task, requiring the utmost forbearance, unselfishness, and wisdom. And of all the great questions, dividing the framers of that Constitution, perhaps none of them required a higher degree of self abnegation and patriotism than those touching human Slavery.

The situation was one of extreme delicacy. The necessity for a closer and stronger Union of all the States was apparently absolute, yet this very necessity seemed to place a whip in the hands of a few States, with which to coerce the greater number of States to do their bidding. It seemed that the majority must yield to a small minority on even vital questions, or lose everything.

Thus it was, that instead of an immediate interdiction of the African Slave Trade, Congress was empowered to prohibit it after the lapse of twenty years; that instead of the basis of Congressional Representation being the total population of each State, and that of direct taxation the total property of each State, a middle ground was conceded, which regarded the Slaves as both persons and property, and the basis both of Representation and of Direct Taxation was fixed as being the total Free population "plus three-fifths of all other persons" in each State; and that there was inserted in the Constitution a similar clause to that which we have seen was almost simultaneously incorporated in the Ordinance of '87, touching the reclamation and return to their owners of Fugitive Slaves from the Free States into which they may have escaped.

The fact of the matter is, that the Convention that framed our Constitution lacked the courage of its convictions, and was "bulldozed" by the few extreme Southern Slave-holding States—South Carolina and Georgia especially. It actually paltered with those convictions and with the truth itself. Its convictions—those at least of a great majority of its

delegates—were against not only the spread, but the very existence of Slavery; yet we have seen what they unwillingly agreed to in spite of those convictions; and they were guilty moreover of the subterfuge of using the terms "persons" and "service or labor" when they really meant "Slaves" and "Slavery." "They did this latter," Mr. Madison says, "because they did not choose to admit the right of property in man," and yet in fixing the basis of Direct Taxation as well as Congressional Representation at the total Free population of each State with "three-fifths of all other persons," they did admit the right of property in man! As was stated by Mr. Iredell to the North Carolina Ratification Convention, when explaining the Fugitive Slave clause: "Though the word 'Slave' is not mentioned, this is the meaning of it." And he added: "The Northern delegates, owing to their peculiar scruples on the subject of Slavery, did not choose the word 'Slave' to be mentioned."

In March, 1789, the first Federal Congress met at New York. It at once enacted a law in accordance with the terms of the Ordinance of '87—adapting it to the changed order of things under the new Federal Constitution—prohibiting Slavery in the Territories of the North-west; and the succeeding Congress enacted a Fugitive-Slave law.

In the same year (1789) North Carolina ceded her western territory (now Tennessee) south of the Ohio, to the United States, providing as one of the conditions of that cession, "that no regulation made, or to be made, by Congress, shall tend to emancipate Slaves." Georgia, also, in 1802, ceded her superfluous territorial domain (south of the Ohio, and now known as Alabama and Mississippi), making as a condition of its acceptance that the Ordinance of '87 "shall, in all its parts, extend to the territory contained in the present act of cession, the article only excepted which forbids Slavery."

Thus while the road was open and had been taken advantage of, at the earliest moment, by the Federal Congress to prohibit Slavery in all the territory north-west of the Ohio River by Congressional enactment, Congress considered itself barred by the very conditions of cession from inhibiting Slavery in the territory lying south of that river. Hence it was that while the spread of Slavery was prevented in the one Section of our outlying territories by Congressional legislation, it was stimulated in the other Section by the enforced absence of such legislation. As a necessary sequence, out of the Territories of the one Section grew more Free States and out of the other more Slave States, and this condition of things had a tendency to array the Free and the Slave States in opposition to each other and to Sectionalize the flames of that Slavery agitation which were thus continually fed.

Upon the admission of Ohio to Statehood in 1803, the remainder of the North-west territory became the Territory of Indiana. The inhabitants of this Territory (now known as the States of Indiana, Illinois, Michigan and Wisconsin), consisting largely of settlers from the Slave States, but chiefly from Virginia and Kentucky, very persistently (in 1803, 1806 and 1807) petitioned Congress for permission to employ Slave Labor, but—although their petitions were favorably reported in most cases by the Committees to which they were referred—without avail, Congress evidently being of opinion that a temporary suspension in this respect of the sixth article of the Ordinance of '87 was "not expedient." These frequent rebuffs by Congress, together with the constantly increasing emigration from the Free States, prevented the taking of any further steps to implant Slavery on the soil of that Territory.

