

Era 5: The Civil War and Reconstruction (1850-1877)

Instructional Plan Support

Overview

In this era, students will be bridging their understanding of the tensions that were building in the United States regarding 1) the extent of the federal government's power and 2) the question of slavery and its relation to the country's founding principles of liberty, equality, and justice, with the eventual political breakdown that resulted with the great rebellion now dubbed the Civil War. This era is a great opportunity for students to use the habit of mind, *historical empathy*. Students can practice this historical analysis skill by examining and analyzing primary and secondary sources in order to understand the many perspectives, motivations, and rationales leading to the conflict, during the conflict, and in the period of Reconstruction that followed. This era ends with students analyzing and evaluating Reconstruction—its economic, social, and political consequences, and the unintended consequences created by the United State's inability to address racism.

Adapted Standards for Grades 5-12

(I) Students will understand how the North and South differed and how their economic systems, politics, and ideologies led to the Civil War. (II) After the onset of the war, students will understand how the resources of the Union and Confederacy affected the course of the war. As students learn about the wider political and economic perspectives of the war, they will then delve into the more personal conditions, and will be able to understand the social experience of the war as it was felt on the battlefield and home front. At the end of the war, there were many different opinions and significant political struggles around the issue of how the country should be put back together again. (III) Students will consult primary sources to understand the political controversies over Reconstruction, with a particular examination of how Reconstruction programs were designed to transform social relations in the South. Students will then evaluate the successes and failures of Reconstruction in the South, North, and West.

Essential Question(s)

Possible Big Idea Essential Question: To what extent did the Civil War fundamentally change the United States?

Possible Essential Questions

- 1) How central was slavery to the conflict?
- 2) How did the North and South's differences in economic systems, politics and ideologies lead to the Civil War? (Sense of Republicanism)
- 3) How did the resources of each side affect the course of the war?
- 4) How were peoples' lives affected by the conflict?
- 5) What cultural practices, including art and photography, did Americans draw upon for conceptualizing westward expansion, conflict with Indians, and the Civil War?

- 6) What was the political controversy over Reconstruction?
- 7) How did Reconstruction programs transform social relations in the South?
- 8) What were the successes and failures of Reconstruction?
- 9) How did westward expansion, Indian removal, the Mexican-American War, and insurgent women's voices challenge and change those institutions?

Possible Individual Lesson Topics

- The South and the Institution of Slavery
- Compare and contrast the North, South, and West
- The Compromise of 1850 and the Dred Scott Decision
- "Free labor" ideology and its impact on slavery
- Secession: order of, and reasons for
- Compare and contrast resources and technology
- How individuals influenced the course of the war
- Why people fought, or resisted fighting, and the reason(s) for the sides they took
- How important were the Gettysburg Address and the Emancipation Proclamation to the war effort?
- The costs of the war and its successes
- The Reconstruction policies of Lincoln, Johnson, and Congress
- Johnson's impeachment trial
- The 14th and 15th Amendments
- The role(s) and position(s) Native Americans took both during the conflict and reconstruction
- The programs, political influence, social position, and progress made by blacks after the conflict
- The influence of the Industrial Revolution on the Civil War and Reconstruction

Guided Discovery Activities

Oldies, but Goodies:

- Research papers, projects, and presentations
- Timelines
- Posters (Glogster—online posters)
- Primary Source Analysis

- Artifact Analysis
- Newspapers

Have you tried?

- Reader's Theater
- Balance Sheet
- Found Poems
- Social Media
- Mock Trials
- Debates

- Maps
- Podcasts
- Re-enactments
- Journaling
- "Quilt" (Civil War themed)
- Simulation
- Supreme Court Case Studies

Documents, Resources, Biography

People

Susan B. Anthony
Clara Barton
Belle Boyd
John Bozeman
John Brown
Blanche Bruce

John M. Chivington
Samuel Clemens
Crazy Horse
George A. Custer
James Buchanan
Chief Joseph
Bill Cody

Jim Crow
Jefferson Davis
Frederick Douglass
Robert Elliot
Exodusters
Charlotte Forten
William Lloyd Garrison

Ulysses S. Grant
Rose Greenhow
Oliver Otis Howard
Thomas “Stonewall”
Jackson
Andrew Johnson
Robert E. Lee
Abraham Lincoln
William Clarke Quantrill
Red Cloud
Hiram Revels
William Tecumseh
Sherman
Sitting Bull
Elizabeth Cady Stanton
Harriet Beecher Stowe
Harriet Tubman

Documents

13th, 14th, and 15th
Amendments

1820 Missouri
Compromise
Compromise of 1850
Compromise of 1877
Wilmot Proviso
Kansas-Nebraska Act
Dred Scott vs. Sandford
(1857)
Lincoln-Douglas Debates
Party platforms during the
election of 1860
Lincoln’s First Inaugural
Address
Mississippi Resolutions
(Nov. 30, 1860)
South Carolina Declaration
of Causes (Dec. 24, 1860)
Diaries and letters of
Union and Confederate
Soldiers
Emancipation
Proclamation

Gettysburg Address
Freedman’s Bureau
Thomas Nast cartoons
Black Codes
Ku Klux Klan

Readings/Resources

Stephen Crane, *Red Badge
of Courage*
Michael Shaara, *The Killer
Angels*
Virginia Hamilton, *The
People Could Fly*
Patricia Lee Gauch,
*Thunder at Gettysburg, A
Child’s Account of the
Battle of Gettysburg*
F.N. Monjo, *The
Vicksburg Veteran*

Assessing for Understanding

Conclusions

“A natural conclusion to the study of Civil War and Reconstruction is a consideration of the legacies of the era. The complex mix of change and continuity can easily confuse students. Too much stress on the “unfinished agenda” of the period can obscure the great changes actually wrought. Notable among them are the following: the expansion of the power of the federal government; the shift of economic power toward northern industrialist and away from southern planters; [the consignment of African-Americans in the South to agricultural peonage and the simultaneous ascendancy of Jim Crow both in the South and the North--inserted]; the effect of the war and Reconstruction on race relations in an era of growing conservatism in the courts and in Congress; and the impact of the war on America’s position in the world.” (From *Lessons from History: Essential Understandings and Historical Perspectives Students Should Acquire* by The National Center for History in the Schools, p. 116).

“Reconstruction was not merely a specific time period, but the beginning of an extended historical process: the adjustment of American society to the end of slavery. ... [It] produced far-reaching conflicts and debates over the role former slaves and their descendants would play in American life and the freedom they had acquired” (Eric Foner in *Bring History Alive*, p. 113).

Possible Responses to the Big Idea Essential Question

To what extent did the Civil War fundamentally change the United States?

- The Civil War ended African American Slavery (but not racial inequality, which remained unfinished for another 100 years.)
- It ushered in the development of a capitalist market society based on corporate industrial capitalism while subsuming and integrating into itself earlier forms of proprietary modes of production and exchange.
- It strengthened the power of the federal government and preserved the union.
- It defined national citizenship.
- It was the extension from the Revolutionary struggle of liberty, equality, justice, and human dignity.

Possible Responses to the Essential Questions

How central was the issue of slavery to the conflict?

- For the north, the abolition of slavery became more important as the war progressed; initially the expansion of slavery was more important.
- For the South, slavery and its expansion had equal value—slavery had increased tenfold between 1780-1860, and migration to newly developed regions in the South was critical.

How did the North and South differ in politics, ideologies, and resources?

- The South had its own class structure, very different than the North's.
- The Northern economy more industrialized and its economy more tightly integrated by rail, waterways, and the telegraph.
- Slavery in the South allowed white men to be freed from production for combat, but the North had a larger male population from which to recruit and conscript combatants.
- The North had a larger and more powerful saltwater and freshwater navy, which enabled it to: (1) maintain a relatively effective blockade of Southern shipping and supplies; (2) to establish critical beachheads (Roanoke, Sea Islands) along the coasts of the Confederacy; (3) militarily dominate the Ohio/Mississippi/Tennessee River Valleys, thereby dividing the Confederacy itself.
- The influx of gold from California, Montana, etc. helped stabilize Northern currency.
- The North had a more united and flexible leadership (contrast the leadership styles of Lincoln and Davis).
- More railroad miles in the North
- Banking structure in place in the North
- Ideology: “free labor” v. “slave labor” poses inherent contradiction for South: how to fight for principles of Declaration and slavery? Slavery also frustrated the Confederacy's attempts to gain recognition as a sovereign state from Great Britain and other European powers.

How were people's lives affected by the conflict (before, during, and after)?

- 630,000 died, countless more were permanently injured.
- Slaves were fighting for their own freedom.
- South economically devastated for several generations.
- Plantation slavery in the South replaced by sharecropping following the collapse of Reconstruction in the South.

- The rise of large-scale industrialization and the corporate organization of industry and commerce in the North with the proliferation of wage labor.
- Accelerated the dispossession of American Indians and cession of their lands west of the Mississippi, expansion of the reservation system for the plains Indians, and the disappearance of “Indian country” west of the Mississippi, once considered a permanent feature of the North American continent.

What political, legal, philosophical, and religious traditions did Americans draw upon for advocating war and peace, secession or union, or for their conceptions and institutions of republicanism and democracy?

- Both drew on the republican traditions of the Declaration of Independence (The North: “all men created equal.” The South: The right of revolution.)
- Both affirmed the constitutional right of property and the legitimacy of a market society based on contractual obligations between parties in economic exchanges, enforced by public law.
- The South drew on a reactionary theory of state sovereignty, arguing that national sovereignty came from the states.
- Northerners constantly drew on “perpetual union” phrase from the Articles of Confederation
- Two theories of federalism, both republican, that differed about the degree of power that should be held by the federal government
- Lincoln never declared “war,” arguing instead that this was a “rebellion.” If Lincoln had declared war, it would have opened possibilities for foreign, esp. English, recognition of the Confederacy.
- Lincoln said both sides read from the same bible and prayed to the same God.
- Both sides drew on “manifest destiny” and made the war into a fight about the future.

What cultural practices, including art and photography, did Americans draw upon for conceptualizing westward expansion, conflict with Indians, and the Civil War?

- Literature (Whitman and Emerson)
- Music (Dixie was originally a northern song)
- Art/Photography (George Catlin, Matthew Brady, Edward Curtis)
- Exhibitions (eg. Centennial Exhibition)
- Thomas Nast cartoons

What was the political controversy over Reconstruction?

- US Supreme Court becomes even more important.
- Primary tensions between Congress and President over control of Reconstruction.
- Congressional Reconstruction (14th Amendment) and Military Reconstruction (15th Amendment)

How did Reconstruction programs transform social relations in the South, and what were its successes and failures?

- Ended slavery but did not address the class and caste system in the South.
- Reconstruction created two major problems: status and treatment of the conquered white population and the status of the liberated southern black population.
- Inadequately addressed each—status of the white population and status of the newly freed black population.
- South devastated economically—economic aid not adequate.

- Withdrawal of Reconstruction left unfinished the status of freed blacks and the class/caste structure in the South, which wouldn't be addressed again for another 100 years.
- Reconstruction failed in that it did not address racism, the strength of the Supreme Court, the conservativeness of Congress, and association with Radical Reconstruction to corruption.

How did westward expansion, Indian removal, the Mexican-American War, and insurgent women's voices challenge and change those institutions?

- Westward expansion/slavery destroyed the Second Party System (by eliminating the Whigs) and gave rise to the Republican Party.
- Indian removal, tied to the expansion of mining and agriculture, eroded the "producer ethic" that lay at the base of the Jeffersonian/Jacksonian way of thinking.
- Women turned increasingly away from "politics" to "culture" to accomplish their reforms.
- National consolidation resulting from the Civil War facilitated national expansion (eg. the Far West would morph into the Far East by the end of the century).

Resources

<http://www.digitalhistory.uh.edu/modules/civwar/index.cfm>

Digital History Online Textbook: Learn About the Civil War

<http://www.ourdocuments.gov/doc.php?doc=8&page=transcript>

Our Documents Transcript of the Northwest Ordinance (1787)

<http://www.ourdocuments.gov/doc.php?flash=true&doc=8>

Our Documents: The Northwest Ordinance (1787) Background

<http://www.journalofamericanhistory.org/projects/lincoln/bibliography/articles/pdf/LIJ-Article-1940s.pdf>

Lincoln and the Territorial Patronage

Abraham Lincoln and the Western Territories, Edited by Ralph Y. McGinnis and Calvin N. Smith, Rowan and Littlefield (Mar. 1, 1994)

Lesson Plan: On the Eve of the War—North Vs. South: <http://edsitement.neh.gov/lesson-plan/eve-war-north-vs-south#sect-activities>

Civil War Interactive Map:

<http://www.teachingamericanhistory.org/neh/interactives/civilwar/lesson1/>

Union and Confederate Armies: Meet the Commanders:

<http://www.teachingamericanhistory.org/neh/interactives/cmdrs/>

Political Cartoon: Lincoln and Emancipation

Thomas Nast.

Emancipation.

Philadelphia: S. Bott, 1865.

Wood engraving.

Prints and Photographs Division.

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<http://lcweb2.loc.gov/master/pnp/cph/3a00000/3a06000/3a06200/3a06245u.tif>

Primary Documents in American History: The 13th Amendment to the U.S. Constitution

<http://www.loc.gov/rr/program/bib/ourdocs/13thamendment.html>

Primary Documents in American History: The 14th Amendment to the U.S. Constitution

<http://www.loc.gov/rr/program/bib/ourdocs/14thamendment.html>

Primary Documents in American History: The 15th Amendment to the U.S. Constitution

<http://www.loc.gov/rr/program/bib/ourdocs/15thamendment.html>

Primary Documents in American History: The Missouri Compromise

<http://www.loc.gov/rr/program/bib/ourdocs/Missouri.html>

Fugitive Slave Act and Anthony Burns

PBS

<http://www.pbs.org/wgbh/aia/part4/4p2915.html>

The Wilmont Proviso

<http://www.ushistory.org/us/30a.asp>

PBS: Africans in America

<http://www.pbs.org/wgbh/aia/home.html>

Declaration of Causes for Secession

<http://sunsite.utk.edu/civil-war/reasons.html#South%20Carolina>

Diaries and Journals of the American Civil War

http://www.rarebooks.nd.edu/digital/civil_war/diaries_journals/index.shtml

National Archives: African American Heritage—The Freedmen's Bureau

<http://www.archives.gov/research/african-americans/freedmens-bureau/>

The Rise and Fall of Jim Crow (PBS)

<http://www.pbs.org/wnet/jimcrow/index.html>

American Black Codes 1865-1866

<http://home.gwu.edu/~jjhawkin/BlackCodes/BlackCodes.htm>

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Resources

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North-South Comparisons

Personal Income per capita by region as a percentage of U.S. average		
	1840	1860
Northeast	135	139
West	68	68
South	76	72

Personal Income per capita by region as a percentage of U.S. average		
	North	South
Proportion of nation's population	71	29
Proportion of nation's:		
white population	79	21
black population	13	87
Proportion of nation's railroads	71	29
Proportion of nation's farm acreage	65	35
Proportion of nation's manufacturing workers	92	8
Proportion of nation's manufacturing output	92	8
Number of factories	110,000	18,000
Railroad mileage	22,000	9,000

Questions to Think About

1. What material advantages did the North possess on the eve of the Civil War?
2. Do you think material advantages are decisive in the outcome of wars? Why or why not?

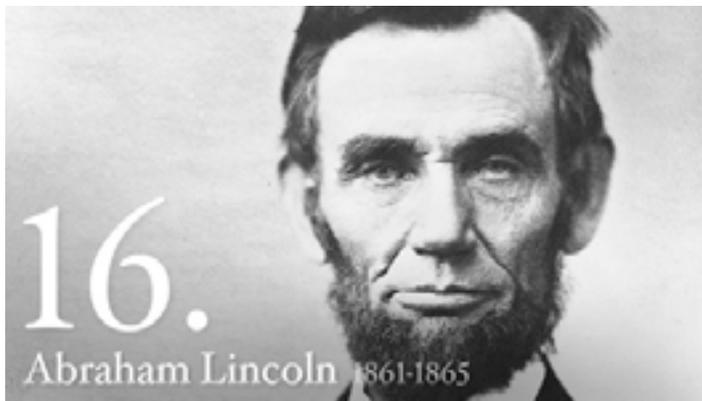
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12. Zachary Taylor
13. Millard Fillmore
14. Franklin Pierce
15. James Buchanan
16. **Abraham Lincoln**
17. Andrew Johnson
18. Ulysses S. Grant
19. Rutherford B. Hayes
20. James Garfield
21. Chester A. Arthur
22. Grover Cleveland
23. Benjamin Harrison
24. Grover Cleveland
25. William McKinley
26. Theodore Roosevelt
27. William Howard Taft
28. Woodrow Wilson
29. Warren G. Harding
30. Calvin Coolidge
31. Herbert Hoover
32. Franklin D. Roosevelt
33. Harry S. Truman
34. Dwight D. Eisenhower
35. John F. Kennedy
36. Lyndon B. Johnson
37. Richard M. Nixon
38. Gerald R. Ford
39. James Carter
40. Ronald Reagan



Abraham Lincoln

Lincoln warned the South in his Inaugural Address: "In your hands, my dissatisfied fellow countrymen, and not in mine, is the momentous issue of civil war. The government will not assail you.... You have no oath registered in Heaven to destroy the government, while I shall have the most solemn one to preserve, protect and defend it."

Lincoln thought secession illegal, and was willing to use force to defend Federal law and the Union. When Confederate batteries fired on Fort Sumter and forced its surrender, he called on the states for 75,000 volunteers. Four more slave states joined the Confederacy but four remained within the Union. The Civil War had begun.

The son of a Kentucky frontiersman, Lincoln had to struggle for a living and for learning. Five months before receiving his party's nomination for President, he sketched his life:

"I was born Feb. 12, 1809, in Hardin County, Kentucky. My parents were both born in Virginia, of undistinguished families--second families, perhaps I should say. My mother, who died in my tenth year, was of a family of the name of Hanks.... My father ... removed from Kentucky to ... Indiana, in my eighth year.... It was a wild region, with many bears and other wild animals still in the woods. There I grew up.... Of course when I came of age I did not know much. Still somehow, I could read, write, and cipher ... but that was all."

Lincoln made extraordinary efforts to attain knowledge while working on a farm, splitting rails for fences, and keeping store at New Salem, Illinois. He was a captain in the Black Hawk War, spent eight years in the Illinois legislature, and rode the circuit of courts for many years. His law partner said of him, "His ambition was a little engine that knew no rest."

He married Mary Todd, and they had four boys, only one of whom lived to maturity. In 1858 Lincoln ran against Stephen A. Douglas for Senator. He lost the election, but in debating with Douglas he gained a national reputation that won him the Republican nomination for President in 1860.

As President, he built the Republican Party into a strong national organization. Further, he rallied most of the northern Democrats to the Union cause. On January

BEHIND THE SCENES WITH PRESIDENT OBAMA



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1, 1863, he issued the Emancipation Proclamation that declared forever free those slaves within the Confederacy.

Lincoln never let the world forget that the Civil War involved an even larger issue. This he stated most movingly in dedicating the military cemetery at Gettysburg: "that we here highly resolve that these dead shall not have died in vain--that this nation, under God, shall have a new birth of freedom--and that government of the people, by the people, for the people, shall not perish from the earth."

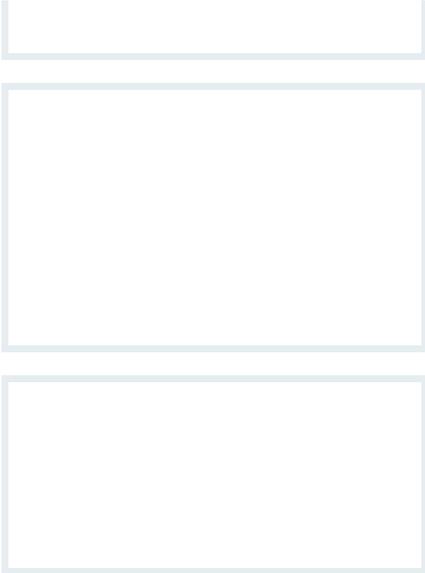
Lincoln won re-election in 1864, as Union military triumphs heralded an end to the war. In his planning for peace, the President was flexible and generous, encouraging Southerners to lay down their arms and join speedily in reunion.

The spirit that guided him was clearly that of his Second Inaugural Address, now inscribed on one wall of the Lincoln Memorial in Washington, D. C.: "With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds.... "

On Good Friday, April 14, 1865, Lincoln was assassinated at Ford's Theatre in Washington by John Wilkes Booth, an actor, who somehow thought he was helping the South. The opposite was the result, for with Lincoln's death, the possibility of peace with magnanimity died.

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Learn more about Abraham Lincoln 's spouse, [Mary Todd Lincoln](#).



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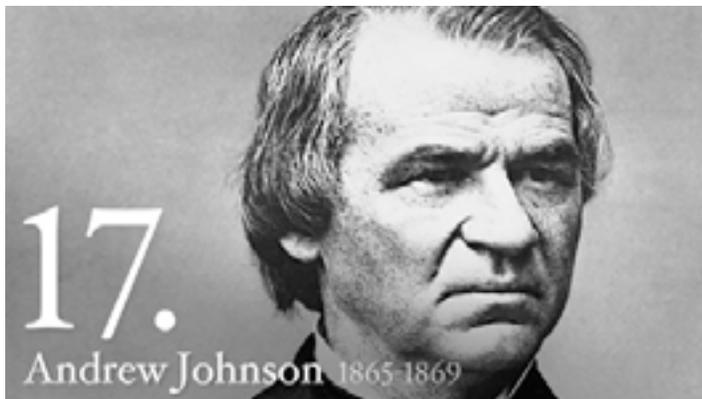
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36. Lyndon B. Johnson
37. Richard M. Nixon
38. Gerald R. Ford
39. James Carter
40. Ronald Reagan



Andrew Johnson

With the Assassination of Lincoln, the Presidency fell upon an old-fashioned southern Jacksonian Democrat of pronounced states' rights views. Although an honest and honorable man, Andrew Johnson was one of the most unfortunate of Presidents. Arrayed against him were the Radical Republicans in Congress, brilliantly led and ruthless in their tactics. Johnson was no match for them.

Born in Raleigh, North Carolina, in 1808, Johnson grew up in poverty. He was apprenticed to a tailor as a boy, but ran away. He opened a tailor shop in Greeneville, Tennessee, married Eliza McCordle, and participated in debates at the local academy.

Entering politics, he became an adept stump speaker, championing the common man and vilifying the plantation aristocracy. As a Member of the House of Representatives and the Senate in the 1840's and '50's, he advocated a homestead bill to provide a free farm for the poor man.