Meanwhile the vast territory included within the Valley of the Mississippi and known at that day as the "Colony of Louisiana," was, in 1803, acquired to the United States by

purchase from the French—to whom it had but lately been retroceded by Spain. Both under Spanish and French rule, Slavery had existed throughout this vast yet sparsely populated region. When we acquired it by purchase, it was already there, as an established "institution;" and the Treaty of acquisition not only provided that it should be "incorporated into the Union of the United States, and admitted as soon as possible, according to the principles of the Federal Constitution," but that its inhabitants in the meantime "should be maintained and protected in the free enjoyment of their liberty, property, and the religion which they professed"—and, as "the right of property in man" had really been admitted in practice, if not in theory, by the framers of that Constitution itself—that institution was allowed to remain there. Indeed the sparseness of its population at the time of purchase and the amazing fertility of its soil and adaptability of its climate to Slave Labor, together with the then recent invention by Eli Whitney, of Massachusetts, of that wonderful improvement in the separation of cotton-fibre from its seed, known as the "cotton-gin"—which with the almost simultaneous inventions of Hargreaves, and Arkwright's cotton-spinning machines, and Watt's application of his steam engine, etc., to them, marvelously increased both the cotton supply and demand and completely revolutionized the cotton industry—contributed to rapidly and thickly populate the whole region with white Slave-holders and black Slaves, and to greatly enrich and increase the power of the former.

When Jefferson succeeded in negotiating the cession of that vast and rich domain to the United States, it is not to be supposed that either the allurements of territorial aggrandizement on the one hand, or the impending danger to the continued ascendency of the political party which had elevated him to the Presidency, threatening it from all the irritations with republican France likely to grow out of such

near proximity to her Colony, on the other, could have blinded his eyes to the fact that its acquisition must inevitably tend to the spread of that very evil, the contemplation of which, at a later day, wrung from his lips the prophetic words, "I tremble for my Country when I reflect that God is just." It is more reasonable to suppose that, as he believed the ascendency of the Republican party of that day essential to the perpetuity of the Republic itself, and revolted against being driven into an armed alliance with Monarchical England against what he termed "our natural friend," Republican France, he reached the conclusion that the preservation of his Republican principles was of more immediate moment than the question of the perpetuation and increase of human Slavery. Be that as it may, it none the less remains a curious fact that it was to Jefferson, the far-seeing statesman and hater of African Slavery and the author of the Ordinance of 1784—which sought to exclude Slavery from all the Territories of the United States south of, as well as north-west of the Ohio River—that we also owe the acquisition of the vast territory of the Mississippi Valley burdened with Slavery in such shape that only a War, which nearly wrecked our Republic, could get rid of!

Out of that vast and fertile, but Slave-ridden old French Colony of "Louisiana" were developed in due time the rich and flourishing Slave States of Louisiana, Missouri and Arkansas.

It will have been observed that this acquisition of the Colony of Louisiana and the contemporaneous inventions of the cotton-gin, improved cotton-spinning machinery, and the application to it of steam power, had already completely neutralized the wisdom of the Fathers in securing, as they thought, the gradual but certain extinction of Slavery in the United States, by that provision in the Constitution which enabled Congress, after an interval of twenty years, to

prohibit the African Slave Trade; and which led the Congress, on March 22, 1794, to pass an Act prohibiting it; to supplement it in 1800 with another Act in the same direction; and on March 2, 1807, to pass another supplemental Act—to take effect January 1, 1808—still more stringent, and covering any such illicit traffic, whether to the United States or with other countries. Never was the adage that, "The best laid schemes o' mice an' men gang aft agley," more painfully apparent. Slaves increased and multiplied within the land, and enriched their white owners to such a degree that, as the years rolled by, instead of compunctions of conscience on the subject of African Slavery in America, the Southern leaders ultimately persuaded themselves to the belief that it was not only moral, and sanctioned by Divine Law, but that to perpetuate it was a philanthropic duty, beneficial to both races! In fact one of them declared it to be "the highest type of civilization."

In 1812, the State of Louisiana, organized from the purchased Colony of the same name, was admitted to the Union, and the balance of the Louisiana purchase was thereafter known as the Territory of Missouri.

In 1818 commenced the heated and protracted struggle in Congress over the admission of the State of Missouri—created from the Territory of that name—as a Slave State, which finally culminated in 1820 in the settlement known thereafter as the "Missouri Compromise."

Briefly stated, that struggle may be said to have consisted in the efforts of the House on the one side, to restrict Slavery in the State of Missouri, and the efforts of the Senate on the other, to give it free rein. The House insisted on a clause in the Act of admission providing, "That the introduction of Slavery or involuntary servitude be prohibited, except for the punishment of crimes whereof the party has been duly convicted; and that all children born

within the said State, after the admission thereof into the Union, shall be declared Free at the age of twenty-five years." The Senate resisted it—and the Bill fell. In the meantime, however, a Bill passed both Houses forming the Territory of Arkansas out of that portion of the Territory of Missouri not included in the proposed State of Missouri, without any such restriction upon Slavery. Subsequently, the House having passed a Bill to admit the State of Maine to the Union, the Senate amended it by tacking on a provision authorizing the people of Missouri to organize a State Government, without restriction as to Slavery. The House decidedly refused to accede to the Senate proposition, and the result of the disagreement was a Committee of Conference between the two Houses, and the celebrated "Missouri Compromise," which, in the language of another—[Hon. John Holmes of Massachusetts, of said Committee on Conference, March 2, 1820.]—, was: "that the Senate should give up its combination of Missouri with Maine; that the House should abandon its attempt to restrict Slavery in Missouri; and that both Houses should concur in passing the Bill to admit Missouri as a State, with" a "restriction or proviso, excluding Slavery from all territory north and west of the new State"—that "restriction or proviso" being in these words: "That in all that territory ceded by France to the United States under the name of Louisiana, which lies north of thirty-six degrees, thirty minutes north latitude, excepting only such part thereof as is included within the limits of the State contemplated by this act, Slavery and involuntary servitude, otherwise than in the punishment of crime, whereof the party shall have been duly convicted, shall be and is hereby forever prohibited; Provided always, that any person escaping into the same, from whom labor and service is lawfully claimed in any State or Territory of the United States, such Fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service, as aforesaid." At a subsequent session of Congress,

at which Missouri asked admission as a State with a Constitution prohibiting her Legislature from passing emancipation laws, or such as would prevent the immigration of Slaves, while requiring it to enact such as would absolutely prevent the immigration of Free Negroes or Mulattoes, a further Compromise was agreed to by Congress under the inspiration of Mr. Clay, by which it was laid down as a condition precedent to her admission as a State—a condition subsequently complied with—that Missouri must pledge herself that her Legislature should pass no act "by which any of the citizens of either of the States should be excluded from the enjoyment of the privileges and immunities to which they are entitled under the Constitution of the United States."

This, in a nut-shell, was the memorable Missouri Struggle, and the "Compromise" or Compromises which settled and ended it. But during that struggle—as during the formation of the Federal Constitution and at various times in the interval when exciting questions had arisen—the bands of National Union were more than once rudely strained, and this time to such a degree as even to shake the faith of some of the firmest believers in the perpetuity of that Union. It was during this bitter struggle that John Adams wrote to Jefferson: "I am sometimes Cassandra enough to dream that another Hamilton, another Burr, may rend this mighty fabric in twain, or perhaps into a leash, and a few more choice spirits of the same stamp might produce as many Nations in North America as there are in Europe."

It is true that we had "sown the wind," but we had not yet "reaped the whirlwind."

STEPHEN A. DOUGLAS.

CHAPTER II.

PROTECTION AND FREE TRADE.