During the secession crisis, Johnson remained in the Senate even when Tennessee seceded, which made him a hero in the North and a traitor in the eyes of most Southerners. In 1862 President Lincoln appointed him Military Governor of Tennessee, and Johnson used the state as a laboratory for reconstruction. In 1864 the Republicans, contending that their National Union Party was for all loyal men, nominated Johnson, a Southerner and a Democrat, for Vice President.

After Lincoln's death, President Johnson proceeded to reconstruct the former Confederate States while Congress was not in session in 1865. He pardoned all who would take an oath of allegiance, but required leaders and men of wealth to obtain special Presidential pardons.

By the time Congress met in December 1865, most southern states were reconstructed, slavery was being abolished, but "black codes" to regulate the freedmen were beginning to appear.

Radical Republicans in Congress moved vigorously to change Johnson's program. They gained the support of northerners who were dismayed to see Southerners keeping many prewar leaders and imposing many prewar restrictions upon Negroes.

BEHIND THE SCENES WITH PRESIDENT OBAMA



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The Radicals' first step was to refuse to seat any Senator or Representative from the old Confederacy. Next they passed measures dealing with the former slaves. Johnson vetoed the legislation. The Radicals mustered enough votes in Congress to pass legislation over his veto--the first time that Congress had overridden a President on an important bill. They passed the Civil Rights Act of 1866, which established Negroes as American citizens and forbade discrimination against them.

A few months later Congress submitted to the states the Fourteenth Amendment, which specified that no state should "deprive any person of life, liberty, or property, without due process of law."

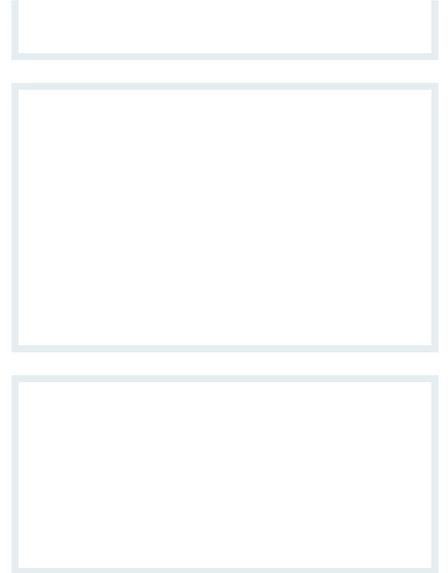
All the former Confederate States except Tennessee refused to ratify the amendment; further, there were two bloody race riots in the South. Speaking in the Middle West, Johnson faced hostile audiences. The Radical Republicans won an overwhelming victory in Congressional elections that fall.

In March 1867, the Radicals effected their own plan of Reconstruction, again placing southern states under military rule. They passed laws placing restrictions upon the President. When Johnson allegedly violated one of these, the Tenure of Office Act, by dismissing Secretary of War Edwin M. Stanton, the House voted eleven articles of impeachment against him. He was tried by the Senate in the spring of 1868 and acquitted by one vote.

In 1875, Tennessee returned Johnson to the Senate. He died a few months later.

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Learn more about Andrew Johnson 's spouse, [Eliza McCardle Johnson](#).



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Belle Boyd

- **CHARACTER NAME:** Maria Isabella Boyd
- **BIRTH PLACE:** Martinsburg, Virginia
- **BIRTH DATE:** May 4, 1844
- **EDUCATION:** Mount Washington Female College of Baltimore, age 12 to 16.
- **FAMILY BACKGROUND:** Belle was from a typical Southern family. Father Ben was a store merchant and grocer. Several brothers died before the Civil War. Belle's father joined the Virginia Cavalry. Belle was left with her sister Mary Jane, age 10, her brother Bill, age 4, her mother and grandmother.
- **ACCOMPLISHMENTS:**

1861. Soon after the start of the Civil War, Belle was organizing parties to visit the troops. At that time she also shot and killed a Union soldier who had pushed her mother. She was acquitted of the crime. Shortly thereafter, she became a courier for Generals Beauregarde and Jackson, carrying information, delivering medical supplies and confiscating weapons. Belle made a few heroic rides through battle fields in order to get her "secrets" across the lines to the South.

Belle Boyd was imprisoned in 1862 in the Old Capitol Prison, formerly the Old Capitol and before that the Congressional Boarding House. In 1863 she was imprisoned in Carroll Prison, formerly the Carroll Hotel, next door for several months and was released for health reasons (typhoid fever).

In 1864, she was sent to England as a diplomatic courier, captured aboard a blockade runner, The Greyhound, and passed through the lines to Canada. From there she sailed to England to work with the Confederate Secret Service network there. She married Sam Hardinge, a disgraced and court-martialed Union naval officer (She was the cause) at St. Paul's Cathedral in London on August 24th of that year. The marriage failed.

She wrote and published her memoirs and became an actress after the war, sometimes using the stage name "Nina Benjamin."

She married two more times and had four children.

• PLACE OF DEATH: Kilbourne City, Wisconsin now known as Wisconsin Dells, Wisconsin. She is buried in the Spring Grove Cemetery in Wisconsin Dells.

• DATE OF DEATH: 1900

• WEB SITES:

- Timelines of the Civil War:
 - [The History Place U.S. Civil War 1861-1865](#)
 - [Library of Congress American Memory Time Line of the Civil War, 1861-1865](#)
- [Belle Boyd](#) biography from [The Home of the Civil War](#)
- [The Belle Boyd House](#)

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Blanche Kelso Bruce

Senator, 1875–1881, Republican from Mississippi

A slave who became a successful plantation owner, Blanche Kelso Bruce was the second African American to serve in the United States Senate and the first to be elected to a full term. Though Bruce focused on protecting the rights of freedmen and other minorities, his life of social privilege in the nation's capital insulated him from the deprivations suffered by many of his black constituents. Bruce moved among elite circles of wealthy white politicians, including his close friends Senator Roscoe Conkling of New York and Senator Lucius Q. C. Lamar of Mississippi. "Mr. Bruce's conduct in the senate has been such as not to alienate himself from the Southern people," noted Lamar, who had drafted the Mississippi ordinance of secession, served as a Confederate diplomat, and returned to the U.S. Congress as an unabashed opponent of Reconstruction. "[Bruce] has not joined in the abusive warfare on the South that many of his Republican colleagues in the Senate Chamber have constantly pursued," Lamar added. "He is an intelligent man, and the best representative of his race in public life."¹



Oil on canvas, Simmie Knox, 2001, Collection of the U.S. Senate

Blanche Bruce was born near Farmville, Virginia, on March 1, 1841. His mother, Polly Bruce, was a slave, and his father, Pettus Perkinson, was his mother's owner and the son-in-law of her deceased former owner, Lemuel Bruce. Bruce's first name was originally "Branch," but he changed it to "Blanche" as a teenager. For unexplained reasons, he later adopted the middle name "Kelso."² One of 11 children, Blanche Bruce was a personal servant to his half brother William Perkinson.³ Even though he was a slave, Bruce was accorded a status nearly equal to the Perkinson children's. Described by contemporaries as an eager learner, he studied with William's private tutor. But despite such benign treatment, Bruce escaped to Kansas during the Civil War and attempted to enlist in the Union Army. His application was refused, and he settled in Lawrence to teach school. Returning to Hannibal, Missouri, near the war's end, he organized the state's first school for black children in 1864. Though he planned to attend Ohio's Oberlin College to study for his divinity degree, he could not afford the tuition.⁴ He spent the remainder of the 1860s working as a steamboat porter out of St. Louis on the Mississippi River, moving to Mississippi in 1869 to find more-lucrative opportunities.

Upon his arrival in Mississippi, Blanche Bruce witnessed a stump speech by Republican gubernatorial candidate James Alcorn, which inspired him to enter politics.⁵ On an 1870 trip to Jackson, the young, articulate Bruce caught the eye of white Republicans. That same year, the district military commander, General Adelbert Ames, appointed Bruce registrar of voters in Tallahatchie County. When the first postwar Mississippi legislature met in late 1870, Bruce, who was large and imposing, was elected sergeant at arms. In 1871, he was elected to the joint office of sheriff and tax collector of Bolivar County. The following year, the Republican state board of education appointed him county superintendent of education. In a singular achievement, Bruce turned the Bolivar County school system into one of the best in the state, creating a segregated but equally funded system that boasted the support of both blacks and whites.⁶ Bruce's wealth also increased. He invested in land, becoming a

successful planter by the late 1870s. In 1872, he was named to the board of levee commissioners for a district containing three counties. The commissioners were empowered to raise revenue and build embankments in the Mississippi Delta region.

By the mid-1870s, Blanche K. Bruce was among the best-recognized politicians in the state.⁷ However, he faced a difficult decision when the state Republican Party split into two factions. A moderate, primarily white faction, led by then-Senator Alcorn, began ignoring African Americans' demands for civil rights. Then Alcorn's political rival Governor Ames adopted a more radical stance, abandoning efforts to reach out to conservative whites. Although Bruce disagreed with the Radical Republicans, because he believed that political stability required biracial cooperation, he allied himself nonetheless with the Ames faction so as to support his fellow blacks. Governor Ames offered Bruce the position of lieutenant governor in 1873, but Bruce refused, eyeing the governor's vacant seat in the U.S. Senate.⁸ In January 1874, the state legislature met to nominate a U.S. Senator to fill Ames's unexpired term, and to select someone for a full six-year term beginning in the 44th Congress (1875–1877). Unlike Senator Hiram Revels before him, Bruce was selected to serve the full term primarily by black Republican colleagues, taking 52 of the 84 votes in the second ballot over Republican carpetbaggers, Representative George McKee and U.S. District Attorney G. Wiley Wells. The full legislature elected Bruce nearly unanimously on February 4, 1874.⁹

When Bruce arrived in the U.S. Senate Chamber on March 5, 1875, precedent called for his state's senior Senator to escort him to the podium, but Senator Alcorn snubbed the junior Senator because of Bruce's alliance with Governor Ames. Bruce walked up the aisle alone until Republican Senator Roscoe Conkling of New York offered to escort him. Thereafter Bruce had a powerful ally in Conkling, who coached him in Senate procedures and procured him assignments on influential committees, such as the Education and Labor, Manufactures, and Pensions committees.

Bruce remained quiet during the special session of the Senate, and concerned white Republicans feared he would shirk his responsibility to Mississippi by deferring to the Radical Republican leadership; black political leaders doubted Bruce would stand up for freedmen, who faced terrible violence from white supremacists implementing the Mississippi Plan.¹⁰ Bruce may have been following the time-honored tradition that a freshman remains studious and silent during his first few months in the Senate Chamber. He later noted that success in the Senate required managing diplomacy: "The novelty of my position [compels me] to cultivate and exhibit my honorable associates a courtesy that would inspire reciprocal courtesy."¹¹

Bruce finally broke his silence on March 3, 1876, in defense of southern blacks, petitioning his colleagues to seat Pinckney B. S. Pinchback, a black Senator-elect from Louisiana and a personal friend. But Pinchback's political opponents questioned his selection by the state legislature due to corruption charges and despite Bruce's pleas, the Senate narrowly rejected Pinchback's claim to the seat.¹² Bruce followed this speech with a demand for an inquiry into the violent 1875 Mississippi gubernatorial election. The Senate passed a bill to investigate the political conditions in Mississippi during the previous election; however, the Democratic House did not act on the legislation.¹³

Bruce's advocacy for African Americans was most evident in issues affecting black war veterans. He was a staunch defender of black servicemen, promoting integration of the armed forces and fair treatment. On April 10, 1878, he unsuccessfully attempted to desegregate the U.S. Army, citing the U.S. Navy as a precedent.¹⁴ Two years later, Bruce delivered a speech asking the War Department to investigate the brutal hazing of black West Point cadet Johnson C. Whittaker. The following year, he supported legislation that prevented discrimination against the heirs to black soldiers' Civil War pensions.¹⁵ He also submitted a bill in 1879 to distribute money unclaimed by black Civil War soldiers to five African-American colleges. As the bill gained publicity, however, more claimants came forward and depleted the fund. The Senate Committee on Education and Labor eventually reported against the bill.¹⁶

Senator Bruce also favored the interests of other ethnic and racial minorities. During a debate on the Chinese Exclusion Act, with which he disagreed, Bruce became the first black Senator to preside over a Senate session, on February 14, 1879. Bruce also demanded more-equitable treatment for Native Americans. On April 6, 1880, he railed against federal management of Native Americans in a Senate Floor speech. “Our Indian policy and administration seem to me to have been inspired and controlled by stern selfishness,” Bruce declared. Admonishing those who placed the goal of territorial expansion over honoring treaties, he continued, “We have in the effort to realize a somewhat intangible ideal, to wit, the preservation of Indian liberty and the administration and exercise of national authority.... The political system that underlies our Indian policy ... is foreign in its character; the individuals and the system of laws are not American.”¹⁷

In April 1879, Bruce was appointed chairman of the Select Committee to Investigate the Freedmen’s Savings and Trust Company after its failure in 1874. Comprising three southern Democrats and three Republicans, including Bruce, the committee set out to investigate the more-than 600 pages of testimony and documentation collected at the bank’s closure to identify employees who were guilty of fraud and incompetence. The resultant Senate bill to reimburse former customers did not pass, but Bruce and his fellow Republicans succeeded in convincing the federal government to purchase the bank’s former Washington, DC, headquarters to provide the company with some capital.¹⁸

As a landowner, Bruce was interested in the financial health of property owners on the banks of the Mississippi River. He supported many internal improvements and financial incentives, including the creation of a Mississippi Valley railroad and a refund for cotton taxes levied during the Civil War. In the 45th Congress (1877–1879), he served as chairman of the Select Committee on the Mississippi River. In this position, he fought for federal funding to control flooding and advocated the creation of a channel and levee system for parts of the river’s edge. Bruce introduced a measure in 1879 to form the Mississippi River Improvement Association, a federally funded organization to control river flooding and protect waterfront property.¹⁹

Bruce’s favor among white conservative voters was not matched among his black constituents. Despite Bruce’s political advocacy, Mississippi blacks questioned his commitment to the plight of freedmen in collapsing Reconstruction governments. Bruce’s privileged background often alienated him from his poorer constituents.²⁰ He and his wife, Josephine Beall Wilson of Ohio—the first black teacher in the Cleveland public schools and the daughter of a prominent mulatto dentist—whom he married on June 24, 1878, became fixtures in Washington, DC, high society. As a matter of policy, Bruce hesitated to support the westward migration of Black Americans from the South to Kansas and other Plains states. At the urging of his constituents, he introduced legislation that would assist destitute black farmers in Kansas by encouraging the federal government to issue more western land grants. His bill died in committee; however, he managed to appropriate the distribution of duty-free British cotton clothing to impoverished Kansas communities.²¹ Yet these efforts were judged lacking by the black community. Nor did the white establishment look favorably on Bruce. Despite Bruce’s moderation and political connections, rising “reform” politicians in power in Mississippi, who wished to recreate a “lily white” government, discounted him because of his race. When the Democratic Mississippi legislature gathered to select a new Senator in January 1880, Bruce did not even attempt a bid for a second term. The legislature chose Democrat James Z. George to succeed him.

After leaving the Senate, Bruce remained active in the Mississippi and national Republican parties.²² He briefly served as presiding officer at the 1880 Republican National Convention in Chicago, where he received eight votes for the nomination for Vice President. When the convention returned to Chicago in 1888, Bruce received 11 such votes. He also served as superintendent for black achievement at the World’s Cotton Exposition in New Orleans from 1884 to 1885 before returning to Washington to seek presidential patronage positions, his only hope of sustaining his political career. Though he rejected an offer to be Minister to Brazil because that country practiced slavery, Bruce received many endorsements for a post in President

James Garfield's Cabinet in 1881. Garfield ultimately passed him over, but Bruce obtained a prime position as register of the U.S. Treasury and remained there until 1885. In 1889, President Benjamin Harrison appointed him recorder of deeds for the District of Columbia; however, he left that office in 1893 after receiving an honorary LL.D. and joining the board of trustees at Howard University.²³ Bruce returned to the Treasury post in 1897 after being considered for a Cabinet position in President William McKinley's administration. He continued to reside in Washington until he succumbed to a kidney ailment due to complications from diabetes on March 17, 1898.²⁴

FURTHER READING

"Bruce, Blanche Kelso," *Biographical Directory of the United States Congress, 1774–Present*, <http://bioguide.congress.gov/scripts/biodisplay.pl?index=B000968>.

Graham, Lawrence Otis. *The Senator and the Socialite* (New York: HarperCollins Publishers, 2006).

Harris, William C. "Blanche K. Bruce of Mississippi: Conservative Assimilationist," in Howard Rabinowitz ed., *Southern Black Leaders of the Reconstruction Era* (Urbana: University of Illinois Press, 1982).

MANUSCRIPT COLLECTIONS

Howard University (Washington, DC), Moorland–Spingarn Research Center. *Papers: 1870–1891*, 2.5 linear feet. The papers of Blanche Kelso Bruce consist of research notes, a bibliography, and other documents used by Sadie Daniel St. Clair to write a dissertation about Bruce. Includes correspondence with Bruce's family, constituents, and political allies of the State of Mississippi and letters in support of candidates for appointments and pensions.

Library of Congress, Manuscript Division, Washington, DC *Microfilm: 1878–1890*. The items consist of one letter (18 February 1878) from Blanche Bruce to Murat Halstead relating to the emigration of blacks from the southern United States to Liberia, a poem inscribed to Blanche Bruce's infant son, and a volume of news clippings relating chiefly to personal matters, especially to his wife, Josephine Bruce, and to Washington, DC, social life.

FOOTNOTES

1. William C. Harris, "Blanche K. Bruce of Mississippi: Conservative Assimilationist," in Howard Rabinowitz ed., *Southern Black Leaders of the Reconstruction Era* (Urbana: University of Illinois Press, 1982): 30.
2. William C. Harris, "Blanche K. Bruce of Mississippi: Conservative Assimilationist," in Howard Rabinowitz ed., *Southern Black Leaders of the Reconstruction Era* (Urbana: University of Illinois Press, 1982): 30.
3. Lawrence Otis Graham, *The Senator and the Socialite: The True Story of America's First Black Dynasty* (New York: HarperCollins, 2006): 11; Grace E. Collins, "Blanche Kelso Bruce," in Jessie Carney Smith ed., *Notable Black American Men* (Farmington Hills, MI: Gale Research, Inc., 1999): 144 (hereinafter referred to as *NBAM*).
4. Lawrence Otis Graham, *The Senator and the Socialite: The True Story of America's First Black Dynasty* (New York: HarperCollins, 2006): 11; Grace E. Collins, "Blanche Kelso Bruce," in Jessie Carney Smith ed., *Notable Black American Men* (Farmington Hills, MI: Gale Research, Inc., 1999): 144 (hereinafter referred to as *NBAM*).
5. Bruce's family situation was complicated. His half siblings through his mother and Lemuel Bruce included Sandy, Calvin, James, and Henry and a half sister whose name is not known. His full siblings through his mother and Pettis Perkinson included Howard, Edward, Robert, Eliza, and Mary. See Graham, *The Senator and the Socialite*: 10–11, 16–17.
6. Collins, "Blanche Kelso Bruce," *NBAM*: 144.
7. *Ibid*.
8. William C. Harris, "Bruce, Blanche Kelso," *American National Biography* 3 (New York: Oxford University Press, 1999): 779–780 (hereinafter referred to as *ANB*).
9. Eric Foner, *Freedom's Lawmakers: A Directory of Black Officeholders During Reconstruction* (New York: Oxford University Press, 1993): 29.
10. Collins, "Blanche Kelso Bruce," *NBAM*:145.
11. Harris, "Blanche K. Bruce of Mississippi: Conservative Assimilationist": 11–12.

12. Ibid., 15.
13. Graham, *The Senator and the Socialite*: 68–70, 76; quoted in Harris, “Blanche K. Bruce of Mississippi: Conservative Assimilationist”: 20.
14. Pinchback had recently been elected an At-Large Representative from Louisiana, and while his election was being contested, he was elected by the state legislature to fill a vacant U.S. Senate seat. His selection for the Senate seat also was contested. He was rejected by both houses on charges of bribery and corruption. See Eric R. Jackson, “Pinchback, P. B. S.,” *ANB* 17: 527–529.
15. *Congressional Record*, Senate, 44th Cong., 1st sess. (31 March 1876): 2101–2105; Graham, *The Senator and the Socialite*: 80–81.
16. The Navy had long accepted blacks. Predictably, its race record suffered during the Jim Crow decades. Few blacks secured appointments to the Naval Academy at Annapolis, and none matriculated as officers. In the 1880s, black sailors were routinely denied promotions and assigned to perform menial tasks or labor. See David Osher’s essay “Race Relations and War,” *The Oxford Companion to American Military History* (New York: Oxford University Press, 1999): 585.
17. *Congressional Record*, Senate, 46th Cong., 3rd sess. (10 February 1881): 1397–1398.
18. See S. 865, 46th Congress, 2nd session.
19. *Congressional Record*, Senate, 46th Cong., 2nd sess. (7 April 1880): 2195–2196. Bruce was supporting a bill selling federal lands to the Ute Indians in Colorado (S. 1509), which passed and was approved by President Rutherford B. Hayes in the 46th Congress (1879–1881).
20. Harris, “Blanche K. Bruce of Mississippi: Conservative Assimilationist”: 22.
21. Samuel L. Shapiro, “Bruce, Blanche Kelso,” *Dictionary of American Negro Biography* (New York: Norton, 1982): 74–76 (hereinafter referred to as *DANB*).
22. Harris, “Blanche K. Bruce of Mississippi: Conservative Assimilationist”: 27, 33. See also Thomas C. Holt, *Black Over White: Negro Political Leadership in South Carolina During Reconstruction* (Urbana: University of Illinois Press, 1977).
23. Graham, *The Senator and the Socialite*: 116.
24. Harris, “Blanche K. Bruce of Mississippi: Conservative Assimilationist”: 19.
25. Shapiro, “Bruce, Blanche Kelso,” *DANB*.
26. Foner, *Freedom’s Lawmakers*: 30. Bruce’s family continued his legacy of public service and focus on education. Josephine Bruce was the principal of the Tuskegee Institute and was active in the National Federation of Colored Women’s Clubs. Bruce’s son, Roscoe Conkling Bruce, and his grandson, Roscoe Bruce, Jr., graduated with honors from Harvard University. The latter was embroiled in controversy when Harvard’s president refused to admit him into the dormitories in 1923.