Table of Contents

We have seen that the first Federal Congress met at New York in March, 1789. It organized April 6th. None knew better than its members that the war of the Americana Revolution chiefly grew out of the efforts of Great Britain to cripple and destroy our Colonial industries to the benefit of the British trader, and that the Independence conquered, was an Industrial as well as Political Independence; and none knew better than they, that the failure of the subsequent political Confederation of States was due mainly to its failure to encourage and protect the budding domestic manufactures of those States. Hence they hastened, under the leadership of James Madison, to pass "An Act laying a duty on goods, wares and merchandize imported into the United States," with a preamble, declaring it to be "necessary" for the "discharge of the debt of the United States and the encouragement and protection of manufactures." It was approved by President Washington July 4, 1789—a date not without its significance—and levied imports both specific and ad valorem. It was not only our first Tariff Act, but, next to that prescribing the oath used in organizing the Government, the first Act of the first Federal Congress; and was passed in pursuance of the declaration of President Washington in his first Message, that "The safety and interest of the People" required it. Under the inspiration of Alexander Hamilton the Tariff of 1790 was enacted at the second session of the same Congress,

confirming the previous Act and increasing some of the protective duties thereby imposed.

An analysis of the vote in the House of Representatives on this Tariff Bill discloses the fact that of the 39 votes for it, 21 were from Southern States, 13 from the Middle States, and 5 from New England States; while of the 13 votes against it, 9 were from New England States, 3 from Southern States, and 1 from Middle States. In other words, while the Southern States were for the Bill in the proportion of 21 to 3, and the Middle States by 13 to 1, New England was against it by 9 to 5; or again, while 10 of the 13 votes against it were from the New England and Middle States, 21 (or more than half) of the 39 votes for it were from Southern States.

It will thus be seen—singularly enough in view of subsequent events—that we not only mainly owe our first steps in Protective Tariff legislation to the almost solid Southern vote, but that it was thus secured for us despite the opposition of New England. Nor did our indebtedness to Southern statesmen and Southern votes for the institution of the now fully established American System of Protection cease here, as we shall presently see.

That Jefferson, as well as Washington and Madison, agreed with the views of Alexander Hamilton on Protection to our domestic manufactures as against those of foreign Nations, is evident in his Annual Message of December 14, 1806, wherein—discussing an anticipated surplus of Federal revenue above the expenditures, and enumerating the purposes of education and internal improvement to which he thinks the "whole surplus of impost" should during times of peace be applied; by which application of such surplus he prognosticates that "new channels of communication will be opened between the States; the lines of separation will disappear; their interests will be identified, and their Union cemented by new and indissoluble ties"—he says: "Shall we suppress the impost and give that advantage to foreign over

domestic manufactures. On a few articles of more general and necessary use, the suppression in due season, will doubtless be right; but the great mass of the articles on which impost is paid is foreign luxuries, purchased by those only who are rich enough to afford themselves the use of them." But his embargo and other retaliatory measures, put in force in 1807 and 1808, and the War of 1812–15 with Great Britain, which closely followed, furnished Protection in another manner, by shutting the door to foreign imports and throwing our people upon their own resources, and contributed greatly to the encouragement and increase of our home manufactures—especially those of wool, cotton, and hemp.

At the close of that War the traders of Great Britain determined, even at a temporary loss to themselves, to glut our market with their goods and thus break down forever, as they hoped, our infant manufactures. Their purpose and object were boldly announced in the House of Commons by Mr. Brougham, when he said: "Is it worth while to incur a loss upon the first importation, in order by the glut to stifle in the cradle those rising manufactures in the United States which the War had forced into existence contrary to the natural course of things." Against this threatened ruin, our manufacturers all over the United States—the sugar planters of Louisiana among them—clamored for Protection, and Congress at once responded with the Tariff Act of 1816.

This law greatly extended and increased specific duties on, and diminished the application of the ad valorem principle to, foreign imports; and it has been well described as "the practical foundation of the American policy of encouragement of home manufactures—the practical establishment of the great industrial system upon which rests our present National wealth, and the power and the prosperity and happiness of our whole people." While Henry Clay of Kentucky, William Loundes of South Carolina, and

Henry St. George Tucker of Virginia supported the Bill most effectively, no man labored harder and did more effective service in securing its passage than John C. Calhoun of South Carolina. The contention on their part was not for a mere "incidental protection"—much less a "Tariff for revenue only"—but for "Protection" in its broadest sense, and especially the protection of their cotton manufactures. Indeed Calhoun's defense of Protection, from the assaults of those from New England and elsewhere who assailed it on the narrow ground that it was inimical to commerce and navigation, was a notable one. He declared that:

"It (the encouragement of manufactures) produced a system strictly American, as much so as agriculture, in which it had the decided advantage of commerce and navigation. The country will from this derive much advantage. Again it is calculated to bind together more closely our wide-spread Republic. It will greatly increase our mutual dependence and intercourse, and will, as a necessary consequence, excite an increased attention to internal improvements—a subject every way so intimately connected with the ultimate attainment of national strength and the perfection of our political institutions."

He regarded the fact that it would make the parts adhere more closely; that it would form a new and most powerful cement far outweighing any political objections that might be urged against the system. In his opinion "the liberty and the union of the country were inseparably united; that as the destruction of the latter would most certainly involve the former, so its maintenance will with equal certainty preserve it;" and he closed with an impressive warning to the Nation of a "new and terrible danger" which threatened it, to wit: "disunion." Nobly as he stood up then—during the last term of his service in the House of Representatives—for the great principles of, the American System of Protection to manufactures, for the perpetuity of the Union, and for the

increase of "National strength," it seems like the very irony of fate that a few years later should find him battling against Protection as "unconstitutional," upholding Nullification as a "reserved right" of his State, and championing at the risk of his neck that very "danger" to the "liberties" and life of his Country against which his prophetic words had already given solemn warning.

Strange was it also, in view of the subsequent attitudes of the South and New England, that this essentially Protective Tariff Act of 1816 should have been vigorously protested and voted against by New England, while it was ably advocated and voted for by the South—the 25 votes of the latter which secured its passage being more than sufficient to have secured its defeat had they been so inclined.

The Tariff Acts of 1824 and 1828 followed the great American principle of Protection laid down and supported by the South in the Act of 1816, while widening, increasing, and strengthening it. Under their operation—especially under that of 1828, with its high duties on wool, hemp, iron, lead, and other staples—great prosperity smiled upon the land, and particularly upon the Free States.

In the cotton-growing belt of the South, however, where the prosperity was relatively less, owing to the blight of Slavery, the very contrast bred discontent; and, instead of attributing it to the real cause, the advocates of Free Trade within that region insisted that the Protective Tariff was responsible for the condition of things existing there.

A few restless and discontented spirits in the South had indeed agitated the subject of Free Trade as against Protected manufactures as early as 1797, and, hand in hand with it, the doctrine of States Rights. And Jefferson himself, although, as we have already seen, attached to the American System of Protection and believing in its Constitutionality, unwittingly played into the hands of these Free Traders by drawing up the famous Kentucky Resolutions

of '98 touching States Rights, which were closely followed by the Virginia Resolutions of 1799 in the same vein by Madison, also an out-and-out Protectionist. It was mainly in condemnation of the Alien and Sedition Laws, then so unpopular everywhere, that these resolutions were professedly fulminated, but they gave to the agitating Free Traders a States-Rights-Secession-weapon of which they quickly availed themselves.

Their drift may be gathered from the first of the Kentucky Resolutions of '98, which was in these words: "Resolved, That the several States composing the United States of America are not united on the principle of unlimited submission to their General Government, but that, by a compact under the style and title of a Constitution for the United States, and of amendments thereto, they constituted a General Government for special purposes—delegated to that Government certain definite powers, reserving, each State to itself, the residuary mass of right to their own self-government; and that whensoever the General Government assumes undelegated powers, its acts are unauthoritative, void, and of no force; that to this compact each State acceded as a State, and as an integral party, its co-States forming, as to itself, the other party; that the Government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the Constitution, the measure of its powers; but that, as in all other cases of compact among powers having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress."