WOMEN IN HISTORY

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Clara Barton



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- **NAME:** Clarissa Harlowe Barton
- **DATE OF BIRTH:** December 25, 1821
- **PLACE OF BIRTH:** North Oxford, Massachusetts
- **DATE OF DEATH:** April 12, 1912
- **PLACE OF DEATH:** Glen Echo, Maryland
- **FAMILY BACKGROUND:** Clara was the daughter of Captain Stephen and Sarah (Stone) Barton. Her father was a respected farmer, horse breeder and politician. The youngest of five children, most of her education came from her two brothers and two sisters. Although a shy child, she accelerated early in her studies: by the time she was 4 years old, Clara could easily spell complicated words. Her instinctual gift of nursing started at the young age of 11 when she nursed her brother David through a serious illness.
- **ACCOMPLISHMENTS:** Clara Barton became a teacher in Massachusetts at the age of 17; founded her own school six years later and after ten years of teaching, felt the need to alter her career path. She then pursued writing and languages at the Liberal Institute in Clinton, New York.

Following these studies, Barton opened a free school in New Jersey. The attendance

under her leadership grew to 600 but instead of hiring Barton to head the school, the board hired a man instead. Frustrated, she moved to Washington D.C. and began work as a clerk in the U.S. Patent Office; this was the first time a woman had received a substantial clerkship in the federal government.

With the emergence of the Civil War, Barton refused to take a salary from the government's treasury and dedicated herself aiding soldiers on the front. Never before had women been allowed in hospitals, camps or on battlefields; initially, military and civil officials declined her help. Eventually, she gained the trust of these officials and began receiving supplies from all over the country. As a result of her untiring work, she became known as the "Angel of the Battlefield." Officially, she became the superintendent of Union nurses in 1864 and began obtaining camp and hospital supplies, assistants and military trains for her work on the front. She practiced nursing exclusively on battlefields, experiencing first-hand the horrors of war on sixteen different battlefields.

After the war, President Lincoln granted her the ability to begin a letter writing campaign to search for missing soldiers through the Office of Correspondence. Later in her life, Barton continued to search for missing soldiers and also became involved in the suffragist movement. In 1869, she traveled to Europe for rest as directed by her doctor. In Europe she was educated about the concept of the Red Cross as outlined in the Treaty of Geneva and also by observing the Red Cross while traveling with volunteers serving in the Franco-Prussian War. Twelve nations had signed the treaty but the United States had not. She returned to the United States; rallied to have the US join in this treaty; and vowed to establish this work in the United States. Barton expanded the original concept of the Red Cross to include assisting in any great national disaster; this service brought the United States the "Good Samaritan of Nations" label. The United States ultimately signed the Geneva Agreement in 1882 .

Barton was the President of the American National Red Cross for twenty-two years. Under her leadership, she adopted the framework of the Red Cross to fit the needs of the United States not only during wartime but in peacetime. The Red Cross's early work included aiding victims and workers in the floods of the Mississippi and Ohio Rivers in 1882 and 1884, the Texas famine of 1886, the Florida yellow fever epidemic in 1887, an earthquake in Illinois in 1888, and the 1889 Johnstown, Pennsylvania disaster/flood. Internationally, countries noticed and recognized the need for such peacetime assistance and in 1884 the Geneva Convention passed the "American Amendment" to include this concept. The first wartime experience for the American Red Cross was in the Spanish-American War in 1898.

Barton also was highly dedicated to fighting for and furthering the rights of women; she worked closely with Susan B. Anthony, Lucy Stone and others. Barton herself was the most decorated American woman, receiving the Iron Cross, the Cross of Imperial Russia and the International Red Cross Medal. Her final act was founding the National First Aid Society in 1904. She retired as President of the American Red Cross at the age of 83 and spent her remaining years in Glen Echo, Maryland where she died from complications of a cold.

Clara Barton's two "rules of action" were "unconcern for what cannot be helped" and "control under pressure."

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• WEBSITES:

[Clara Barton](#) biography

[Clara Barton](#) biography from the American Red Cross

[Discovered Historical Documents Uncover the First Official Missing Persons Investigator, Clara Barton](#) by Barbara Maikell-Thomas

[Profiles in Caring: Clara Barton](#)

[Clara Barton photo](#) from the National Archives (large file)

• QUOTE:

An institution or reform movement that is not selfish, must originate in the recognition of some evil that is adding to the sum of human suffering, or diminishing the sum of happiness. I suppose it is a philanthropic movement to try to reverse the process.

- Clara Barton

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Elizabeth Cady Stanton biography

SYNOPSIS

Born on November 12, 1815, in Johnstown, New York, Elizabeth Cady Stanton was an American abolitionist and leading figure of the early woman's movement. Her Declaration of Sentiments is often credited with initiating the first organized woman's rights and suffrage movements in the United States. She was the president of the National American Woman Suffrage Association for 20 years.

EARLY LIFE

Women's rights activist, feminist, editor, and writer. Born on November 12, 1815, in Johnstown, New York. The daughter of a lawyer who made no secret of his preference for another son, she early showed her desire to excel in intellectual and other "male" spheres. She graduated from the [Emma Willard's Troy Female Seminary](#) in 1832 and then was drawn to the abolitionist, temperance, and women's rights movements through visits to the home of her cousin, the reformer Gerrit Smith.

In 1840 Elizabeth Cady Stanton married a reformer Henry Stanton (omitting "obey" from the marriage oath), and they went at once to the World's Anti-Slavery Convention in London, where she joined other women in objecting to their exclusion from the assembly. On returning to the United States, Elizabeth and Henry had seven children while he studied and practiced law, and eventually they settled in Seneca Falls, New York.

WOMEN'S RIGHTS MOVEMENT

With [Lucretia Mott](#) and several other women, Elizabeth Cady Stanton held the famous Seneca Falls Convention in July 1848. At this meeting, the attendees drew up its "Declaration of Sentiments" and took the lead in proposing that women be granted the right to vote. She continued to write and lecture on women's rights and other reforms of the day. After meeting Susan B Anthony in the early 1850s, she was one of the leaders in promoting women's rights in general (such as divorce) and the right to vote in particular.

During the Civil War Elizabeth Cady Stanton concentrated her efforts on abolishing slavery, but afterwards she became even more outspoken in promoting women suffrage. In 1868, she worked with [Susan B. Anthony](#) on the *Revolution*, a militant weekly paper. The two then formed the National Woman Suffrage Association (NWSA) in 1869. Stanton was the NWSA's first president - a position she held until 1890. At that time the organization merged with another suffrage group to form the National American Woman Suffrage Association. Stanton served as the president of the new organization for two years.

QUICK FACTS

NAME: [Elizabeth Cady Stanton](#)

OCCUPATION: [Women's Rights Activist](#)

BIRTH DATE: [November 12, 1815](#)

DEATH DATE: [October 26, 1902](#)

EDUCATION: [Johnstown Academy](#), [Troy Female Seminary](#)

PLACE OF BIRTH: [Johnstown](#), [New York](#)

PLACE OF DEATH: [New York](#), [Unites States](#)

BEST KNOWN FOR

Elizabeth Cady Stanton was an early leader of the woman's rights movement. She wrote the Declaration of Sentiments, which stated that men and women were equal.

LATER WORK

As a part of her work on behalf of women's rights, Elizabeth Cady Stanton often traveled to give lectures and speeches. She called for an amendment to the U.S. Constitution giving women the right to vote. Stanton also worked with Anthony on the first three volumes of the History of Woman Suffrage (1881–6). [Matilda Joslyn Gage](#) also worked with the pair on parts of the project.

Besides chronicling the history of the suffrage movement, Elizabeth Cady Stanton took on the role religion played in the struggle for equal rights for women. She had long argued that the Bible and organized religion played in denying women their full rights. With her daughter, Harriet Stanton Blatch, she published a critique, *The Woman's Bible*, which was published in two volumes. The first volume appeared in 1895 and the second in 1898. This brought considerable protest not only from expected religious quarters but from many in the woman suffrage movement.

Elizabeth Cady Stanton died on October 26, 1902. More so than many other women in that movement, she was able and willing to speak out on a wide spectrum of issues - from the primacy of legislatures over the courts and constitution, to women's right to ride bicycles - and she deserves to be recognized as one of the more remarkable individuals in American history.

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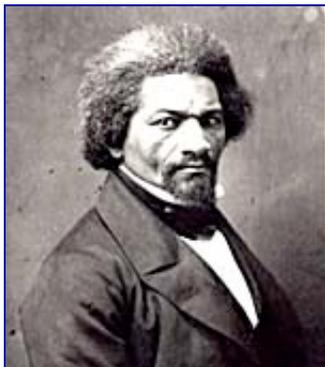
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People & Events

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Frederick Douglass

1818 - 1895



Frederick Douglass stood at the podium, trembling with nervousness. Before him sat abolitionists who had travelled to the Massachusetts island of Nantucket. Only 23 years old at the time, Douglass overcame his nervousness and gave a stirring, eloquent speech about his life as a slave. Douglass would continue to give speeches for the rest of his life and would become a leading spokesperson for the abolition of slavery and for racial equality.



The son of a slave woman and an unknown white man, "Frederick Augustus Washington Bailey" was born in February of 1818 on Maryland's eastern shore. He spent his early years with his grandparents and with an aunt, seeing his mother only four or five times before her death when he was seven. (All Douglass knew of his father was that he was white.) During this time he was exposed to the degradations of slavery, witnessing firsthand brutal whippings and spending much time cold and hungry. When he was eight he was sent to Baltimore to live with a ship carpenter named Hugh Auld. There he learned to read and first heard the words abolition and abolitionists. "Going to live at Baltimore," Douglass would later say, "laid the foundation, and opened the gateway, to all my subsequent prosperity."

Douglass spent seven relatively comfortable years in Baltimore before being sent back to the country, where

he was hired out to a farm run by a notoriously brutal "slavebreaker" named Edward Covey. And the treatment he received was indeed brutal. Whipped daily and barely fed, Douglass was "broken in body, soul, and spirit."

On January 1, 1836, Douglass made a resolution that he would be free by the end of the year. He planned an escape. But early in April he was jailed after his plan was discovered. Two years later, while living in Baltimore and working at a shipyard, Douglass would finally realize his dream: he fled the city on September 3, 1838. Travelling by train, then steamboat, then train, he arrived in New York City the following day. Several weeks later he had settled in New Bedford, Massachusetts, living with his newlywed bride (whom he met in Baltimore and married in New York) under his new name, Frederick Douglass.

Always striving to educate himself, Douglass continued his reading. He joined various organizations in New Bedford, including a black church. He attended Abolitionists' meetings. He subscribed to William Lloyd Garrison's weekly journal, the *Liberator*. In 1841, he saw Garrison speak at the Bristol Anti-Slavery Society's annual meeting. Douglass was inspired by the speaker, later stating, "no face and form ever impressed me with such sentiments [the hatred of slavery] as did those of William Lloyd Garrison." Garrison, too, was impressed with Douglass, mentioning him in the *Liberator*. Several days later Douglass gave his speech at the Massachusetts Anti-Slavery Society's annual convention in Nantucket-- the speech described at the top of this page. Of the speech, one correspondent reported, "Flinty hearts were pierced, and cold ones melted by his eloquence." Before leaving the island, Douglass was asked to become a lecturer for the Society for three years. It was the launch of a career that would continue throughout Douglass' long life.

Despite apprehensions that the information might endanger his freedom, Douglass published his autobiography, *Narrative of the Life of Frederick Douglass, an American Slave, Written By Himself*. The year was 1845. Three years later, after a speaking tour of England, Ireland, and Scotland, Douglass published the first issue of the *North Star*, a four-page weekly, out

of Rochester, New York.

Ever since he first met Garrison in 1841, the white abolitionist leader had been Douglass' mentor. But the views of Garrison and Douglass ultimately diverged. Garrison represented the radical end of the abolitionist spectrum. He denounced churches, political parties, even voting. He believed in the dissolution (break up) of the Union. He also believed that the U.S. Constitution was a pro-slavery document. After his tour of Europe and the establishment of his paper, Douglass' views began to change; he was becoming more of an independent thinker, more pragmatic. In 1851 Douglass announced at a meeting in Syracuse, New York, that he did not assume the Constitution was a pro-slavery document, and that it could even "be wielded in behalf of emancipation," especially where the federal government had exclusive jurisdiction. Douglass also did not advocate the dissolution of the Union, since it would isolate slaves in the South. This led to a bitter dispute between Garrison and Douglass that, despite the efforts of others such as Harriet Beecher Stowe to reconcile the two, would last into the Civil War.

Frederick Douglass would continue his active involvement to better the lives of African Americans. He conferred with Abraham Lincoln during the Civil War and recruited northern blacks for the Union Army. After the War he fought for the rights of women and African Americans alike.



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Harriet Beecher Stowe biography

SYNOPSIS

Harriet Beecher Stowe was an abolitionist and an author. In 1852, she released the now-famous novel *Uncle Tom's Cabin*. The work depicted the life of African American slaves. She based her writing on her own readings and personal observations. The tale energizing anti-slavery forces in the American North and incensed the South. She also wrote travel essays, memoirs, articles and essays.

PROFILE

(born June 14, 1811, Litchfield, Conn., U.S.—died July 1, 1896, Hartford, Conn.) American writer and philanthropist, the author of the novel *Uncle Tom's Cabin*, which contributed so much to popular feeling against slavery that it is cited among the causes of the American Civil War.

QUICK FACTS

NAME: Harriet Beecher Stowe
OCCUPATION: Philanthropist, Author
BIRTH DATE: June 14, 1811
DEATH DATE: July 01, 1896
PLACE OF BIRTH: Litchfield, Connecticut
PLACE OF DEATH: Hartford, Connecticut

BEST KNOWN FOR

Harriet Beecher Stowe was an abolitionist and the author who wrote *Uncle Tom's Cabin*, a novel that depicted slavery, energizing anti-slavery forces in the U.S.

Harriet Beecher was a member of one of the 19th century's most remarkable families. The daughter of the prominent Congregationalist minister Lyman Beecher and the sister of Catharine, Henry Ward, and Edward, she grew up in an atmosphere of learning and moral earnestness. She attended her sister Catharine's school in Hartford, Conn., in 1824–27, thereafter teaching at the school. In 1832 she accompanied Catharine and their father to Cincinnati, Ohio, where he became president of Lane Theological Seminary and she taught at another school founded by her sister.

In Cincinnati she took an active part in the literary and school life, contributing stories and sketches to local journals and compiling a school geography, until the school closed in 1836. That same year she married Calvin Ellis Stowe, a clergyman and seminary professor, who encouraged her literary activity and was himself an eminent biblical scholar. She wrote continually and in 1843 published *The Mayflower; or, Sketches of Scenes and Characters Among the Descendants of the Pilgrims*.

Stowe lived for 18 years in Cincinnati, separated only by the Ohio River from a slave-holding community; she came in contact with fugitive slaves and learned about life in the South from friends and from her own visits there. In 1850 her husband became professor at Bowdoin College and the family moved to Brunswick, Maine.

There Harriet Stowe began to write a long tale of slavery, based on her reading of abolitionist literature and on her personal observations in Ohio and Kentucky. Her tale was published serially (1851–52) in the *National Era*, an antislavery paper of Washington, D.C.; in 1852 it appeared in book form as *Uncle Tom's Cabin; or, Life Among the Lowly*. The book was an immediate sensation and was taken up eagerly by abolitionists while, along with its author, it was vehemently denounced in the South, where reading or possessing the book became an extremely dangerous enterprise. With sales of 300,000 in the first year, the book exerted an influence equaled by few other novels in history, helping to solidify both pro- and antislavery sentiment. The book was translated widely and several times dramatized (the first time, in 1852, without Stowe's permission), where it played to capacity audiences. Stowe

was enthusiastically received on a visit to England in 1853, and there she formed friendships with many leading literary figures. In that same year she published *A Key to Uncle Tom's Cabin*, a compilation of documents and testimonies in support of disputed details of her indictment of slavery.

In 1856 she published *Dred: A Tale of the Great Dismal Swamp*, in which she depicted the deterioration of a society resting on a slave basis. When *The Atlantic Monthly* was established the following year, she found a ready vehicle for her writings; she also found outlets in the *Independent* of New York City and later the *Christian Union*, of which papers her brother [Henry Ward Beecher](#) was editor.

She thereafter led the life of a woman of letters, writing novels, of which *The Minister's Wooing* (1859) is best known, many studies of social life in both fiction and essay, and a small volume of religious poems. An article she published in *The Atlantic* in 1869, in which she alleged that Lord Byron had had an incestuous affair with his half-sister, created an uproar in England and cost her much of her popularity there, but she remained a leading author and lyceum lecturer in the United States. Late in her life she assisted her son Charles E. Stowe on a biography of her, which appeared in 1889. Stowe had moved to Hartford in 1864, and she largely remained there until her death.

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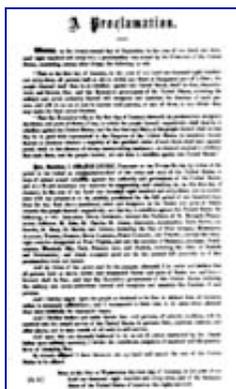
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Harriet Tubman

c.1820 - 1913



Harriet Tubman is perhaps the most well-known of all the Underground Railroad's "conductors." During a ten-year span she made 19 trips into the South and escorted over 300 slaves to freedom. And, as she once proudly pointed out to Frederick Douglass, in all of her journeys she "never lost a single passenger."

Tubman was born a slave in Maryland's Dorchester County around 1820. At age five or six, she began to work as a house servant. Seven years later she was sent to work in the fields. While she was still in her early teens, she suffered an injury that would follow her for the rest of her life. Always ready to stand up for someone else, Tubman blocked a doorway to protect another field hand from an angry overseer. The overseer picked up and threw a two-pound weight at the field hand. It fell short, striking Tubman on the head. She never fully recovered from the blow, which subjected her to spells in which she would fall into a deep sleep.

Around 1844 she married a free black named John Tubman and took his last name. (She was born Araminta Ross; she later changed her first name to Harriet, after her mother.) In 1849, in fear that she, along with the other slaves on the plantation, was to be sold, Tubman resolved to run away. She set out one night on foot. With some assistance from a friendly white woman, Tubman was on her way. She followed the North Star by night, making her way to Pennsylvania and soon after to Philadelphia, where she found work and saved her

money. The following year she returned to Maryland and escorted her sister and her sister's two children to freedom. She made the dangerous trip back to the South soon after to rescue her brother and two other men. On her third return, she went after her husband, only to find he had taken another wife. Undeterred, she found other slaves seeking freedom and escorted them to the North.

Tubman returned to the South again and again. She devised clever techniques that helped make her "forays" successful, including using the master's horse and buggy for the first leg of the journey; leaving on a Saturday night, since runaway notices couldn't be placed in newspapers until Monday morning; turning about and heading south if she encountered possible slave hunters; and carrying a drug to use on a baby if its crying might put the fugitives in danger. Tubman even carried a gun which she used to threaten the fugitives if they became too tired or decided to turn back, telling them, "You'll be free or die."

By 1856, Tubman's capture would have brought a \$40,000 reward from the South. On one occasion, she overheard some men reading her wanted poster, which stated that she was illiterate. She promptly pulled out a book and feigned reading it. The ploy was enough to fool the men.

Tubman had made the perilous trip to slave country 19 times by 1860, including one especially challenging journey in which she rescued her 70-year-old parents. Of the famed heroine, who became known as "Moses," Frederick Douglass said, "Excepting John Brown -- of sacred memory -- I know of no one who has willingly encountered more perils and hardships to serve our enslaved people than [Harriet Tubman]."

And John Brown, who conferred with "General Tubman" about his plans to raid Harpers Ferry, once said that she was "one of the bravest persons on this continent."

Becoming friends with the leading abolitionists of the day, Tubman took part in antislavery meetings. On the way to such a meeting in Boston in 1860, in an incident in Troy, New York, she helped a fugitive slave who had been captured.

During the Civil War Harriet Tubman worked for the Union as a cook, a nurse, and even a spy. After the war she settled in Auburn, New York, where she would spend the rest of her long life. She died in 1913.



Hiram R. Revels biography

SYNOPSIS

Hiram R. Revels (b. September 27, 1827) became the first African American to serve in the United States Senate. Before taking office, Revels attended seminary and became a Christian minister, preaching throughout the Midwest and South. He was elected as Senator of Mississippi in 1863. In his later years, he was appointed as the first president of the Alcorn Agricultural and Mechanical College.

PROFILE

(born Sept. 1, 1822, Fayetteville, N.C., U.S.—died Jan. 16, 1901, Aberdeen, Miss.) American clergyman and educator who became the first black citizen to be elected to the U.S. Senate (1870–71), during Reconstruction.

Born of free parents, young Revels traveled to Indiana and Illinois to receive the education that was denied him in the South. He was ordained a minister in the African Methodist Episcopal Church in 1845 and eventually settled in Baltimore, Md., where he served as a church pastor and principal of a school for blacks. Soon after the Civil War began (1861), he helped organize two volunteer regiments of blacks for service in the Union Army. Two years later he joined the Federal forces to serve as a chaplain to a black regiment stationed in Mississippi.

After the war Revels settled in Natchez, Miss., to preach to a large congregation. Despite some misgivings about entering politics, he accepted appointment by the military governor as alderman (1868) and was later (1869) elected to the state senate. Although Revels was a Republican, he was anxious not to encourage race friction with white Southerners; he therefore supported legislation that would have restored the power to vote and to hold office to disenfranchised members of the former Confederacy. In January 1870 he was elected to the U.S. Senate to fill the unexpired term of the former Confederate president, Jefferson Davis. He performed competently in office, advocating desegregation in the schools and on the railroads.

On leaving the Senate, Revels became president of Alcorn Agricultural and Mechanical College, a recently opened institution of higher education for blacks, near Lorman, Miss. In 1874, however, he was dismissed from the college presidency. In 1875 he helped overturn the Republican (Carpetbag) government of Mississippi, defending his action on the grounds that too many politicians in that party were corrupt. He was rewarded by the Democratic administration, which returned him to the chief post at Alcorn in 1876, where he remained until his retirement.

QUICK FACTS

NAME: Hiram R. Revels

OCCUPATION: Academic, U.S. Representative, Minister

BIRTH DATE: September 01, 1822

DEATH DATE: January 16, 1901

PLACE OF BIRTH: Fayetteville, North Carolina

PLACE OF DEATH: Aberdeen, Nevada

BEST KNOWN FOR

Hiram R. Revels was the first African American to serve in the United States Senate.

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James Buchanan

Tall, stately, stiffly formal in the high stock he wore around his jowls, James Buchanan was the only President who never married.

Presiding over a rapidly dividing Nation, Buchanan grasped inadequately the political realities of the time. Relying on constitutional doctrines to close the widening rift over slavery, he failed to understand that the North would not accept constitutional arguments which favored the South. Nor could he realize how sectionalism had realigned political parties: the Democrats split; the Whigs were destroyed, giving rise to the Republicans.

Born into a well-to-do Pennsylvania family in 1791, Buchanan, a graduate of Dickinson College, was gifted as a debater and learned in the law.

He was elected five times to the House of Representatives; then, after an interlude as Minister to Russia, served for a decade in the Senate. He became Polk's Secretary of State and Pierce's Minister to Great Britain. Service abroad helped to bring him the Democratic nomination in 1856 because it had exempted him from involvement in bitter domestic controversies.

As President-elect, Buchanan thought the crisis would disappear if he maintained a sectional balance in his appointments and could persuade the people to accept constitutional law as the Supreme Court interpreted it. The Court was considering the legality of restricting slavery in the territories, and two justices hinted to Buchanan what the decision would be.

Thus, in his Inaugural the President referred to the territorial question as "happily, a matter of but little practical importance" since the Supreme Court was about to settle it "speedily and finally."

Two days later Chief Justice Roger B. Taney delivered the Dred Scott decision, asserting that Congress had no constitutional power to deprive persons of their property rights in slaves in the territories. Southerners were delighted, but the decision created a furor in the North.

Buchanan decided to end the troubles in Kansas by urging the admission of the territory as a slave state. Although he directed his Presidential authority to this goal, he further angered the Republicans and alienated members of his own party.

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- 41. George H. W. Bush
- 42. William J. Clinton
- 43. George W. Bush
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Kansas remained a territory.

When Republicans won a plurality in the House in 1858, every significant bill they passed fell before southern votes in the Senate or a Presidential veto. The Federal Government reached a stalemate.

Sectional strife rose to such a pitch in 1860 that the Democratic Party split into northern and southern wings, each nominating its own candidate for the Presidency. Consequently, when the Republicans nominated Abraham Lincoln, it was a foregone conclusion that he would be elected even though his name appeared on no southern ballot. Rather than accept a Republican administration, the southern "fire-eaters" advocated secession.

President Buchanan, dismayed and hesitant, denied the legal right of states to secede but held that the Federal Government legally could not prevent them. He hoped for compromise, but secessionist leaders did not want compromise.

Then Buchanan took a more militant tack. As several Cabinet members resigned, he appointed northerners, and sent the Star of the West to carry reinforcements to Fort Sumter. On January 9, 1861, the vessel was far away.

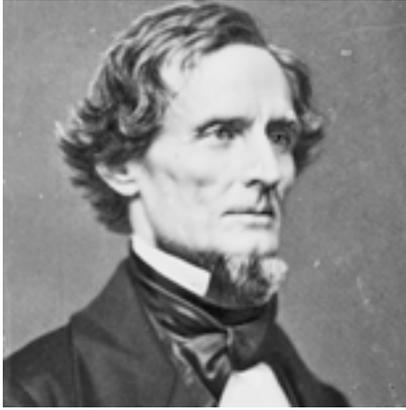
Buchanan reverted to a policy of inactivity that continued until he left office. In March 1861 he retired to his Pennsylvania home Wheatland--where he died seven years later--leaving his successor to resolve the frightful issue facing the Nation.

Learn more about James Buchanan 's niece who served as First Lady, [Harriet Lane](#).

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QUICK FACTS

NAME: Jefferson Finis [Davis](#)
OCCUPATION: Government Official
BIRTH DATE: [June 03](#), 1808
DEATH DATE: [December 06](#), 1889
EDUCATION: [West Point](#)
PLACE OF BIRTH: Christian County, [Kentucky](#)
PLACE OF DEATH: New Orleans, Louisiana

BEST KNOWN FOR

Jefferson Davis was the President of the Confederate States of America during the American Civil War.

During the period of mounting intersectional strife, Davis spoke widely in both North and South, urging harmony between the sections. When South Carolina withdrew from the Union in December 1860, Davis still opposed secession, though he believed that the Constitution gave a state the right to withdraw from the original compact of states. He was among those who believed that the newly elected president, [Abraham Lincoln](#), would coerce the South and that the result would be disastrous.

PRESIDENT OF THE CONFEDERACY

On Jan. 21, 1861, twelve days after Mississippi seceded, Davis made a moving farewell speech in the Senate and pleaded eloquently for peace. Before he reached his Brierfield plantation, he was commissioned major general to head Mississippi's armed forces and prepare its defense. But within two weeks the Confederate Convention in Montgomery, Ala., chose him as provisional president of the Confederacy. He was inaugurated on Feb. 18, 1861, and his first act was to send a peace

commission to Washington, D.C., to prevent an armed conflict. Lincoln refused to see his emissaries and the next month decided to send armed ships to Charleston, S.C., to resupply the beleaguered Union garrison at Fort Sumter. Davis reluctantly ordered the bombardment of the fort (April 12–13), which marked the beginning of the American Civil War. Two days later Lincoln called for 75,000 volunteers, a move that brought about the secession of Virginia and three other states from the Union.

Davis faced a dire crisis. A president without precedent, he had to mold a brand-new nation in the midst of a war. With only one-fourth the white population of the Northern states, with a small fraction of the North's manufacturing capacity, and with inferior railroads, no navy, no powder mills, no shipyard, and an appalling lack of arms and equipment, the South was in poor condition to withstand invasion. Its only resources seemed to be cotton and courage. But at Bull Run (Manassas, Va.), on July 21, 1861, the Confederates routed Union forces. In the meantime, with makeshift materials, Davis created factories for producing powder, cannon, side arms, and quartermaster stores. In restored naval yards gunboats were constructed, and the South's inadequate railroads and rolling stock were patched up repeatedly. Davis sent agents to Europe to buy arms and ammunition, and he dispatched representatives to try to secure recognition from England and France.

Davis made the inspired choice of [Robert E. Lee](#) as commander of the Army of Northern Virginia in June 1862. While Davis' military judgment was occasionally at fault, he

Jefferson Finis Davis biography

SYNOPSIS

Born in 1808, Jefferson Davis was the President of the Confederate States of America during the American Civil War. He was unsuccessful in his leadership against the Union largely due to his lack of organization, inability to delegate responsibility, and minor feuds with other statesmen. After the war, he was imprisoned for two years and indicted for treason but never tried. (born June 3, 1808, Christian county, Ky., U.S.—died Dec. 6, 1889, New Orleans, La.) president of the Confederate States of America throughout its existence during the American Civil War (1861–65). After the war, he was imprisoned for two years and indicted for treason but never tried.

EARLY LIFE AND CAREER

Jefferson Davis was the 10th and last child of Samuel Emory Davis, a Georgia-born planter of Welsh ancestry. When he was three his family settled on a plantation called Rosemont at Woodville, Miss. At seven he was sent for three years to a Dominican boys' school in Kentucky, and at 13 he entered Transylvania College, Lexington, Ky. He later spent four years at the United States Military Academy at West Point, graduating in 1828.

Davis served as a lieutenant in the Wisconsin Territory and afterward in the [Black Hawk](#) War under the future president, then Colonel [Zachary Taylor](#), whose daughter Sarah Knox he married in 1835. According to a contemporary description, Davis in his mid-20s was “handsome, witty, sportful, and altogether captivating.” In 1835 Davis resigned his commission and became a planter near Vicksburg, Miss., on land given him by his rich eldest brother, Joseph. Within three months his bride died of malarial fever. Grief-stricken, Davis stayed in virtual seclusion for seven years, creating a plantation out of a wilderness and reading prodigiously in constitutional law and world literature.

In 1845 Davis was elected to the U.S. House of Representatives and, in the same year, married Varina Howell, a Natchez aristocrat who was 18 years his junior. In 1846 he resigned his seat in Congress to serve in the war with Mexico as colonel in command of the First Mississippi volunteers, and he became a national hero for winning the Battle of Buena Vista (1847) with tactics that won plaudits even in the European press. After returning, severely wounded, he entered the Senate and soon became chairman of the Military Affairs Committee. President [Franklin Pierce](#) made him secretary of war in 1853. Davis enlarged the army, strengthened coastal defenses, and directed three surveys for railroads to the Pacific.

wisely gave Lee wide scope in conducting the war over the next three years. Perhaps Davis' most serious mistake as commander in chief was the excessive importance he attached to defending the Confederate capital at Richmond, Va., at the expense of operations farther west, including the defense of the key Confederate fortress at Vicksburg, Miss.

Davis had innumerable troubles during his presidency, including a squabbling Congress, a dissident vice president, and the constant opposition of extreme states'-rights advocates, who objected vigorously to the conscription law he had enacted over much opposition in 1862. But despite a gradually worsening military situation, unrelieved internal political tensions, continuing lack of manpower and armament, and skyrocketing inflation, he remained resolute in his determination to carry on the war, and Lee remained both his most valuable field commander and his most loyal personal supporter.

CAPTURE AND IMPRISONMENT

When Lee surrendered to the North without Davis' approval, Davis and his cabinet moved south, hoping to reach the trans-Mississippi area and continue the struggle until better terms could be secured from the North. At dawn on May 10, 1865, Davis was captured near Irwinville, Ga. He was imprisoned in a damp casemate at Fort Monroe, Va., and was put in leg-irons.

Though outraged Northern public opinion brought about his removal to healthier quarters, Davis remained a prisoner under guard for two more years. Finally, in May 1867, he was released on bail and went to Canada to regain his shattered health. Several notable Northern lawyers offered their free services to defend him in a treason trial, which Davis longed for. The government, however, never forced the issue, many believe because it feared that such a trial might establish that the original Constitution gave the states a right to secede. The case was finally dropped on Dec. 25, 1868.

Davis made five trips to Europe in an effort to regain his health, and for a few years he served as president of an insurance company in Memphis, Tenn. In 1877 he retired to Beauvoir, a small Gulf-side estate near Biloxi, Miss., which a patriotic admirer provided for him. There he wrote his *Rise and Fall of the Confederate Government*. Though pressed to enter the U.S. Senate, he declined to "ask for amnesty," for he felt he had done nothing wrong in fighting for states' rights under the Constitution, and he never regained his citizenship. He remained the chief spokesman and apologist for the defeated South. Davis' citizenship was restored posthumously in 1978.

Though dedicated to the principles of democracy, Davis was by nature a benevolent aristocrat. He was diplomatic to a degree, but he did not possess the pliancy of the professional politician. His sensitivity to criticism stood in stark contrast to the single-minded imperturbability with which his greater counterpart, [Abraham Lincoln](#), pursued his own war aims. Davis died in 1889 in New Orleans of a complicated bronchial ailment. At his temporary interment he was accorded the greatest funeral the South had ever known. On May 31, 1893, he was buried permanently in Hollywood Cemetery in Richmond.

Hudson StrodeEd.

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[PROGRAMS A-Z](#)
[TV SCHEDULES](#)
[WATCH VIDEO](#)
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Judgment Day

[Part 1: 1450-1750](#)
[Part 2: 1750-1805](#)
[Part 3: 1791-1831](#)
[<---Part 4: 1831-1865](#)
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People & Events

[Resource Bank Contents](#)

John Brown

1800 - 1859



John Brown was a man of action -- a man who would not be deterred from his mission of abolishing slavery. On October 16, 1859, he led 21 men on a raid of the federal arsenal at Harpers Ferry, Virginia. His plan to arm slaves with the weapons he and his men seized from the arsenal was thwarted, however, by local farmers, militiamen, and Marines led by Robert E. Lee. Within 36 hours of the attack, most of Brown's men had been killed or captured.



John Brown was born into a deeply religious family in Torrington, Connecticut, in 1800. Led by a father who was vehemently opposed to slavery, the family moved to northern Ohio when John was five, to a district that would become known for its antislavery views.

During his first fifty years, Brown moved about the country, settling in Ohio, Pennsylvania, Massachusetts, and New York, and taking along his ever-growing family. (He would father twenty children.) Working at various times as a farmer, wool merchant, tanner, and land speculator, he never was financially successful -- he even filed for bankruptcy when in his forties. His lack of funds, however, did not keep him from supporting causes he believed in. He helped finance the publication of David Walker's *Appeal* and Henry Highland's "Call to Rebellion" speech. He gave land to fugitive slaves. He and his wife agreed to raise a black youth as one of

their own. He also participated in the Underground Railroad and, in 1851, helped establish the League of Gileadites, an organization that worked to protect escaped slaves from slave catchers.

In 1847 Frederick Douglass met Brown for the first time in Springfield, Massachusetts. Of the meeting Douglass stated that, "though a white gentleman, [Brown] is in sympathy a black man, and as deeply interested in our cause, as though his own soul had been pierced with the iron of slavery." It was at this meeting that Brown first outlined his plan to Douglass to lead a war to free slaves.

Brown moved to the black community of North Elba, New York, in 1849. The community had been established thanks to the philanthropy of Gerrit Smith, who donated tracts of at least 50 acres to black families willing to clear and farm the land. Brown, knowing that many of the families were finding life in this isolated area difficult, offered to establish his own farm there as well, in order to lead the blacks by his example and to act as a "kind father to them."

Despite his contributions to the antislavery cause, Brown did not emerge as a figure of major significance until 1855 after he followed five of his sons to the Kansas territory. There, he became the leader of antislavery guerillas and fought a proslavery attack against the antislavery town of Lawrence. The following year, in retribution for another attack, Brown went to a proslavery town and brutally killed five of its settlers. Brown and his sons would continue to fight in the territory and in Missouri for the rest of the year.

Brown returned to the east and began to think more seriously about his plan for a war in Virginia against slavery. He sought money to fund an "army" he would lead. On October 16, 1859, he set his plan to action when he and 21 other men -- 5 blacks and 16 whites -- raided the federal arsenal at Harpers Ferry.

Brown was wounded and quickly captured, and moved to Charlestown, Virginia, where he was tried and convicted of treason. Before hearing his sentence, Brown was allowed make an address to the court.

. . . I believe to have interfered as I have done, . . . in behalf of His despised poor, was not wrong, but right. Now, if it be deemed necessary that I should forfeit my life for the furtherance of the ends of justice, and mingle my blood further with the blood of my children, and with the blood of millions in this slave country whose rights are disregarded by wicked, cruel, and unjust enactments, I submit: so let it be done."

Although initially shocked by Brown's exploits, many Northerners began to speak favorably of the militant abolitionist. "He did not recognize unjust human laws, but resisted them as he was bid. . . .," said Henry David Thoreau in an address to the citizens of Concord, Massachusetts. "No man in America has ever stood up so persistently and effectively for the dignity of human nature. . . ."

John Brown was hanged on December 2, 1859.



[previous](#) | [next](#)

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[PBS HOME](#)
[PROGRAMS A-Z](#)
[TV SCHEDULES](#)
[WATCH VIDEO](#)
[DONATE](#)
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[SEARCH PBS](#)

NEW PERSPECTIVES ON THE WEST

[THE PROGRAM](#)
[PEOPLE](#)
[PLACES](#)
[EVENTS](#)
[RESOURCES](#)
[LESSON PLANS](#)
[QUIZ](#)

PEOPLE

A-C

[Austin, Stephen](#)
[E.](#)
[Bent, William](#)
[Big Foot](#)
[Black Kettle](#)
[Brannan,](#)
[Samuel](#)
[Brown, John](#)
["Buffalo Bill"](#)
[Cabeza de
Vaca, Alvar](#)
[Nuñez](#)
[Carson, Kit](#)
[Chivington,](#)
[John M.](#)
[Chief Joseph](#)
[Clark, William](#)
[Clemens,](#)
[Samuel](#)
[Cody, William](#)
[E.](#)
[Coronado,](#)
[Francisco](#)
[Cortina, Juan](#)
[Crazy Horse](#)
[Crocker,](#)
[Charles](#)
[Crook, George](#)
[Cushing, Frank
Hamilton](#)
[Custer, George
Armstrong](#)

D-H

"Chief Joseph"

Hin-mah-too-yah-lat-kekt
(1840-1904)

The man who became a national celebrity with the name "Chief Joseph" was born in the [Wallowa Valley](#) in what is now northeastern Oregon in 1840. He was given the name Hin-mah-too-yah-lat-kekt, or Thunder Rolling Down the Mountain, but was widely known as Joseph, or Joseph the Younger, because his father had taken the Christian name Joseph when he was baptized at the [Lapwai](#) mission by Henry Spalding in 1838.



Joseph the Elder was one of the first Nez Percé converts to Christianity and an active supporter of the tribe's longstanding peace with whites. In 1855 he even helped Washington's territorial governor set up a Nez Percé reservation that stretched from Oregon into Idaho. But in 1863, following a gold rush into Nez Percé territory, the federal government took back almost six million acres of this land, restricting the Nez Percé to a reservation in Idaho that was only one tenth its prior size. Feeling himself betrayed, Joseph the Elder denounced the United States, destroyed his American flag and his Bible, and refused to move his band from the Wallowa Valley or sign the treaty that would make the new reservation boundaries official.

When his father died in 1871, Joseph was elected to succeed him. He inherited not only a name but a situation made increasingly volatile as white settlers continued to arrive in the Wallowa Valley. Joseph staunchly resisted all efforts to force his band onto the small Idaho reservation, and in 1873 a federal order to remove white settlers and let his people remain in the Wallowa Valley made it appear that he might be successful. But the federal government soon reversed itself, and in [1877](#) General [Oliver Otis Howard](#) threatened a cavalry attack to force Joseph's band and other hold-outs onto the reservation. Believing military resistance futile, Joseph reluctantly led his people toward Idaho.

Unfortunately, they never got there. About twenty young Nez Percé warriors, enraged at the loss of their homeland, staged a raid on nearby settlements and killed several whites. Immediately, the army began to pursue Joseph's band and the others who had not moved onto the reservation. Although he had opposed war, Joseph cast his lot with the war leaders.

[I-R](#)[S-Z](#)

What followed was one of the most brilliant military [retreats](#) in American history. Even the unsympathetic [General William Tecumseh Sherman](#) could not help but be impressed with the 1,400 mile march, stating that "the Indians throughout displayed a courage and skill that elicited universal praise... [they] fought with almost scientific skill, using advance and rear guards, skirmish lines, and field fortifications." In over three months, the band of about 700, fewer than 200 of whom were warriors, fought 2,000 U.S. soldiers and Indian auxiliaries in four major battles and numerous skirmishes.

By the time he formally surrendered on October 5, 1877, Joseph was widely referred to in the American press as "the Red Napoleon." It is unlikely, however, that he played as critical a role in the Nez Percé's military feat as his legend suggests. He was never considered a war chief by his people, and even within the Wallowa band, it was Joseph's younger brother, Olikut, who led the warriors, while Joseph was responsible for guarding the camp. It appears, in fact, that Joseph opposed the decision to flee into Montana and seek aid from the Crows and that other chiefs -- [Looking Glass](#) and some who had been killed before the surrender -- were the true strategists of the campaign. Nevertheless, Joseph's widely reprinted surrender speech has immortalized him as a military leader in American popular culture:

I am tired of fighting. Our chiefs are killed. Looking Glass is dead. Toohoolhoolzote is dead. The old men are all dead. It is the young men who say, "Yes" or "No." He who led the young men [Olikut] is dead. It is cold, and we have no blankets. The little children are freezing to death. My people, some of them, have run away to the hills, and have no blankets, no food. No one knows where they are -- perhaps freezing to death. I want to have time to look for my children, and see how many of them I can find. Maybe I shall find them among the dead. Hear me, my chiefs! I am tired. My heart is sick and sad. From where the sun now stands I will fight no more forever.

Joseph's fame did him little good. Although he had surrendered with the understanding that he would be allowed to return home, Joseph and his people were instead taken first to eastern Kansas and then to a reservation in Indian Territory (present-day Oklahoma) where many of them died of epidemic diseases. Although he was allowed to visit Washington, D.C., in 1879 to plead his case to U.S. President Rutherford B. Hayes, it was not until 1885 that Joseph and the other refugees were returned to the Pacific Northwest. Even then, half, including Joseph, were taken to a non-Nez Percé reservation in northern Washington, separated from the rest of their people in Idaho and their homeland in the Wallowa Valley.

In his last years, Joseph [spoke](#) eloquently against the injustice of United States policy toward his people and held out the hope that America's promise of freedom and equality might one day be fulfilled for Native Americans as well. An indomitable voice of conscience for the West, he died in 1904, still in exile from his homeland, according to his doctor "of a broken heart."

[The Program](#) | [People](#) | [Places](#) | [Events](#) | [Resources](#) | [Lesson Plans](#) | [Quiz](#)

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NEW PERSPECTIVES ON THE WEST

[THE PROGRAM](#)
[PEOPLE](#)
[PLACES](#)
[EVENTS](#)
[RESOURCES](#)
[LESSON PLANS](#)
[QUIZ](#)

PEOPLE

A-C

[Austin, Stephen](#)
[E.](#)
[Bent, William](#)
[Big Foot](#)
[Black Kettle](#)
[Brannan,](#)
[Samuel](#)
[Brown, John](#)
["Buffalo Bill"](#)
[Cabeza de](#)
[Vaca, Alvar](#)
[Nuñez](#)
[Carson, Kit](#)
[Chivington,](#)
[John M.](#)
[Chief Joseph](#)
[Clark, William](#)
[Clemens,](#)
[Samuel](#)
[Cody, William](#)
[E.](#)
[Coronado,](#)
[Francisco](#)
[Cortina, Juan](#)
[Crazy Horse](#)
[Crocker,](#)
[Charles](#)
[Crook, George](#)
[Cushing, Frank](#)
[Hamilton](#)
[Custer, George](#)
[Armstrong](#)

D-H

Crazy Horse

Tashunca-uitco
(1849-1877)

Celebrated for his ferocity in battle, Crazy Horse was recognized among his own people as a visionary leader committed to preserving the traditions and values of the Lakota way of life.



Even as a young man, Crazy Horse was a legendary warrior. He stole horses from the Crow Indians before he was thirteen, and led his first war party before turning twenty. Crazy Horse fought in the 1865-68 war led by the Oglala chief [Red Cloud](#) against American settlers in Wyoming, and played a key role in destroying William J. Fetterman's brigade at [Fort Phil Kearny](#) in 1867.

Crazy Horse earned his reputation among the Lakota not only by his skill and daring in battle but also by his fierce determination to preserve his people's traditional way of life. He refused, for example, to allow any photographs to be taken of him. And he fought to prevent American encroachment on Lakota lands following the [Fort Laramie Treaty of 1868](#), helping to attack a surveying party sent into the Black Hills by General [George Armstrong Custer](#) in 1873.

When the War Department ordered all Lakota bands onto their reservations in [1876](#), Crazy Horse became a leader of the resistance. Closely allied to the Cheyenne through his first marriage to a Cheyenne woman, he gathered a force of 1,200 Oglala and Cheyenne at his village and turned back General [George Crook](#) on June 17, 1876, as Crook tried to advance up [Rosebud Creek](#) toward [Sitting Bull's](#) encampment on the [Little Bighorn](#). After this victory, Crazy Horse joined forces with Sitting Bull and on June 25 led his band in the counterattack that destroyed Custer's Seventh Cavalry, flanking the Americans from the north and west as Hunkpapa warriors led by chief [Gall](#) charged from the south and east.