The Resolutions, after enumerating the Alien and Sedition and certain other laws as in point, conclude by calling upon the other States to join Kentucky in her opposition to such Federal usurpations of power as thus embodied, and express confidence: "That they will concur with this

Commonwealth in considering the said Acts as so palpably against the Constitution as to amount to an undisguised declaration that that compact is not meant to be the measure of the powers of the General Government, but that it will proceed in the exercise over these States, of all powers whatsoever; that they will view this as seizing the rights of the States, and consolidating them in the hands of the General Government, with the power assumed to bind the States (not merely as to the cases made federal (casus foederis) but) in all cases whatsoever, by laws made, not with their consent, but by others against their consent; that this would be to surrender the form of government we have chosen, and live under one deriving its powers from its own will, and not from our authority; and that the co-States, returning to their natural rights in cases not made federal, will concur in declaring these Acts void and of no force, and will each take measures of its own in providing that neither these Acts, nor any others of the General Government, not plainly and intentionally authorized by the Constitution, shall be exercised within their respective territories."

The doctrine of States Rights as formulated in these Resolutions, including the assumed right of a State to nullify laws of the General Government, naturally led up, as we shall see, not only to threats of disunion, but ultimately to a dreadful sectional War waged in the effort to secure it. That Jefferson, when he penned them, foresaw the terrible results to flow from these specious and pernicious doctrines, is not to be supposed for an instant; but that his conscience troubled him may be fairly inferred from the fact that he withheld from the World for twenty years afterward the knowledge that he was their author. It is probable that in this case, as in others, he was a victim of that casuistry which teaches that "the end justifies the means;" that he hoped and believed that the assertion of these baleful doctrines would act solely as a check upon any tendency to

further centralization of power in the General Government and insure that strict construction of the Constitution.

Though afterward violated by himself at the same time that he for the moment threw aside his scruples touching African slavery, when he added to our domain the great French Slave Colony of Louisiana—was none the less the great aim of his commanding intellect; and that he fortuitously believed in the "saving common sense" of his race and country as capable of correcting an existing evil when it shall have developed into ill effects.

> *[Mr. Jefferson takes this very ground, in almost the same words, in his letter, 1803, to Wilson C. Nichols in the Louisiana Colony purchase case, when, after proving by his own strict construction of the Constitution that there was no power in that instrument to make such purchase, and confessing the importance in that very case of setting "an example against broad construction," he concludes: "If, however, our friends shall think differently, certainly I shall acquiesce with satisfaction; confiding that the good sense of the country will correct the evil of construction when it shall produce ill ejects."]*

Be that as it may, however, the fact remains that the seeds thus sown by the hands of Jefferson on the "sacred soil" of Virginia and Kentucky, were dragon's teeth, destined in after years to spring up as legions of armed men battling for the subversion of that Constitution and the destruction of that Union which he so reverenced, and which he was so largely instrumental in founding—and which even came back in his own life to plague him and Madison during his embargo, and Madison's war of 1812–15, in the utterances and attitude of some of the New England Federalists.

The few Free Traders of the South—the Giles's and John Taylor's and men of that ilk—made up for their paucity in numbers by their unscrupulous ingenuity and active zeal. They put forth the idea that the American Protective Policy was a policy of fostering combinations by Federal laws, the effect of which was to transfer a considerable portion of the profits of slave labor from the Slave States to other parts of the Union where it was massed in the hands of a few individuals, and thus created a moneyed interest which avariciously influenced the General Government to the detriment of the entire community of people, who, made restive by the exactions of this power working through the Federal Government, were as a consequence driven to consider a possible dissolution of the Union, and make "estimates of resources and means of defense." As a means also of inflaming both the poor whites and Southern slave-holders by arousing the apprehensions of the latter concerning the "peculiar institution" of Slavery, they craftily declared that "If the maxim advanced by the advocates of the protecting duty system will justify Congress in assuming, or rather in empowering a few capitalists to assume, the direction of manufacturing labor, it also invests that body with a power of legislating for the direction of every other species of labor and assigning all occupations whatsoever to the care of the intelligence of mercenary combinations"—and hence untold misery to labor.

They charged as a further means of firing the Southern heart, that this moneyed power, born of Protection, "works upon the passion of the States it has been able to delude by computations of their physical strength and their naval superiority; and by boasting of an ability to use the weakening circumstance of negro slavery to coerce the defrauded and discontented States into submission." And they declared as fundamental truths upon which they rested that "The Federal is not a National Government; it is a