Following the Lakota victory at the Little Bighorn, Sitting Bull and Gall retreated to Canada, but Crazy Horse remained to battle General [Nelson Miles](#) as he pursued the Lakota and their allies relentlessly throughout the winter of 1876-77. This constant military harassment and the decline of the buffalo population eventually forced Crazy Horse to surrender on May 6, 1877; except for Gall and Sitting Bull, he was the last important chief to yield.

Even in defeat, Crazy Horse remained an independent spirit, and in September 1877,

[I-R](#)[S-Z](#)

when he left the reservation without authorization, to take his sick wife to her parents, General George Crook ordered him arrested, fearing that he was plotting a return to battle. Crazy Horse did not resist arrest at first, but when he realized that he was being led to a guardhouse, he began to struggle, and while his arms were held by one of the arresting officers, a soldier ran him through with a bayonet.

[The Program](#) | [People](#) | [Places](#) | [Events](#) | [Resources](#) | [Lesson Plans](#) | [Quiz](#)

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NEW PERSPECTIVES ON THE WEST

[THE PROGRAM](#)
[PEOPLE](#)
[PLACES](#)
[EVENTS](#)
[RESOURCES](#)
[LESSON PLANS](#)
[QUIZ](#)

[PEOPLE](#)

[A-C](#)

[Austin, Stephen](#)
[E.](#)
[Bent, William](#)
[Big Foot](#)
[Black Kettle](#)
[Brannan,](#)
[Samuel](#)
[Brown, John](#)
["Buffalo Bill"](#)
[Cabeza de](#)
[Vaca, Alvar](#)
[Nuñez](#)
[Carson, Kit](#)
[Chivington,](#)
[John M.](#)
[Chief Joseph](#)
[Clark, William](#)
[Clemens,](#)
[Samuel](#)
[Cody, William](#)
[E.](#)
[Coronado,](#)
[Francisco](#)
[Cortina, Juan](#)
[Crazy Horse](#)
[Crocker,](#)
[Charles](#)
[Crook, George](#)
[Cushing, Frank](#)
[Hamilton](#)
[Custer, George](#)
[Armstrong](#)

[D-H](#)

George Armstrong Custer

(1839-1876)

Flamboyant in life, George Armstrong Custer has remained one of the best-known figures in American history and popular mythology long after his death at the hands of Lakota and Cheyenne warriors at the Battle of the Little Bighorn.

Custer was born in New Rumley, Ohio, and spent much of his childhood with a half-sister in Monroe, Michigan. Immediately after high school he enrolled in West Point, where he utterly failed to distinguish himself in any positive way. Several days after graduating last in his class, he failed in his duty as officer of the guard to stop a fight between two cadets. He was court-martialed and saved from punishment only by the huge need for officers with the outbreak of the Civil War.

Custer did unexpectedly well in the Civil War. He fought in the First Battle of Bull Run, and served with panache and distinction in the Virginia and Gettysburg campaigns. Although his units suffered enormously high casualty rates -- even by the standards of the bloody Civil War -- his fearless aggression in battle earned him the respect of his commanding generals and increasingly put him in the public eye. His cavalry units played a critical role in forcing the retreat of Confederate General Robert E. Lee's forces; in gratitude, General [Philip Sheridan](#) purchased and made a gift of the Appomattox surrender table to Custer and his wife, Elizabeth Bacon Custer.

In July of 1866 Custer was appointed lieutenant-colonel of the Seventh Cavalry. The next year he led the cavalry in a muddled campaign against the Southern Cheyenne. In late 1867 Custer was court-martialed and suspended from duty for a year for being absent from duty during the campaign. Custer maintained that he was simply being made a scapegoat for a failed campaign, and his old friend General Phil Sheridan agreed, calling Custer back to duty in 1868. In the eyes of the army, Custer redeemed himself by his November [1868](#) attack on [Black Kettle's](#) band on the banks of the [Washita River](#).

Custer was sent to the Northern Plains in 1873, where he soon participated in a few small skirmishes with the Lakota in the Yellowstone area. The following year, he led a 1,200 person expedition to the Black Hills, whose possession the United States had guaranteed the Lakota just six years before.

In 1876, Custer was scheduled to lead part of the anti-Lakota expedition, along with



[I-R](#)[S-Z](#)

Generals [John Gibbon](#) and [George Crook](#). He almost didn't make it, however, because his March testimony about Indian Service corruption so infuriated President Ulysses S. Grant that he relieved Custer of his command and replaced him with General [Alfred Terry](#). Popular disgust, however, forced Grant to reverse his decision. Custer went West to meet his destiny.

The original United States plan for defeating the Lakota called for the three forces under the command of Crook, Gibbon, and Custer to trap the bulk of the Lakota and Cheyenne population between them and deal them a crushing defeat. Custer, however, advanced much more quickly than he had been ordered to do, and neared what he thought was a large Indian village on the morning of June 25, [1876](#). Custer's rapid advance had put him far ahead of Gibbon's slower-moving infantry brigades, and unbeknownst to him, General Crook's forces had been turned back by [Crazy Horse](#) and his band at [Rosebud Creek](#).

On the verge of what seemed to him a certain and glorious victory for both the United States and himself, Custer ordered an immediate attack on the Indian village. Contemptuous of Indian military prowess, he split his forces into three parts to ensure that fewer Indians would escape. The attack was one the greatest fiascos of the United States Army, as thousands of Lakota, Cheyenne and Arapaho warriors forced Custer's unit back onto a long, dusty ridge parallel to the [Little Bighorn](#), surrounded them, and killed all 210 of them.

Custer's blunders cost him his life but gained him everlasting fame. His defeat at the Little Bighorn made the life of what would have been an obscure 19th century military figure into the subject of countless songs, books and paintings. His widow, Elizabeth Bacon Custer, did what she could to further his reputation, writing laudatory accounts of his life that portrayed him as not only a military genius but also a refined and cultivated man, a patron of the arts, and a budding statesman.

Countless paintings of "Custer's Last Stand" were made, including one mass-distributed by the Anheuser-Busch brewing company. All of these paintings -- as did the misnomer "the Custer massacre" -- depicted Custer as a gallant victim, surrounded by bloodthirsty savages intent upon his annihilation. Forgotten were the facts that he had started the battle by attacking the Indian village, and that most of Indians present were forced to surrender within a year of their greatest battlefield triumph.

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NEW PERSPECTIVES ON THE WEST

[THE PROGRAM](#)
[PEOPLE](#)
[PLACES](#)
[EVENTS](#)
[RESOURCES](#)
[LESSON PLANS](#)
[QUIZ](#)

PEOPLE

A-C

[Austin, Stephen](#)
[E.](#)
[Bent, William](#)
[Big Foot](#)
[Black Kettle](#)
[Brannan,](#)
[Samuel](#)
[Brown, John](#)
["Buffalo Bill"](#)
[Cabeza de](#)
[Vaca, Alvar](#)
[Nuñez](#)
[Carson, Kit](#)
[Chivington,](#)
[John M.](#)
[Chief Joseph](#)
[Clark, William](#)
[Clemens,](#)
[Samuel](#)
[Cody, William](#)
[E.](#)
[Coronado,](#)
[Francisco](#)
[Cortina, Juan](#)
[Crazy Horse](#)
[Crocker,](#)
[Charles](#)
[Crook, George](#)
[Cushing, Frank](#)
[Hamilton](#)
[Custer, George](#)
[Armstrong](#)

D-H

John M. Chivington

(1821-1894)

The hero of Glorietta Pass and the butcher of Sand Creek, John M. Chivington stands out as one of the most controversial figures in the history of the American West.

Chivington was born into an Ohio farm family in 1821. His father died when he was only five and the burden of providing for the family fell to

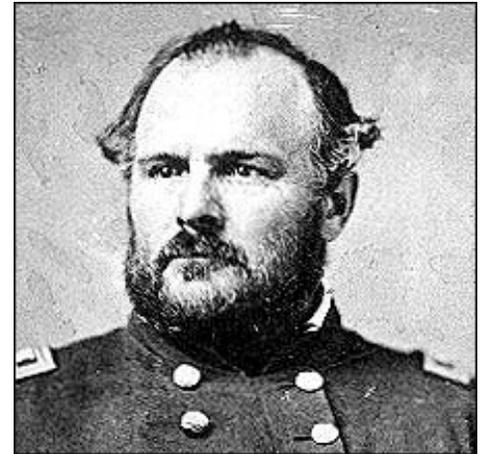
Chivington's mother and older brothers. While he was growing up, Chivington worked on the family farm so much that he received only an irregular education. By the time of his marriage in 1844 he had been operating a small timber business in Ohio for several years.

Although he had not been particularly religious as a child and young man, Chivington found himself drawn toward Methodism when he was in his early twenties. He was ordained in 1844 and soon began his long career as a minister. He accepted whatever assignment the church gave him, moving his family to Illinois in 1848 and then to Missouri the next year. Chivington was something of a frontier minister, usually establishing congregations, supervising the erection of churches, and often serving as a de facto law enforcement officer. For a time in 1853 he assisted in a Methodist missionary expedition to the Wyandot Indians in Kansas.

Chivington's contempt for slavery and talk of secession caused him enormous trouble in Missouri. In 1856, pro-slavery members of his congregation sent him a threatening letter instructing him to cease preaching. When many of the signatories attended his service the next Sunday, intending to tar and feather him, Chivington ascended the pulpit with a Bible and two pistols. His declaration that "By the grace of God and these two revolvers, I am going to preach here today" earned him the sobriquet the "Fighting Parson."

Soon after this incident, the Methodist Church sent Chivington to Omaha, Nebraska to escape the tumult of Missouri. He and his family remained in Nebraska until 1860, when he was made the presiding elder of the Rocky Mountain District of the Methodist Church and moved to Denver to build a church and found a congregation.

When the Civil War broke out, Colorado's territorial governor, [William Gilpin](#), offered Chivington a commission as a chaplain, but he declined the "praying" commission and asked for a "fighting" position instead. In [1862](#), Chivington, by that point a Major in the



[I-R](#)

first Colorado Volunteer Regiment, played a critical role in defeating confederate forces at [Glorietta Pass](#) in eastern New Mexico, where his troops rappelled down the canyon walls in a surprise attack on the enemy's supply train. He was widely hailed as a military hero.

[S-Z](#)

Back in Denver after the defeat of the Confederacy's Western forces, Chivington seemed destined for even greater prominence. He was a leading advocate of quick statehood for Colorado, and the likely Republican candidate for the state's first Congressional seat. In the midst of his blossoming political prospects, tensions between Colorado's burgeoning white population and the Cheyenne Indians reached a feverish pitch. The Denver newspaper printed a front-page [editorial](#) advocating the "extermination of the red devils" and urging its readers to "take a few months off and dedicate that time to wiping out the Indians."

Chivington took advantage of this dangerous public mood by blasting the territorial governor and others who counseled peace and treaty-making with the Cheyenne. In August of 1864, he declared that "the Cheyennes will have to be roundly whipped -- or completely wiped out -- before they will be quiet. I say that if any of them are caught in your vicinity, the only thing to do is kill them." A month later, while addressing a gathering of church deacons, he dismissed the possibility of making a treaty with the Cheyenne: "It simply is not possible for Indians to obey or even understand any treaty. I am fully satisfied, gentlemen, that to kill them is the only way we will ever have peace and quiet in Colorado."

Several months later, Chivington made good on his genocidal promise. During the early morning hours of November 29, [1864](#), he led a regiment of Colorado Volunteers to the Cheyenne's [Sand Creek](#) reservation, where a band led by [Black Kettle](#), a well-known "peace" chief, was encamped. Federal army officers had promised Black Kettle safety if he would return to the reservation, and he was in fact flying the American flag and a white flag of truce over his lodge, but Chivington ordered an attack on the unsuspecting village nonetheless. After hours of fighting, the Colorado volunteers had lost only 9 men in the process of murdering between 200 and 400 Cheyenne, most of them women and children. After the slaughter, they scalped and sexually mutilated many of the bodies, later exhibiting their trophies to cheering crowds in Denver.

Chivington was at first widely praised for the "battle" at Sand Creek, and honored with a widely-attended parade through the streets of Denver just two weeks after the massacre. Soon, however, rumors of drunken soldiers butchering unarmed women and children began to circulate, and at first seemed confirmed when Chivington arrested six of his men and charged them with cowardice in battle. But the six, who included Captain Silas Soule, a personal friend of Chivington's who had fought with him at Glorietta Pass, were in fact militia members who had refused to participate in the massacre and now spoke openly of the carnage they had witnessed. Shortly after their arrest, the U.S. Secretary of War ordered the six men released and Congress began preparing for a [formal investigation](#) of Sand Creek.

Soule himself could not be a witness at any of the investigations, because less than a week after his release he was shot from behind and killed on the streets of Denver. Although Chivington was eventually brought up on court-martial charges for his

involvement in the massacre, he was no longer in the U.S. Army and could therefore not be punished. No criminal charges were ever filed against him. An Army judge, however, publicly stated that Sand Creek was "a cowardly and cold-blooded slaughter, sufficient to cover its perpetrators with indelible infamy, and the face of every American with shame and indignation."

Although he was never punished for his role at Sand Creek, Chivington did at least pay some price. He was forced to resign from the Colorado militia, to withdraw from politics, and to stay away from the campaign for statehood. In 1865 he moved back to Nebraska, spending several unsuccessful years as a freight hauler. He lived briefly in California, and then returned to Ohio where he resumed farming and became editor of a small newspaper. In 1883 he re-entered politics with a campaign for a state legislature seat, but charges of his guilt in the Sand Creek massacre forced him to withdraw. He quickly returned to Denver and worked as a deputy sheriff until shortly before his death from cancer in 1892.

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[PROGRAMS A-Z](#)
[TV SCHEDULES](#)
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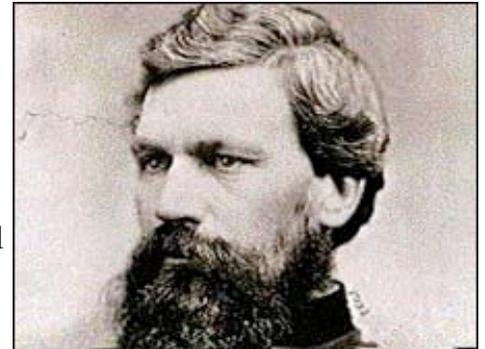
[THE PROGRAM](#)
[PEOPLE](#)
[PLACES](#)
[EVENTS](#)
[RESOURCES](#)
[LESSON PLANS](#)
[QUIZ](#)

PEOPLE

[A-C](#)
[D-H](#)
[Eaton, Fred](#)
[Field, Marshall](#)
[Fletcher, Alice](#)
[Gall](#)
[Gibbon, John](#)
[Gilpin, William](#)
[Glidden, Joseph](#)
[F.](#)
[Goodnight,](#)
[Charles](#)
[Haywood,](#)
[William "Big](#)
[Bill"](#)
[Hin-mah-too-](#)
[yah-](#)
[lat-kekt \(Chief](#)
[Joseph\)](#)
[Houston, Sam](#)
[Howard, Oliver](#)
[O.](#)
[L-R](#)
[S-Z](#)

Oliver Otis Howard

(1830-1909)



Throughout his long military career, Oliver Otis Howard gained victory by the force of his own moral convictions as often as by force of arms.

Born in Maine in 1830, Howard received his education at Bowdoin College, then attended West Point, where he became a mathematics professor in the mid-1850's. He was on the verge of switching careers to become a minister when the Civil War erupted. During the war, he commanded troops at First Bull Run, Fair Oaks (where severe wounds forced the amputation of his right arm), Second Bull Run, Fredericksburg, Chancellorsville and Gettysburg.

Even in battle Howard was as much a moral crusader as a warrior, insisting that his troops attend prayer and temperance meetings. After the war, he was appointed head of the Freedman's Bureau, which was designed to protect and assist the newly-freed slaves. In this position, Howard quickly earned the contempt of white Southerners and many Northerners for his unapologetic support of black suffrage and his efforts to distribute land to African-Americans. He was also fearlessly candid about expressing his belief that the majority of white Southerners would be happy to see slavery restored. He even championed freedom and equality for former slaves in his private life, by working to make his elite Washington, D.C., church racially integrated and by helping to found an all-black college in the District of Columbia, which was soon named Howard University in his honor.

In 1872, Howard brought a similar courage and sense of commitment to the American West when he was dispatched by the Grant administration to meet with the Chiricahua Apache leader Cochise and bring an end to his decade-long guerilla war against American settlers. Travelling almost alone, Howard entered the Apache chief's stronghold and secured a peace agreement by promising him a reservation of his own choosing. Other generals and public officials condemned what they saw as the overly generous terms of this agreement, but Howard's promise was upheld by an executive order which set aside nearly the whole southeastern corner of the Arizona Territory as a Chiricahua reservation on which Cochise and his people could live with little meddling from the army.

Five years later, in [1877](#), Howard faced a different situation in Oregon, where he was sent to persuade a Nez Percé band led by [Chief Joseph](#) to leave their homeland in the [Wallowa Valley](#) for the reservation assigned to them in [Lapwai, Idaho](#). Howard found

himself agreeing with Joseph that his people had never signed a treaty giving up their homeland, but in Howard's view this did not change the fact that eastern Oregon was no longer a place where Indians could roam free.

After his offer to purchase the valley was rejected, Howard made it clear that he would use force to move the Nez Percé as he had been commanded. And despite his sympathies for Joseph's band, he did not hesitate to send his troops against them when Nez Percé warriors killed several white settlers in the area. Nonetheless, Howard never lost sight of the underlying moral issue in this confrontation, and after Joseph's surrender, he was outspoken among those officers who argued without success that his band should be allowed to return to their home.

Howard's military career after the Nez Percé War included serving as superintendent of West Point for several years and as the commanding officer of the Department of the Platte and the Division of the East. In his later years and after his retirement from the army in 1894, he wrote several books on military and Indian affairs, including *Nez Percé Joseph* (1881), *Autobiography* (1907), *My Life and Experiences Among Hostile Indians* (1907) and *Famous Indian Chiefs I Have Known* (1908). Howard died in 1909.

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NEW PERSPECTIVES ON THE WEST

[THE PROGRAM](#)
[PEOPLE](#)
[PLACES](#)
[EVENTS](#)
[RESOURCES](#)
[LESSON PLANS](#)
[QUIZ](#)

PEOPLE

[A-C](#)
[D-H](#)
[I-R](#)
[Kearney, Denis](#)
[Lane, James H.](#)
[Lee, John D.](#)
[Lewis,](#)
[Meriwether](#)
[Looking Glass](#)
[Lovejoy, Julia](#)
[Louisa](#)
["Mark Twain"](#)
[Marshall, James](#)
[Meek, Joseph](#)
[Miles, Nelson](#)
[A.](#)
[Mulholland,](#)
[William](#)
[Norton, Joshua](#)
[Polk, James K.](#)
[Popé](#)
[Quantrill,](#)
[William Clarke](#)
[Red Cloud](#)
[Reno, Marcus](#)
[Roosevelt,](#)
[Theodore](#)
[S-Z](#)

Red Cloud

Makhpiya-Luta
(1822-1909)

As a warrior and a statesman, Red Cloud's success in confrontations with the United States government marked him as one of the most important Lakota leaders of the nineteenth century.

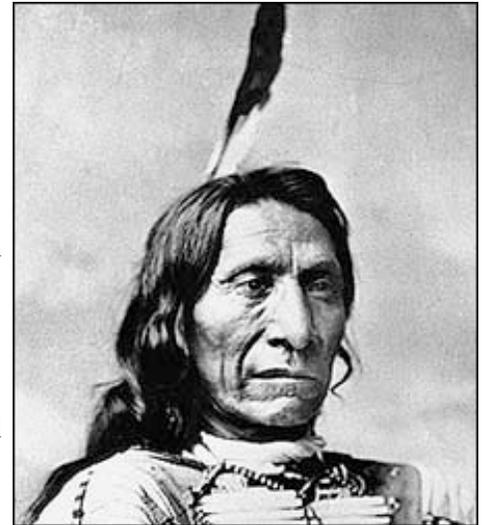
Although the details of his early life are unclear, Red Cloud was born near the forks of the Platte River, near what is now North Platte, Nebraska. His mother was an Oglala and his father, who died in Red Cloud's youth, was a Brulé. Red Cloud was raised in the household of his maternal uncle, Chief Smoke.

Much of Red Cloud's early life was spent at war, first and most often against the neighboring Pawnee and Crow, at times against other Oglala. In 1841 he killed one of his uncle's primary rivals, an event which divided the Oglala for the next fifty years. He gained enormous prominence within the Lakota nation for his leadership in territorial wars against the Pawnees, Crows, Utes and Shoshones.

Beginning in [1866](#), Red Cloud orchestrated the most successful war against the United States ever fought by an Indian nation. The army had begun to construct forts along the Bozeman Trail, which ran through the heart of Lakota territory in present-day Wyoming to the Montana gold fields from Colorado's South Platte River. As caravans of miners and settlers began to cross the Lakota's land, Red Cloud was haunted by the vision of Minnesota's expulsion of the Eastern Lakota in 1862 and 1863. So he launched a series of assaults on the forts, most notably the crushing defeat of Lieutenant Colonel William Fetterman's column of eighty men just outside [Fort Phil Kearny, Wyoming](#), in December of 1866. The garrisons were kept in a state of exhausting fear of further attacks through the rest of the winter.

Red Cloud's strategies were so successful that by [1868](#) the United States government had agreed to the [Fort Laramie Treaty](#). The treaty's remarkable provisions mandated that the United States abandon its forts along the Bozeman Trail and guarantee the Lakota their possession of what is now the Western half of South Dakota, including the Black Hills, along with much of Montana and Wyoming.

The peace, of course, did not last. [Custer's 1874](#) Black Hills expedition again brought



war to the northern Plains, a war that would mean the end of independent Indian nations. For reasons which are not entirely clear, Red Cloud did not join [Crazy Horse](#), [Sitting Bull](#) and other war leaders in the Lakota War of 1876-77. However, after the military defeat of the Lakota nation, Red Cloud continued to fight for the needs and autonomy of his people, even if in less obvious or dramatic ways than waging war.

Throughout the 1880's Red Cloud struggled with Pine Ridge Indian Agent Valentine McGillicuddy over the distribution of government food and supplies and the control of the Indian police force. He was eventually successful in securing McGillicuddy's dismissal. Red Cloud cultivated contacts with sympathetic Eastern reformers, especially Thomas A. Bland, and was not above pretending for political effect to be more acculturated to white ways than he actually was.

Fearing the Army's presence on his reservation, Red Cloud refrained from endorsing the Ghost Dance movement, and unlike Sitting Bull and [Big Foot](#), he escaped the Army's occupation unscathed. Thereafter he continued to fight to preserve the authority of chiefs such as himself, opposed leasing Lakota lands to whites, and vainly fought allotment of Indian reservations into individual tracts under the [1887 Dawes Act](#). He died in 1909, but his long and complex life endures as testimony to the variety of ways in which Indians resisted their conquest.

[The Program](#) | [People](#) | [Places](#) | [Events](#) | [Resources](#) | [Lesson Plans](#) | [Quiz](#)

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[TV SCHEDULES](#)
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[SEARCH PBS](#)

NEW PERSPECTIVES ON THE WEST

[THE PROGRAM](#)
[PEOPLE](#)
[PLACES](#)
[EVENTS](#)
[RESOURCES](#)
[LESSON PLANS](#)
[QUIZ](#)

PEOPLE

[A-C](#)

[Austin, Stephen](#)
[E.](#)
[Bent, William](#)
[Big Foot](#)
[Black Kettle](#)
[Brannan,](#)
[Samuel](#)
[Brown, John](#)
["Buffalo Bill"](#)
[Cabeza de](#)
[Vaca, Alvar](#)
[Nuñez](#)
[Carson, Kit](#)
[Chivington,](#)
[John M.](#)
[Chief Joseph](#)
[Clark, William](#)
[Clemens,](#)
[Samuel](#)
[Cody, William](#)
[E.](#)
[Coronado,](#)
[Francisco](#)
[Cortina, Juan](#)
[Crazy Horse](#)
[Crocker,](#)
[Charles](#)
[Crook, George](#)
[Cushing, Frank](#)
[Hamilton](#)
[Custer, George](#)
[Armstrong](#)

[D-H](#)

Samuel Clemens

Mark Twain
(1835-1910)

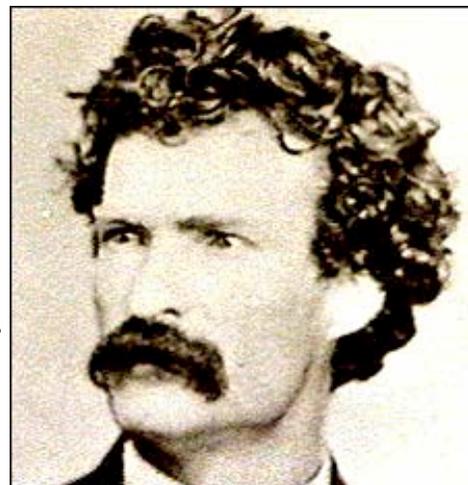
It was in the West that Samuel Clemens became Mark Twain, and although the landscape and characters of frontier life play only a small part in his writings, one can always detect a tang of the region where he found his literary voice and identity in his distinctively colloquial style.

Clemens was born in Florida, Missouri, in 1835, and grew up in nearby Hannibal, on the Mississippi River. His father died in 1847, leaving the family with little financial support, and Clemens became a printer's apprentice, eventually working for his brother, Orion, who had set himself up in Hannibal as a newspaper publisher. After a year spent setting type for newspapers on the east coast, Clemens returned in 1854 to rejoin Orion, who by this time had moved on to start a paper in Keokuk, Iowa.

Through all his years in the printshop, Clemens tried his hand at composing humorous pieces, using the heavy-handed techniques of local colorists who were popular at the time. By 1856, he was accomplished enough to receive a commission from the Keokuk *Saturday Post* for a series of comical letters reporting on his planned travels to South America. But on his way down the Mississippi, Clemens temporarily abandoned his literary ambitions to take up a trade he had dreamed about as a boy. He apprenticed himself to become a riverboat pilot, and after 18 months of training, spent the next three years navigating the Mississippi's ever-changing waters.

When the Civil War closed traffic on the river in the spring of 1861, Clemens spent a few inglorious weeks as a volunteer in the Confederate army, then deserted to join Orion again, whose abolitionist views had won him appointment as territorial secretary in Nevada. By mid-August, the brothers were in Carson City, where Clemens tried his luck with timber, then mining, then finally found a measure of success in 1862 as a feature writer for the *Virginia City Territorial Enterprise*. It was as this paper's reporter at the Nevada constitutional convention that Clemens began to sign his work "Mark Twain."

The experience of filing daily reports on the picturesque doings in a Nevada mining town helped Clemens sharpen and broaden his abilities as a writer. After two years, he carried those talents to [San Francisco](#), where he wrote for a variety of newspapers and periodicals, among them *The Californian*, edited by Bret Harte. Though they were to



[I-R](#)[S-Z](#)

quarrel later, at this time Clemens and Harte shared a common ambition, and the more experienced Harte proved a valuable guide as Clemens tried to work the comic artifice out of his humor and develop a more natural, conversational style. With "The Celebrated Jumping Frog of Calaveras County," published in [1865](#) by *The Saturday Press* of New York, and reprinted by newspapers across the country, this style made its first appearance, a style readers would soon come to recognize as the voice of Mark Twain.

Clemens left San Francisco in 1866, reporting first on his travels to Hawaii for the *Sacramento Union*, then heading back east with an open assignment for humorous travel writing from the San Francisco *Alta California*. After a brief return to Missouri, he took up the literary life in New York, where he polished his lucrative talent as an entertaining lecturer, then set sail in 1867 on a grand tour of Europe and the Mideast. The reports of this journey which he sent back to San Francisco and New York later became his first best-seller, *Innocents Abroad* (1869).

On his return to the United States, Clemens married Olivia Langdon of Elmira, New York, in 1870 -- after a courtship hundreds of love letters long. The couple settled briefly in Buffalo, New York, then permanently in Harford, Connecticut, where Clemens finally turned from journalism to produce the books and novels that are the basis of his fame. One of the first in this string was *Roughing It* (1872), an autobiographical account of his years in the West told in the humorous style of his travel writing, which pits a self-confident observer against a setting which he both comically misinterprets and ironically understands only too well. This element of self-conscious irony, rooted here in memory, would become the hallmark of Clemens' best work, especially evident in the novels set in his boyhood world beside the Mississippi River, *Tom Sawyer* (1876) and his masterpiece, *The Adventures of Huckleberry Finn* (1884).

Like his father and brother before him, Clemens was unlucky in business and much of his writing and lecturing was spurred by the need to pay off debts stemming from bad investments. Toward the end of his life, Clemens passed through a period of deep depression, which began in 1896 when he received word on a lecture tour in England that his favorite daughter, Susy, had died of meningitis. His wife's death in 1904, and the loss of a second daughter in 1909, deepened his gloom. Clemens had once humorously predicted that, since his birth had coincided with the appearance of Halley's comet, his own death would come when the comet next returned. This prophecy was fulfilled when he died at his home in Redding, Connecticut, in 1910.

[The Program](#) | [People](#) | [Places](#) | [Events](#) | [Resources](#) | [Lesson Plans](#) | [Quiz](#)

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NEW PERSPECTIVES ON THE WEST

[THE PROGRAM](#)
[PEOPLE](#)
[PLACES](#)
[EVENTS](#)
[RESOURCES](#)
[LESSON PLANS](#)
[QUIZ](#)

PEOPLE

[A-C](#)
[D-H](#)
[I-R](#)
[S-Z](#)
[Sacagawea](#)
[Santa Anna,
Antonio López
de](#)
[Seguin, Juan](#)
[Serra, Father](#)
[Junipero](#)
[Sheridan, Philip](#)
[Sherman,](#)
[William](#)
[Tecumseh](#)
[Singleton,](#)
[Benjamin "Pap"](#)
[Sitting Bull](#)
[Smith, Joseph](#)
[Stanford,](#)
[Leland](#)
[Strauss, Levi](#)
[Sutter, John](#)
[Tatanka-](#)
[Iyotanka](#)
(Sitting Bull)">
[Terry, Alfred](#)
[Turner,](#)
[Frederick](#)
[Jackson](#)
[Udall, Ida Hunt
and David King](#)
[Vallejo,](#)
[Mariano](#)

Sitting Bull

Tatanka-Iyotanka
(1831-1890)

A Hunkpapa Lakota chief and holy man under whom the Lakota tribes united in their struggle for survival on the northern plains, Sitting Bull remained defiant toward American military power and contemptuous of American promises to the end.

Born around 1831 on the Grand River in present-day South Dakota, at a place the Lakota called "Many Caches" for the number of food storage pits they had dug there, Sitting Bull was given the name Tatanka-Iyotanka, which describes a buffalo bull sitting intractably on its haunches. It was a name he would live up to throughout his life.

As a young man, Sitting Bull became a leader of the Strong Heart warrior society and, later, a distinguished member of the Silent Eaters, a group concerned with tribal welfare. He first went to battle at age 14, in a raid on the Crow, and saw his first encounter with American soldiers in June 1863, when the army mounted a broad campaign in retaliation for the Santee Rebellion in Minnesota, in which Sitting Bull's people played no part. The next year Sitting Bull fought U.S. troops again, at the Battle of Killdeer Mountain, and in 1865 he led a siege against the newly established Fort Rice in present-day North Dakota. Widely respected for his bravery and insight, he became head chief of the Lakota nation about 1868.

Sitting Bull's courage was legendary. Once, in 1872, during a battle with soldiers protecting railroad workers on the [Yellowstone River](#), Sitting Bull led four other warriors out between the lines, sat calmly sharing a pipe with them as bullets buzzed around, carefully reamed the pipe out when they were finished, and then casually walked away.

The stage was set for war between Sitting Bull and the U.S. Army in [1874](#), when an expedition led by [General George Armstrong Custer](#) confirmed that gold had been discovered in the [Black Hills](#) of Dakota Territory, an area sacred to many tribes and placed off-limits to white settlement by the [Fort Laramie Treaty](#) of [1868](#). Despite this ban, prospectors began a rush to the Black Hills, provoking the Lakota to defend their land. When government efforts to purchase the Black Hills failed, the Fort Laramie Treaty was set aside and the commissioner of Indian Affairs decreed that all Lakota not settled on reservations by January 31, [1876](#), would be considered hostile. Sitting Bull



[Vanderbilt,](#)
[William K.](#)

and his people held their ground.

[Wells,](#)
[Emmeline](#)
[Whitman,](#)
[Narcissa and](#)
[Marcus](#)
[Woodruff,](#)
[Wilford](#)
[Wovoka](#)
[Young,](#)
[Brigham](#)

In March, as three columns of federal troops under General [George Crook](#), General [Alfred Terry](#) and Colonel [John Gibbon](#) moved into the area, Sitting Bull summoned the Lakota, Cheyenne and Arapaho to his camp on [Rosebud Creek](#) in Montana Territory. There he led them in the sun dance ritual, offering prayers to Wakan Tanka, their Great Spirit, and slashing his arms one hundred times as a sign of sacrifice. During this ceremony, Sitting Bull had a vision in which he saw soldiers falling into the Lakota camp like grasshoppers falling from the sky.

Inspired by this vision, the Oglala Lakota war chief, [Crazy Horse](#), set out for battle with a band of 500 warriors, and on June 17 he surprised Crook's troops and forced them to retreat at the Battle of the Rosebud. To celebrate this victory, the Lakota moved their camp to the valley of the [Little Bighorn River](#), where they were joined by 3,000 more Indians who had left the reservations to follow Sitting Bull. Here they were attacked on June 25 by the Seventh Cavalry under George Armstrong Custer, whose badly outnumbered troops first rushed the encampment, as if in fulfillment of Sitting Bull's vision, and then made a stand on a nearby ridge, where they were destroyed.

Public outrage at this military catastrophe brought thousands more cavalymen to the area, and over the next year they relentlessly pursued the Lakota, who had split up after the Custer fight, forcing chief after chief to surrender. But Sitting Bull remained defiant. In May 1877 he led his band across the border into Canada, beyond the reach of the U.S. Army, and when General Terry traveled north to offer him a pardon in exchange for settling on a reservation, Sitting Bull angrily sent him away.

Four years later, however, finding it impossible to feed his people in a world where the buffalo was almost extinct, Sitting Bull finally came south to surrender. On July 19, 1881, he had his young son hand his rifle to the commanding officer of [Fort Buford](#) in Montana, explaining that in this way he hoped to teach the boy "that he has become a friend of the Americans." Yet at the same time, Sitting Bull said, "I wish it to be remembered that I was the last man of my tribe to surrender my rifle." He asked for the right to cross back and forth into Canada whenever he wished, and for a reservation of his own on the Little Missouri River near the Black Hills. Instead he was sent to [Standing Rock Reservation](#), and when his reception there raised fears that he might inspire a fresh uprising, sent further down the Missouri River to Fort Randall, where he and his followers were held for nearly two years as prisoners of war.

Finally, on May 10, 1883, Sitting Bull rejoined his tribe at Standing Rock. The Indian agent in charge of the reservation, James McLaughlin, was determined to deny the great chief any special privileges, even forcing him to work in the fields, hoe in hand. But Sitting Bull still knew his own authority, and when a delegation of U.S. Senators came to discuss opening part of the reservation to white settlers, he spoke forcefully, though futilely, against their plan.

In 1885 Sitting Bull was allowed to leave the reservation to join [Buffalo Bill's](#) Wild West, earning \$50 a week for riding once around the arena, in addition to whatever he could charge for his autograph and picture. He stayed with the show only four months, unable to tolerate white society any longer, though in that time he did manage to shake

hands with President Grover Cleveland, which he took as evidence that he was still regarded as a great chief.

Returning to Standing Rock, Sitting Bull lived in a cabin on the Grand River, near where he had been born. He refused to give up his old ways as the reservation's rules required, still living with two wives and rejecting Christianity, though he sent his children to a nearby Christian school in the belief that the next generation of Lakota would need to be able to read and write.

Soon after his return, Sitting Bull had another mystical vision, like the one that had foretold Custer's defeat. This time he saw a meadowlark alight on a hillock beside him, and heard it say, "Your own people, Lakotas, will kill you." Nearly five years later, this vision also proved true.

In the fall of 1890, a Miniconjou Lakota named Kicking Bear came to Sitting Bull with news of the Ghost Dance, a ceremony that promised to rid the land of white people and restore the Indians' way of life. Lakota had already adopted the ceremony at the Pine Ridge and Rosebud Reservations, and Indian agents there had already called for troops to bring the growing movement under control. At Standing Rock, the authorities feared that Sitting Bull, still revered as a spiritual leader, would join the Ghost Dancers as well, and they sent 43 Lakota policemen to bring him in. Before dawn on December 15, [1890](#), the policemen burst into Sitting Bull's cabin and dragged him outside, where his followers were gathering to protect him. In the gunfight that followed, one of the Lakota policemen put a bullet through Sitting Bull's head.

Sitting Bull was buried at Fort Yates in North Dakota, and in 1953 his remains were moved to Mobridge, South Dakota, where a granite shaft marks his grave. He was remembered among the Lakota not only as an inspirational leader and fearless warrior but as a loving father, a gifted singer, a man always affable and friendly toward others, whose deep religious faith gave him prophetic insight and lent special power to his prayers.

[The Program](#) | [People](#) | [Places](#) | [Events](#) | [Resources](#) | [Lesson Plans](#) | [Quiz](#)

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[TV SCHEDULES](#)

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[THE PROGRAM](#) [PEOPLE](#) [PLACES](#) [EVENTS](#) [RESOURCES](#) [LESSON PLANS](#) [QUIZ](#)

[THE PROGRAM](#)

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[Episodes](#)

[The People](#)

[Empire Upon The Trails](#)

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[Forever](#)

[The Geography of Hope](#)

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The Geography of Hope

The Exodusters



What's going to be a hundred years from now ain't much account to us.... The whites has the lands and the sense, an' the blacks has nothin' but their freedom, an' it's jest like a dream to them.
Benjamin "Pap" Singleton

When the last Federal troops left the South in 1877 and Reconstruction gave way to renewed racial oppression, a former slave named [Benjamin "Pap" Singleton](#) began urging blacks to form their own independent communities in the West. Those who followed his advice called themselves "Exodusters," because they believed the West would prove their promised land.

"Kansas seemed like an ideal place for people who were disillusioned with the black codes that had been passed in the South, the meanness of the Ku Klux Klan, the meanness of the sharecroppers who really weren't sharing the way they had agreed, and these are the people who paid five dollars, five bucks to Pap Singleton to come up the river to a new life in Kansas."



Bertha Calloway

"The West has always been seen as a place of opportunity. And this was certainly as true for people of African descent as for anybody else. Singleton and other leaders weren't necessarily doing it for purely altruistic reasons. Like a lot of great westerners they were speculators in land and hoped to make their fortunes. But they did have a vision of a place where people of color could breathe free..."
Bill Gwaltney



Soon these early Exodusters' hopeful letters home were being



read aloud in black churches across the South, and in the spring of 1879, word spread that the Federal government had set all of Kansas aside for former slaves. The rumor was false, but it sparked a genuine Exodus that brought more than 15,000 African Americans into Kansas within the next year.

When I landed on the soil [of Kansas] I looked on the ground and I says this is free ground. Then I looked on the heavens and I says them is free and beautiful heavens. Then I looked within my heart and I says to myself, I wonder why I was never free before?
John Solomon Lewis

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[PBS HOME](#)
[PROGRAMS A-Z](#)
[TV SCHEDULES](#)
[WATCH VIDEO](#)
[DONATE](#)
[SHOP PBS](#)
[SEARCH PBS](#)

NEW PERSPECTIVES ON THE WEST

[THE PROGRAM](#)
[PEOPLE](#)
[PLACES](#)
[EVENTS](#)
[RESOURCES](#)
[LESSON PLANS](#)
[QUIZ](#)

[PEOPLE](#)

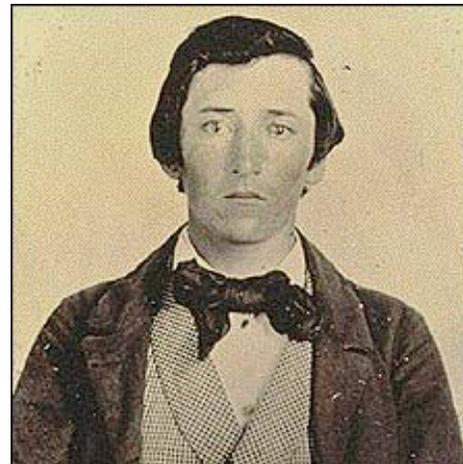
[A-C](#)
[D-H](#)
[I-R](#)
[Kearney, Denis](#)
[Lane, James H.](#)
[Lee, John D.](#)
[Lewis,](#)
[Meriwether](#)
[Looking Glass](#)
[Lovejoy, Julia](#)
[Louisa](#)
["Mark Twain"](#)
[Marshall, James](#)
[Meek, Joseph](#)
[Miles, Nelson](#)
[A.](#)
[Mulholland,](#)
[William](#)
[Norton, Joshua](#)
[Polk, James K.](#)
[Popé](#)
[Quantrill,](#)
[William Clarke](#)
[Red Cloud](#)
[Reno, Marcus](#)
[Roosevelt,](#)
[Theodore](#)
[S-Z](#)

William Clarke Quantrill

(1837-1865)

Leader of perhaps the most savage fighting unit in the Civil War, William Quantrill developed a style of guerrilla warfare that terrorized civilians and soldiers alike. Quantrill was born in 1837 in Ohio, but little is known of his early life. It appears that after being a schoolteacher for several years, he travelled to Utah in 1858 with an army wagon train and there made his living as a gambler, using the alias of Charles Hart.

After a year, he moved to [Lawrence, Kansas](#), where he was again a schoolteacher from 1859 to 1860. But his past and predisposition soon caught up with him and, wanted for murder and horse theft, Quantrill fled to Missouri in late 1860.



Quantrill entered the Civil War on the Confederate side with enthusiasm. By late 1861, he was the leader of Quantrill's Raiders, a small force of no more than a dozen men who harassed Union soldiers and sympathizers along the Kansas-Missouri border and often clashed with Jayhawkers, the pro-Union guerrilla bands that reversed Quantrill's tactics by staging raids from Kansas into Missouri. Union forces soon declared him an outlaw, and the Confederacy officially made him a captain. To his supporters in Missouri, he was a dashing, free-spirited hero.

The climax of Quantrill's guerilla career came on August 21, [1863](#), when he led a force of 450 raiders into Lawrence, Kansas, a stronghold of pro-Union support and the home of Senator [James H. Lane](#), whose leading role in the struggle for free-soil in Kansas had made him a public enemy to pro-slavery forces in Missouri. Lane managed to escape, racing through a cornfield in his nightshirt, but Quantrill and his men killed 183 men and boys, dragging some from their homes to murder them in front of their families, and set the torch to much of the city.

The Lawrence Massacre led to swift retribution, as Union troops forced the residents of four Missouri border counties onto the open prairie while Jayhawkers looted and burned everything they left behind. Quantrill and his raiders took part in the Confederate retaliation for this atrocity, but when Union forces drove the Confederates back, Quantrill fled to Texas. His guerrilla band broke up into several smaller units, including one headed by his vicious lieutenant, "Bloody Bill" Anderson, known for wearing a necklace of Yankee scalps into battle. Quantrill himself was eventually killed on a raid into Kentucky in 1865.

Even after his death, Quantrill and his followers remained almost folk heroes to their supporters in Missouri, and something of this celebrity later rubbed off on several ex-Raiders -- the James brothers, Frank and Jesse, and the Younger brothers, Cole and Jim - - who went on in the late [1860's](#) to apply Quantrill's hit-and-run tactics to bank and train robbery, building on his legacy of bloodshed a mythology of the Western outlaw that remains fixed in the popular imagination.

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PEOPLE

A-C

[Austin, Stephen F.](#)
[Bent, William](#)
[Big Foot](#)
[Black Kettle](#)
[Brannan, Samuel](#)
[Brown, John](#)
["Buffalo Bill"](#)
[Cabeza de Vaca, Alvar Nuñez](#)
[Carson, Kit](#)
[Chivington, John M.](#)
[Chief Joseph](#)
[Clark, William](#)
[Clemens, Samuel](#)
[Cody, William F.](#)
[Coronado, Francisco](#)
[Cortina, Juan](#)
[Crazy Horse](#)
[Crocker, Charles](#)
[Crook, George](#)
[Cushing, Frank Hamilton](#)
[Custer, George Armstrong](#)

D-H

William F. Cody

"Buffalo Bill"
(1846-1917)

In a life that was part legend and part fabrication, William F. Cody came to embody the spirit of the West for millions, transmuting his own experience into a national myth of frontier life that still endures today.

Born in Scott County, Iowa, in 1846, Cody grew up on the prairie. When his father died in 1857, his mother moved to Kansas, where Cody worked for a wagon-freight company as a mounted messenger and wrangler. In [1859](#), he tried his luck as a prospector in the Pikes Peak gold rush, and the next year, joined the Pony Express, which had advertised for "skinny, expert riders willing to risk death daily." Already a seasoned plainsman at age 14, Cody fit the bill.

During the Civil War, Cody served first as a Union scout in campaigns against the Kiowa and Comanche, then in 1863 he enlisted with the Seventh Kansas Cavalry, which saw action in Missouri and Tennessee. After the war, he married Louisa Frederici in St. Louis and continued to work for the Army as a scout and dispatch carrier, operating out of Fort Ellsworth, Kansas.

Finally, in 1867, Cody took up the trade that gave him his nickname, hunting buffalo to feed the construction crews of the Kansas Pacific Railroad. By his own count, he killed 4,280 head of buffalo in seventeen months. He is supposed to have won the name "Buffalo Bill" in an eight-hour shooting match with a hunter named William Comstock, presumably to determine which of the two Buffalo Bill's deserved the title.

Beginning in 1868, Cody returned to his work for the Army. He was chief of scouts for the Fifth Cavalry and took part in 16 battles, including the Cheyenne defeat at Summit Springs, Colorado, in 1869. For his service over these years, he was awarded the Congressional Medal of Honor in 1872, although this award was revoked in 1916 on the grounds that Cody was not a regular member of the armed forces at the time. (The award was restored posthumously in 1989).

All the while Cody was earning a reputation for skill and bravery in real life, he was also becoming a national folk hero, thanks to the exploits of his alter ego, "Buffalo Bill," in the dime novels of Ned Buntline (pen name of the writer E. Z. C. Judson). Beginning in



[I-R](#)

1869, Buntline created a Buffalo Bill who ranked with Davy Crockett, Daniel Boone and [Kit Carson](#) in the popular imagination, and who was, like them, a mixture of incredible fact and romantic fiction.

[S-Z](#)

In [1872](#) Buntline persuaded Cody to assume this role on stage by starring in his play, *The Scouts of the Plains*, and though Cody was never a polished actor, he proved a natural showman, winning enthusiastic applause for his good-humored self-portrayal. Despite a falling out with Buntline, Cody remained an actor for eleven seasons, and became an author as well, producing the first edition of his [autobiography](#) in 1879 and publishing a number of his own Buffalo Bill dime novels. Eventually, there would be some 1,700 of these frontier tales, the majority written by Prentiss Ingraham.

But not even show business success could keep Cody from returning to the West. Between theater seasons, he regularly escorted rich Easterners and European nobility on Western hunting expeditions, and in [1876](#) he was called back to service as an army scout in the campaign that followed [Custer](#)'s defeat at the [Little Bighorn](#).

On this occasion, Cody added a new chapter to his legend in a "duel" with the Cheyenne chief Yellow Hair, whom he supposedly first shot with a rifle, then stabbed in the heart and finally scalped "in about five seconds," according to his own account. Others described the encounter as hand-to-hand combat, and misreported the chief's name as Yellow Hand. Still others said that Cody merely lifted the chief's scalp after he had died in battle. Whatever actually occurred, Cody characteristically had the event embroidered into a melodrama--*Buffalo Bill's First Scalp for Custer*--for the fall theater season.

Cody's own theatrical genius revealed itself in [1883](#), when he organized Buffalo Bill's Wild West, an outdoor extravaganza that dramatized some of the most picturesque elements of frontier life: a buffalo hunt with real buffalos, an Indian attack on the Deadwood stage with real Indians, a Pony Express ride, and at the climax, a tableau presentation of Custer's Last Stand in which some Lakota who had actually fought in the battle played a part. Half circus and half history lesson, mixing sentimentality with sensationalism, the show proved an enormous success, touring the country for three decades and playing to enthusiastic crowds across Europe.

In later years Buffalo Bill's Wild West would star the sharpshooter Annie Oakley, the first "King of the Cowboys," Buck Taylor, and for one season, "the slayer of General Custer," Chief [Sitting Bull](#). Cody even added an international flavor by assembling a "Congress of Rough Riders of the World" that included cossacks, lancers and other Old World cavalymen along with the vaqueros, cowboys and Indians of the American West.

Though he was by this time almost wholly absorbed in his celebrity existence as Buffalo Bill, Cody still had a real-life reputation in the West, and in [1890](#) he was called back by the army once more during the Indian uprisings associated with the Ghost Dance. He came with some Indians from his troupe who proved effective peacemakers, and even traveled to [Wounded Knee](#) after the massacre to help restore order.

Cody made a fortune from his show business success and lost it to mismanagement and a weakness for dubious investment schemes. In the end, even the Wild West show itself was lost to creditors. Cody died on January 10, 1917, and is buried in a tomb blasted


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Only A Teacher

SCHOOLHOUSE PIONEERS



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[Charlotte Forten](#)
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[Horace Mann](#)
[Julia Richman](#)
[Laura Towne](#)

Charlotte Forten (1837-1914)

Charlotte Forten was the first northern African-American schoolteacher to go south to teach former slaves. A sensitive and genteel young woman, she brought intense idealism and fierce abolitionist zeal to her work. As a black woman, she hoped to find kinship with the freedmen, though her own education set her apart from the former slaves. She stayed on St. Helena Island for two years, then succumbed to ill health and had to return north. In 1864, she published "Life on the Sea Islands" in *The Atlantic Monthly*, which brought the work of the Port Royal Experiment to the attention of Northern readers.

Charlotte Forten was born in Philadelphia in 1837 into an influential and affluent family. Her grandfather had been an enormously successful businessman and significant voice in the abolitionist movement. The family moved in the same circles as William Lloyd Garrison and John Greenleaf Whittier: intellectual and political activity were part of the air Charlotte Forten breathed.

She attended Normal School in Salem, Massachusetts and began her teaching career in the Salem schools, the first African-American ever hired. But she longed to be part of a larger cause, and with the coming of the Civil War Forten found a way to act on her deepest beliefs. In 1862, she arrived on St. Helena Island, South Carolina, where she worked with Laura Towne. As she began teaching, she found that many of her pupils spoke only Gullah and were unfamiliar with the routines of school. Though she yearned to feel a bond with the islanders, her temperament, upbringing and education set her apart, and she found she had more in common with the white abolitionists there.

Under physical and emotional stress, Forten, who was always frail, grew ill and left St. Helena after two years.

Today, Forten is best remembered for her diaries. From 1854-64 and 1885-92, she recorded the life of an intelligent, cultured, romantic woman who read and wrote poetry, attended lectures, worked, and took part in the largest social movement of her time. She was determined to embody the intellectual potential of all black people. She set a course of philosophical exploration, social sophistication, cultural achievement and spiritual improvement. She was, above all, dedicated to social justice.

In her later life, she lived in Washington D.C. and continued to support equal rights for African-Americans. She married the minister Francis Grimke, nephew of the crusading Grimke sisters. After many years as an invalid, she died in 1914, having been a voice for equality throughout her life.

In Her Own Words

"Monday, October 23, 1854: I will spare no effort to prepare myself well for the responsible duties of a teacher, and to live for the good I can do my oppressed and suffering fellow creatures." -- *Diary entry*

"Sunday, January 18, 1856: But oh, how inexpressibly bitter and agonizing it is to feel oneself an outcast from the rest of mankind, as we are in this country! To me it is dreadful, dreadful. Oh, that I could do much towards bettering our condition. I will do all, all the very little that lies in my power, while life and strength last!" -- *Diary entry*

"Wednesday, November 5, 1862: Had my first regular teaching experience, and to you and you only friend beloved, will I acknowledge that it was not a very pleasant one." -- *Diary entry*

"Thursday, November 13, 1862: Talked to the children a little while to-day about the noble Toussaint [L'Ouverture]. They listened very attentively. It is well that they should know what one of their own color could do for his race. I long to inspire them with courage and ambition (of a noble sort), and high purpose." -- *Diary entry*

"The first day of school was rather trying. Most of my children are very small, and consequently restless. But after some days of positive, though not severe, treatment, order was brought out of chaos. I never before saw children so eager to learn." -- *Life on the Sea Islands*

"The long, dark night of the Past, with all its sorrows and its fears, was forgotten; and for the Future -- the eyes of these freed children see no clouds in it. It is full of sunlight,

they think, and they trust in it, perfectly." -- *Life on the Sea Islands*

"I shall dwell again among 'mine own people." I shall gather my scholars about me, and see smiles of greeting break over their dusky faces. My heart sings a song of thanksgiving, at the thought that even I am permitted to do something for a long-abused race, and aid in promoting a higher, holier, and happier life on the Sea Islands." -- *Life on the Sea Islands*

Scholars on Charlotte Forten

Nancy Hoffman

Charlotte Forten in some ways is the tragic figure of the story of the women who went south. Her diary revealed she had been touched by racism and by a kind of romanticism that came from reading widely from European literature. She went south expecting to find herself in a community that would welcome her and feel very familiar. To her great surprise, she discovered she had more in common with white, educated women in the South than she had to freed slaves, who certainly had not been schooled in European romantics.

I think the mission of Charlotte Forten and of Laura Towne really fortified them in the very difficult challenging situations: sometimes they were in physical danger, their health was in danger, sometimes they were the butts of white racism.

I think these women were able to separate their private hardships from this great public mission that they were carrying out, which in a sense was their way of serving democracy, serving their nation. Charlotte Forten certainly had in her public writing a voice she adopted for public purposes, and then I think she spoke to herself in her private diaries.

Jacqueline Jones

The great scholar W.E.B. DuBois called the teachers saintly souls, and he believed that they really did provide a tremendous amount of assistance for the freed people after the war. He was one of the first scholars to really highlight the contributions of the teachers and I think give them their due in a certain way.

Wilbur Cash, the southern journalist and writer, decried the schoolteachers. He said they were meddlesome busybodies; they were horsefaced bespectacled old women who went where they had no business going and inflamed the passions of Southern whites in the process. He felt the teachers' actions were terribly misguided and he

condemned them in his book, The Mind of the South.

I tend to see the teachers in a more complex way: they were neither saintly souls, nor were they meddlesome busybodies. But, in fact, they were ordinary young women who felt strongly that they wanted to have a role in the great drama that was the Civil War. They wanted to contribute what they could to black men and women. They did not always understand the culture that they had entered in the South, but at the same time, they were really exceptional for their day.

Further Reading

Forten, Charlotte.

Journal, 1953

Life on the Sea Islands in Two Black Teachers During the Civil War; Series: The American Negro, His History and Literature, 1969

Hoffman, Nancy. Woman's True Profession: Voices from the History of Teaching, 1981

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Robert E. Lee



Robert E. Lee was born January 19, 1807 at "Stratford" in Westmoreland County. Continuing in the military tradition of his father, Lee entered West Point in 1825 and graduated second in his class in 1829. Serving various military duties in Georgia, Virginia, New York, Texas, and Mexico over the next 23 years, Lee's reputation increased in recognition and respectability, and in 1852 he was named superintendent of West Point. From February of 1860 until February of 1861, Lee commanded the Department of Texas -- the largest number of troops he had ever commanded. It was during this time that the secession movement began, and Lee had to evaluate his position as a Whig devoted to the Union and as a Virginian. At this point, he did not agree with the political and economic arguments for Southern independence. Though, unfortunate as the choice was, if pressed to choose between fighting for Virginia or for the Union, Lee realized the decision would be simple. Lee's loyalties proved to be on the side of the South because of his family tradition in and association

with the state of Virginia.

On April 18, 1861 Lee was offered field command of the United States Army. On the following day, he received word that Virginia had seceded from the Union; he submitted his letter of resignation from the United States Army on April 20. Three days later, Lee accepted the position of commander of Virginia forces. From this point onward, Lee's identity became intrinsically linked to the Confederate cause. At the age of 55, on May 31, 1862, Robert E. Lee was assigned to command the troops which he named "The Army of Northern Virginia". During the Civil War he worked closely with [Jefferson Davis](#), [J.E.B. Stuart](#). He is best known for his victories in the Battle of second Manassas (second Bull Run), and the Battle of Chancellorsville. Named General-In-Chief of all Confederate Armies on February 6, 1865, his tenure in this position was cut short by his surrender to General Grant at the Appomattox Court House on April 9, 1865, thus ending the Civil War.

After the war, Lee returned to Richmond. During the last five years of his life, he served as President of Washington College in Lexington, Virginia, and he was indicted for treason though never brought to trial. Lee was stricken on September 28, 1870 in Lexington and died a few weeks later on October 12. Robert E. Lee was buried in Lexington and remembered as an educator, a soldier, and a Christian gentleman who lived his life with dignity. Lee has been compared to General George Washington in terms of the respect which he earned from his soldiers, his region, and the nation.

sources: [Dictionary of American Biography](#)

Continue to [J.E.B. Stuart](#)

Return to [Men Behind the Myth page](#)



America's Reconstruction

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Reconstruction Home

Rights and Power
The Politics of Reconstruction



Introduction

A New Birth of Freedom:
Reconstruction During the Civil War

The Meaning of Freedom:
Black and White Responses to Slavery

From Slave Labor to Free Labor

Rights and Power:
The Politics of Reconstruction

The Ending of Reconstruction

Epilogue
The Unfinished Revolution

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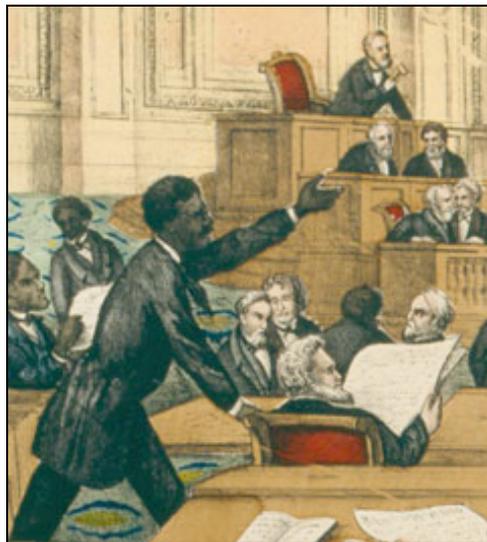
Biographical Sidebar: Robert B. Elliott

One of the South's most brilliant political organizers during Reconstruction, Robert B. Elliott (1842-1884) appears to have been born in Liverpool, England, of West Indian parents and was educated in England, graduating from Eton College in 1859. He came to Boston on an English naval vessel shortly after the Civil War.

After moving to South Carolina in 1867, Elliott established a law practice and helped to organize the Republican party. He "knew the political condition of every nook and corner throughout the state," said one political ally.

Elliott served in the constitutional convention of 1868 and the state legislature, and was twice elected to Congress.

He resigned in 1874 to fight political corruption in South Carolina, where he became Speaker of the House.



In Congress, Elliott delivered a celebrated speech in favor of the bill that became the Civil Rights Act of 1875, which prohibited discrimination in public accommodations because of race. Elliott himself had been denied service in a restaurant while traveling to Washington.

In 1881, Elliott headed a delegation that met with president-elect James A. Garfield to complain that with the end of Reconstruction, Southern blacks were "citizens in name and not in fact."

Rose O'Neal Greenhow Papers

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 - [Women's Studies Resources at Duke](#)
 - [Rare Book, Manuscript, and Special Collections Library, Duke University](#)
 - [The Time of the Lincolns](#), from WGBH/PBS, including a section entitled [A Woman's World](#) and [teacher's guides](#) including an exercise on Rose Greenhow.
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About Rose O'Neal Greenhow.

Rose O'Neal Greenhow was born in Montgomery County, Maryland in 1817. "Wild Rose", as she was called from a young age, was a leader in Washington society, a passionate secessionist, and one of the most renowned spies in the Civil War. Among her accomplishments was the secret message she sent to General Pierre G.T. Beauregard which ultimately caused him to win the battle of Bull Run. She spied so successfully for the Confederacy that Jefferson Davis credited her with winning the battle of Manassas.

She was imprisoned for her efforts first in her own home and then in the Old Capital Prison. Despite her confinement, Greenhow continued getting messages to the Confederacy by means of cryptic notes which traveled in unlikely places such as the inside of a woman's bun of hair. After her second prison term, she was exiled to the Confederate states where she was received warmly by President Jefferson Davis.

Her next mission was to tour Britain and France as a propagandist for the Confederate cause. Two months after her arrival in London, her memoirs were published and enjoyed a wide sale throughout the British Isles. In Europe, Greenhow found a strong sympathy for the South, especially among the ruling classes. During the course of her travels she hobnobbed with many members of the nobility. In Paris, she was received into the

court of Napoleon III and was granted an audience with the Emperor at the Tuileries. Rose's diary (August 5, 1863 - August 10, 1864), held in the [North Carolina State Archives](#) in Raleigh, NC, describes her mission in great detail.

In 1864, after a year abroad, she boarded the *Condor*, a British blockade-runner which was to take her home. Just before reaching her destination, the vessel ran aground at the mouth of the Cape Fear River near Wilmington, North Carolina. In order to avoid the Union gunboat that pursued her ship, Rose fled in rowboat, but never made it to shore. Her little boat capsized and she was dragged down by the weight of the gold she received in royalties for her book.

In October 1864, Rose was buried with full military honors in the Oakdale Cemetery in Wilmington. Her coffin was wrapped in the Confederate flag and carried by Confederate troops. The marker for her grave, a marble cross, bears the epitaph, "Mrs. Rose O'N. Greenhow, a bearer of dispatchs [sic] to the Confederate Government."

The following are a several titles by or about Rose O'Neal Greenhow. Look for these in your local public or university libraries. Some of these titles may be available through interlibrary loan. Ask your librarian!

- Mrs. Greenhow. *My Imprisonment and the First Year of Abolition Rule At Washington*. London: Richard Bentley, 1863.
- Halacy, Dan. *The Master Spy*. New York: McGraw-Hill Book Company, c1968.
- Kinchen, Oscar A. *Women Who Spied for the Blue and the Gray*. Philadelphia: Dorrance & Company, c1972.
- Mahoney, M.H. *Women in Espionage, A Biographical Dictionary*. Santa Barbara, California: ABC-CLIO, c1993.

About the collection at Duke.

The collection is mostly correspondence with Rose Greenhow related to her activities on behalf of the Confederate States of America. The bulk of the collection consists of letters, 1863-1864, from Greenhow to Alexander Robinson Boteler (1815-1892) reporting on the July 1863 bombardment of Charleston, S.C., interviews with Confederate officers, and her mission to Europe, including meetings with Napoleon III, Cardinal Wiseman, and Thomas Carlyle. Also included is an 1860 letter to Francis P. Corbin introducing Bishop Kip. In this on-line collection, several items contained in other Duke University collections have been added. These include a lengthy (though incomplete) letter to Jefferson Davis and several newspaper clipping about Greenhow's imprisonment in 1861 and death in 1864.

You can find more information about the [Duke University Special Collections Library](#) and other holdings related to [women and the Civil War](#) from the [Special Collections Library home page](#). For more information about other Civil War materials at Duke, you can search the [Duke Libraries on-line catalog](#) or contact the Special Collections Library reference desk directly at special-collections@duke.edu.

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About the digitized version of this collection.

The digitized version of the Rose O'Neal Greenhow Papers was developed as a project of [The Digital Scriptorium](#) of the [Duke University Special Collections Library](#) in collaboration with the [Duke University Libraries Women's Studies Bibliographer](#).

This on-line collection includes items from both the Rose O'Neal Greenhow collection and other related collections at Duke. Transcriptions were made from the originals, and retain the original misspellings and punctuation. Greenhow's handwriting is difficult to read, and in some cases there are words or sections that were illegible; where possible we supplied our best guess. If in your study of these papers you can shed some light on the text, please [send us a note](#) and we will be happy to add your contributions (and give you credit, of course!). [*Thanks to [Dawson Carr](#) for deciphering some text that we had not been able to read! Thanks also to [John W. O'Neal, II](#) for sending in some corrections to letter transcriptions!*]

People who worked on this project:

Lydia Boyd: transcription

Ginny Daley: material selection and subject expertise; transcription; proofreading

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Bill Erwin: transcription

Steve Hensen: proofreading

Paolo Mangiafico: project coordination; web page design and editing

Linda McCurdy: transcription

Laura Micham: research and editorial oversight; scanning; HTML coding; transcription; proofreading

These papers were scanned with a Sharp JX-330 color flatbed scanner with Adobe Photoshop on a PowerMacintosh 9500/120. The "double size" images are 24-bit 150dpi JPEGs and the "full size" ones are 72dpi GIFs.

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Stonewall Jackson biography

SYNOPSIS

Stonewall Jackson was a Confederate general in the American Civil War. He met [Robert E. Lee](#) while fighting in the Mexican War. Resourceful and brave, he impressed Lee. During the American Civil War, he led the Army of Northern Virginia, during which he was shot and lost an arm to amputation. Born Thomas Jonathan, he gained the sobriquet "Stonewall" by his stand at the First Battle of Bull Run.

(born Jan. 21, 1824, Clarksburg, Va. [now in W.Va.], U.S.—died May 10, 1863, Guinea Station [now Guinea], Va.)

Confederate general in the American Civil War, one of its most skillful tacticians, who gained his sobriquet "Stonewall" by his stand at the First Battle of Bull Run (called First Manassas by the South) in 1861.

EARLY LIFE AND CAREER.

The early death of his father, who left little support for the family, and his mother's subsequent death, caused Jackson to grow up in the homes of relatives. He had little opportunity for formal education in his early years, but he received an appointment, in 1842, to the U.S. Military Academy at West Point. After a slow start, he was graduated 17th in his class and was commissioned as a second lieutenant assigned to artillery. He joined his regiment in Mexico, where the United States was then at war. In the Mexican War he first met General [Robert E. Lee](#), who later became the commanding general of the Confederate armies, and it was here that Jackson first exhibited the qualities for which he later became famous: resourcefulness, the ability to keep his head, and bravery in the face of enemy fire. At the end of the fighting in Mexico, having been promoted to first lieutenant and to the brevet rank of major, he was assigned to the occupation forces in Mexico City.

Finding service in the peacetime army tedious, he resigned his commission and became professor of artillery tactics and natural philosophy at the Virginia Military Institute (VMI) in 1851. Though he worked hard at his new duties, he never became a popular or highly successful teacher. A stern and shy man, he earned a reputation for eccentricity that followed him to the end of his career. His strong sense of duty and moral righteousness, coupled with great devotion to the education of cadets, earned for him the derisive title "Deacon Jackson" and comparison with [Oliver Cromwell](#).

Upon the outbreak of the Civil War he offered his services to his state of Virginia and was ordered to bring his VMI cadets from Lexington to Richmond. Soon after, he received a commission as colonel in the state forces of Virginia and was charged with organizing volunteers into an effective Confederate army brigade, a feat that rapidly gained him fame and promotion. His

untimely death only two years later cut Jackson down at the height of an increasingly successful career, leaving unanswered the question of his capacity for independent command, which his rapid rise suggests he might have achieved.

Jackson's first assignment in the Confederate cause was the small command at Harpers Ferry, Va. (now West Virginia), where the Shenandoah River flows into the Potomac. His mission was to fortify the area and hold it if possible. When General Joseph E. Johnston took over the Confederate forces in the valley, with Jackson commanding one of the brigades, Jackson withdrew to a more defensible position

at Winchester.

BATTLE OF MANASSAS.

In July 1861 the invasion of Virginia by Federal army troops began, and Jackson's brigade moved with others of Johnston's army to unite with General P.G.T. Beauregard on the field of Bull Run in time to meet the advance of General Irvin McDowell's Federal army. It was here that he stationed his brigade in a strong line, withholding the enemy against overwhelming odds and earning the sobriquet "Stonewall." The spring of 1862 found Jackson again in the Shenandoah Valley, where his diversionary tactics prevented reinforcements being sent to Federal army general George B. McClellan, who was waging the peninsular campaign against Richmond, the Confederate capital. Jackson's strategy possibly accounted for Lee's victory later in the Seven Days' Battles. Lee, then chief military adviser to Confederate president Jefferson Davis, suggested to Jackson that he use his troops to attack Federal troops in the valley and thus threaten Washington. By rapid movement, Jackson closed separately with several Federal units and defeated them. In April he struck in the mountains of western Virginia; then on May 24–25 he turned on General Nathaniel P. Banks and drove him out of Winchester and back to the Potomac River.

He then quickly turned his attention to the southern end of the valley, defeating the Federals at Cross Keys, Va., on June 8, and at Port Republic on the next day. Lee then

QUICK FACTS

NAME: [Thomas Jonathan Jackson](#)

OCCUPATION: [General](#)

BIRTH DATE: [January 21, 1824](#)

DEATH DATE: [May 10, 1863](#)

EDUCATION: [West Point](#)

PLACE OF BIRTH: [Clarksburg \[now in West Virginia\], Virginia](#)

PLACE OF DEATH: [Guinea Station \[now Guinea\], Virginia](#)

BEST KNOWN FOR

Stonewall Jackson was a Confederate general during the American Civil War. He served under Robert E. Lee.

brought Jackson's troops by road and railroad to Richmond to envelop the right wing of McClellan's army. But Jackson arrived a day late, and his reputation lost some of its lustre, possibly because of his lack of experience in large-scale action; nevertheless, McClellan was beaten back and was ordered to evacuate the peninsula.

Lee at once joined Jackson against the Federal forces regrouping under General [John Pope](#). He sent Jackson, by a wide encircling movement, to attack the rear of Pope's forces and bring on the Second Battle of Bull Run, in which Pope was soundly beaten. Lee next crossed the Potomac for the "liberation" of Maryland. To protect Richmond, Lee detached Jackson to capture Harpers Ferry, which he did in time (September 13–15) to rejoin Lee at Antietam. After his return to Virginia, Lee divided his army into two corps, General [James Longstreet](#) commanding the first and Jackson, now a lieutenant general, the second. At Fredericksburg, Va., in December, Jackson was in command of the Confederate right when Federal general Ambrose E. Burnside's rash attack was easily repulsed and he was crushingly defeated.

In April, General [Joseph Hooker](#), Burnside's successor, attempted to turn the Confederate position on the Rappahannock River, south of Washington. There the seemingly invincible team of Lee and Jackson made its boldest move. Leaving a small detachment to meet Federal troops on the Rappahannock, Lee moved his main body, including Jackson's corps, to meet Hooker's threatened envelopment in the woods of Chancellorsville. He then divided his army again, keeping

only 10,000 men to demonstrate against Hooker's front, and he sent Jackson to move secretly around Hooker's right with his entire corps.

DEATH.

The maneuver was completely successful. On the evening of May 2, Jackson rolled up the flank of the unsuspecting Federal forces. Then, in the moment of victory, tragedy struck. Jackson, who had ridden forward to organize the pursuit, was accidentally shot down by his own men when he returned at dusk and was seriously, but not mortally, wounded. Although his left arm was amputated successfully, pneumonia set in and he died a week later. Lee could not replace him; for while Jackson had lost his left arm, Lee had, indeed, lost his right arm.

That Jackson was the ablest of General [Robert E. Lee](#)'s generals is rarely questioned. The qualities of the two men complemented each other, and Jackson cooperated most effectively. In him were combined a deep religious fervour and a fiercely aggressive fighting spirit. He was a stern disciplinarian, but his subordinates and his men trusted him and fought well under his leadership. A master of rapid movement and surprise tactics, he kept his intentions sometimes so veiled in secrecy that often his own officers did not fully know his plans until they were ordered to strike.

Charlton W. Tebeau

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Susan Brownell Anthony



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[Second page of images](#)

Born	February 15, 1820
Birthplace	Near Adams, Massachusetts
Died	March 13, 1906
Grave Site	Mt. Hope Cemetery, Rochester, New York
Contribution	Worked more than 50 years for women to have the right to vote in the United States.
Quotation	"Failure is impossible."
Related Web Site	Susan B. Anthony House

Susan Brownell Anthony was born on a farm near Adams, Massachusetts on February 15, 1820. Her father, Daniel, was a liberal Quaker ([Society of Friends](#)) abolitionist (someone who believed that there should be no slavery) and at various times a shopkeeper, the owner and manager of cotton mills, a farmer, and an insurance agent. Her mother, Lucy Read, was a Baptist whose father (Daniel Read) had fought in the American Revolution and served in the Massachusetts legislature. Lucy Read Anthony had six children that survived infancy, four girls and two boys. Anthony was the second child.



In 1826, when Anthony was six years old, she moved with her family to a large brick house in Battenville, New York. Battenville is a town in the Hudson Valley region approximately thirty-five miles north of Albany. The house included a store and a schoolroom. There Anthony, along with her brothers, sisters and some neighborhood children, received the bulk of her formal education in a home school established by her father. There, some of her teachers were women.

Before she was sixteen, Anthony started to teach, taking small jobs near her home. However, she began to feel that her own education had not been enough. Her father, who as a Quaker encouraged education in his daughters, enrolled her in Deborah Moulson's Female Seminary, a Quaker boarding school in Philadelphia, in 1837.

Anthony was not happy at Moulson's, but she did not have to stay there long. She was forced to end her formal studies because her family, like many others, was financially ruined during the [Panic of 1837](#). Their losses were so great that they were forced to sell everything in an auction -- even their most personal belongings -- which were saved only when Anthony's uncle, Joshua Read, stepped up and bid for them at the last minute, in order to restore them to the family.

In 1839, the family moved to Hardscrabble (later called Center Falls), New York in the wake of the Panic and economic depression that followed. That same year, Anthony left home to teach and to help pay off her father's debts. She taught first at Eunice Kenyon's Friends' Seminary in New Rochelle, New York and then at the Canajoharie Academy in 1846. There, she rose to become headmistress of the Female Department.



Anthony's father moved the family once again in 1845, this time to a small farm in Gates, west of Rochester, New York. By 1849, Anthony had grown dissatisfied with teaching, and took up her father's offer to come to Rochester and run the farm while he built up his insurance business. There, her lifelong career in reform began.

In 1848, Anthony's younger sister ([Mary](#)) attended the Adjourned Convention in Rochester, New York of the first Woman's Rights Convention in Seneca Falls. At the time she was more interested in pursuing temperance reform. (Temperance is the restraint in the use of alcoholic liquors.) Her commitment to temperance came in part as a result of her Quaker upbringing. She never did officially leave the Quaker meeting, although at this time she also began attending the liberal Unitarian Church.

Anthony joined the Daughters of Temperance in 1848. A few years later, she was not allowed to speak at a temperance rally in Albany because she was a woman. She left the Society, and shortly thereafter formed the Woman's New York State Temperance Society.

During the 1850s, Anthony became increasingly interested in women's rights. In the early 1850s, she met [Elizabeth Cady Stanton](#) in Seneca Falls. They were to become lifelong friends. In 1852, she attended her first woman's rights convention, in Syracuse, New York.

During the same year, she incorporated women's rights into three other reform movements: temperance, labor and education. She helped to organize the "Whole World's Temperance Convention" in New York City. (The "World's Temperance Convention," held in the same city, had refused to recognize women delegates -- or "half" the world, as these women said.) That year, she also helped a group of Rochester, New York seamstresses draft a code outlining fair wages for working women in the city. And, at a New York State Teacher's Association meeting, also in Rochester, she demanded that women be allowed to participate in discussions formerly opened only to men.

In 1854, Anthony began to organize petition drives for women's rights, including women's suffrage. In each county of New York State she, along with others, went door to door obtaining signatures to present to the legislature.

Although she never lapsed in her commitment to women's rights, as the Civil War approached, Anthony, always an anti-slavery advocate, poured more and more of her energy into working for abolitionists. From 1856 until the Civil War, she was the principal New York agent for the [American Anti-Slavery Society](#). As such, she was constantly speaking to the public, frequently to violent and hostile crowds. When the Civil War broke out, Anthony and Stanton organized the Women's Loyal National League, which organized petition

drives for freedom for slaves and secured hundreds of thousands of signatures in the process.

In the aftermath of the Civil War, Anthony and Stanton found themselves increasingly at odds with many of their former reform allies. Many reformers wanted to focus on winning rights -- including the right to vote -- for newly emancipated African-American men. Their efforts led to the passing of the [14th](#) and [15th](#) Amendments to the Constitution. Anthony and Stanton were against these amendments because they included the word "male." They believed that with the word "male" written in these amendments, it would be even harder for women to obtain the right to vote for women.

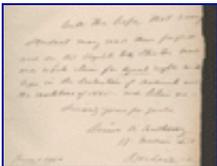
At this time, Anthony and Stanton began to concentrate exclusively on women's rights. By now, Anthony had become a brilliant organizer and political strategist, and she showed a tireless devotion to the cause. In 1868, she and Stanton began to publish a newspaper for women's rights. Called the *Revolution* and originating in New York City, the first issue appeared in January. This newspaper championed women's suffrage, equal pay for equal work, women's education, the rights of working women and the opening of new occupations for women, as well as the liberalization of divorce laws.

In May of 1869, Anthony and Stanton formed the National Woman Suffrage Association. This organization would focus on securing a federal woman suffrage amendment as well as working on key state campaigns for the vote. Anthony served as a member of the executive committee and later as vice-president, while Stanton was the president. For the next thirty years, Anthony traveled constantly across the country, speaking tirelessly to promote women's suffrage and women's rights.



In 1872, Anthony decided to test the constitutionality of the ban on women's suffrage. She, with many of her sister suffragists, registered to vote in Rochester, New York. She then voted in the presidential election. She was arrested for this act and in 1873 she was tried in the U.S. District Court located in Canandaigua, New York. The trial was a sham -- the judge did not even poll the jury before pronouncing her guilty. She was given a fine of \$100, which she never paid.

In the late 1870s Anthony, along with Stanton and [Matilda Joslyn Gage](#), began to undertake the difficult task of writing the massive *History of Woman Suffrage*. Anthony did not consider this the most pleasant task she ever faced -- she said she would rather make history than write it -- but nevertheless the first three volumes were published by 1886. (*The History of Woman Suffrage* eventually was six volumes long.)



In 1888, Anthony officially extended her scope from a national to a worldwide concern for women's rights when she founded the [International Council of Women](#). She acted as the head of the U.S. delegation to its meetings in 1899 (London) and 1904 (Berlin).

Anthony's commitment to women's education was reinforced at the end of the 19th century by her tireless fundraising to secure the funds necessary to allow for the admission of women to the [University of Rochester](#). The money was finally raised by 1900 and women were admitted, thanks in large part to her efforts.



Anthony attended a women's suffrage convention in Baltimore in February 1906. During the course of that trip she stated her belief that "Failure is Impossible." She died shortly thereafter of heart failure at her home in Rochester in March of 1906.

[second page of images](#)

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- ▶ Susan B. Anthony [biography and image] at <http://www.inform.umd.edu/Pictures/WomensStudies/PictureGallery/anthony.html>

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I have a Dream**Excerpt:****Americans of African Ancestry**

This article was contributed by Hollis R. Lynch, Professor of History and Director of the Institute of African Studies, Columbia University.

The Black Codes**Blacks who fought for the South**

Black people make up one of the largest of the many racial and ethnic groups in the United States. The black people of the United States are mainly of African ancestry, but many have non-black ancestors as well.

Black Regiments in the Union Army**The Black Codes**

The Black codes in the United States were any of numerous laws enacted in the states of the former Confederacy after the American Civil War, in 1865 and 1866; the laws were designed to replace the social controls of slavery that had been removed by the Emancipation Proclamation and the Thirteenth Amendment to the Constitution, and were thus intended to assure continuance of white supremacy.

Slavery Made Legal**Emancipation Proclamation**

The black codes had their roots in the slave codes that had formerly been in effect. The general philosophy supporting the institution of chattel slavery in America was based on the concept that slaves were property, not persons, and that the law must protect not only the property but also the property owner from the danger of violence. Slave rebellions were not unknown, and the possibility of uprisings was a constant source of anxiety in colonies and then states with large slave populations. (In Virginia during 1780-1864, 1,418 slaves were convicted of crimes; 91 of these convictions were for insurrection and 346 for murder.) Slaves also ran away. In the British possessions in the New World, the settlers were free to promulgate any regulations they saw fit to govern their labor supply. As early as the 17th century, a set of rules was in effect in Virginia and elsewhere; but the codes were constantly being altered to adapt to new needs, and they varied from one colony, and later one state, to another.

All the slave codes, however, had certain provisions in common. In all of them the color line was firmly drawn, and any amount of Negro blood established the race of a person, whether slave or free, as Negro. The status of the offspring followed that of the mother, so that the child of a free father and a slave mother was a slave. Slaves had few legal rights: in court their testimony was inadmissible in any litigation involving whites; they could make no contract, nor could they own property; even if attacked, they could not strike a white person. There were numerous restrictions to enforce social control: slaves could not be away from their owner's premises without permission; they could not assemble unless a white person was present; they could not own firearms; they could not be taught to read or write, or transmit or possess "inflammatory" literature; they were not permitted to marry.

Obedience to the slave codes was exacted in a variety of ways. Such punishments as whipping, branding, and imprisonment were commonly used, but death (which meant destruction of property) was rarely called for except in such extreme cases as the rape or murder of a white person. White patrols kept the slaves under surveillance, especially at night. Slave codes were not always strictly enforced, but whenever any signs of unrest were detected the appropriate machinery of the state would be alerted and the laws more strictly enforced.

The black codes enacted immediately after the American Civil War, though varying from state to state, were all intended to secure a steady supply of cheap labor, and all continued to assume the inferiority of the freed slaves. There were vagrancy laws that declared a black to be vagrant if unemployed and without permanent residence; a person so defined could be arrested, fined, and bound out for a term of labor if unable to pay the fine. Apprentice laws provided for the "hiring out" of orphans and other young dependents to whites, which often turned out to be their former owners. Some states limited the type of property blacks could own, and in others blacks were excluded from certain businesses or from the skilled trades. Former slaves were forbidden to carry firearms or to testify in court, except in cases concerning other blacks. Legal marriage between blacks was provided for, but interracial marriage was prohibited.

It was Northern reaction to the black codes (as well as to the bloody antiblack riots in Memphis and New Orleans in 1866; see New Orleans Race Riot) that helped produce Radical

Reconstruction (see Reconstruction) and the Fourteenth and Fifteenth amendments. The Freedmen's Bureau was created in 1865 to help the former slaves. Reconstruction did away with the black codes, but, after Reconstruction was over, many of their provisions were reenacted in the Jim Crow laws, which were not finally done away with until passage of the Civil Rights Act of 1964.

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▶ THE KU KLUX KLAN (1866)



The Ku Klux Klan was originally organized in the winter of 1865-66 in Pulaski, Tennessee as a social club by six Confederate veterans. In the beginning, the Klan was a secret fraternity club rather than a terrorist organization. (Ku Klux was derived from the Greek "kuklos," meaning circle, and the English word clan.) The costume adopted by its members (disguises were quite common) was a mask and white robe and high conical

pointed hat.

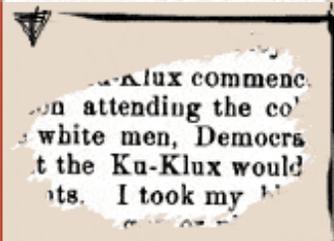
First organized in Tennessee, the Klan spread to every state in the South and included mayors, judges, and sheriffs as well as criminals.

According to the founders of the Klan, it had no malicious intent in the beginning. The Klan grew quickly and became a terrorist organization. It attracted former Civil War generals such as Nathan Bedford Forrest, the famed cavalry commander whose soldiers murdered captured black troops at Fort Pillow.

The Klan spread beyond Tennessee to every state in the South and included mayors, judges, and sheriffs as well as common criminals. The Klan systematically murdered black politicians and political



Historical Documents



Read the [accounts](#) of two African-American men in Georgia on being terrorized by the Ku Klux Klan.

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the Klan systematically murdered black politicians and political leaders. It beat, whipped, and murdered thousands, and intimidated tens of thousands of others from voting. Blacks often tried to fight back, but they were outnumbered and outgunned. While the main targets of Klan wrath were the political and social leaders of the black community, blacks could be murdered for almost any reason. Men, women, children, aged and crippled, were victims. A 103-year-old woman was whipped, as was a completely paralyzed man. In Georgia, Abraham Colby, an organizer and leader in the black community, was whipped for hours in front of his wife and children. His little daughter begged the Klansman, "Don't take my daddy away." She never recovered from the sight and died soon after. In Mississippi, Jack Dupree's throat was cut and he was disemboweled in front of his wife, who had just given birth to twins. Klansmen burned churches and schools, lynching teachers and educated blacks. Black landowners were driven off their property and murdered if they refused to leave. Blacks were whipped for refusing to work for whites, for having intimate relations with whites, for arguing with whites, for having jobs whites wanted, for reading a newspaper or having a book in their homes.. Or simply for being black. Klan violence led one black man to write: "We have very dark days here. The colored people are in despair. The rebels boast that the Negroes shall not have as much liberty now as they had under slavery. If things go on thus, our doom is sealed. God knows it is worse than slavery." A few state



Hear the tactics used to oppress blacks after Emancipation.

governments fought back. In Tennessee and Arkansas, Republicans organized a police force that arrested Klansmen and carried out executions. In Texas, Governor Edmund Davis organized a crack state police unit, 40 percent of whose officers were black. The police made over 6,000 arrests and stopped the Klan. Armed groups of black and whites fought or threatened Klansmen in North and South Carolina. The federal government also exerted its influence, empowering federal authorities with the Enforcement Acts of 1870 and 1871. Klan activity ended by 1872 and disappeared until it was revived again in 1915.

-- Richard Wormser

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Thomas Nast Biography



Thomas Nast, 1840-1902

Following his death in 1902, Thomas Nast's obituary in *Harper's Weekly* stated, "He has been called, perhaps not with accuracy, but with substantial justice, the Father of American Caricature." Nast's campaign against New York City's political boss William Magear Tweed is legendary. He devised the Tammany tiger; popularized the [donkey](#) as the symbol for the Democratic Party and [elephant](#), for the Republican Party; and created the "modern" image of [Santa Claus](#). One of Nast's cartoons was said to have re-elected Lincoln in 1864, and Lincoln himself commented that Nast was his best recruiting sergeant. Grant attributed his election as President in 1868 "to the sword of [General Phil] Sheridan and the pencil of Nast."

Thomas Nast, Artist of 'Harper's Weekly,' *Harper's Weekly*, August 26, 1871, p. 804

Thomas Nast was born in Landau, Germany, on September 26, 1840. His father Thomas, a trombonist in a regimental band, held liberal political sentiments. The elder Nast found Germany's political climate uncomfortable. In 1846 he sent his wife, Appolinia Abriss, and their small son and daughter to New York City, and he joined them in 1849 when his enlistment was up. The younger Nast studied art with Theodore Kaufmann in 1854. The next year he worked at the Thomas Jefferson Bryant Gallery of "Christian art," where he also copied the historical paintings in Bryant's collection. At the age of fifteen, he was hired as a reportorial artist for *Frank Leslie's Illustrated Newspaper*. In 1859 he moved to the *New York Illustrated News*; and was sent by the paper to England in February 1860 to cover a major prizefight. After the match Nast went to Sicily to report on Giuseppe Garibaldi's military campaign in Sicily. He returned to the United States in early 1861, and that fall he married Sarah (Sallie) Edwards. They had five children, Julia, Thomas, Jr., Edith, Mabel, and Cyril.

By the summer of 1862 Nast's freelance work had evolved into a position with *Harper's Weekly*. In August he visited battlefields and sent reportorial sketches back to the magazine. His drawings were transformed by engravers into [wood engravings](#) that were often printed as double-page spreads about twenty inches wide. When Nast

was in the office, he drew backwards directly on the boxwood printing blocks with a soft pencil. His heavy use of cross-hatching provided tonality for the black and white drawings. One critic has noted that Nast was the first cartoonist to have the advantage of weekly publication in a magazine with national circulation.

weekly publication in a magazine with national circulation.

Thomas Nast was a Radical Republican, a liberal, progressive, nationalistic, and Protestant wing of the party. Nast was a fierce supporter for the Union cause who skillfully used allegory and melodrama in his art to support the cause he believed was just. ["Compromise with the South,"](#) published in *Harper's Weekly* on September 3, 1864, shows Columbia weeping at the grave of "Union Heroes in a Useless War" as a weary Union amputee shakes the hand of a neatly groomed Southern soldier. The image is said to have brought Nast "instant fame" and was reprinted widely by the Republicans in their effort to have Lincoln re-elected.

After the war ended, Nast was so well known that he was very active as a [book illustrator](#) in addition to his work at *Harper's Weekly*. Over the course of his career, he illustrated more than one hundred ten books. In 1867 Nast executed thirty-three huge (eight feet by twelve feet) tempera paintings that comprised an allegory of the nation's recent history. The enormous pictures were rolled across a stage, accompanied by piano music and a satirical narrative presented by an actor. Nast's *Grand Caricaturama* was a critical success but a financial failure.

In 1868 Thomas Nast turned his attention to the corrupt New York City administration of Tammany Hall Democrats led by [William Magear "Boss" Tweed](#). For the next three years *Harper's Weekly* and the New York Times campaigned against him. Nast's cartoons were so effective in depicting Tweed as a sleazy criminal that legend has it that the Boss dispatched his minions with the command, "Stop them damn pictures. I don't care what the papers write about me. My constituents can't read. But, damn it, they can see the pictures." Voters ousted Tweed and his compatriots in November 1871. An irony of history is that when Tweed escaped from jail and fled to Spain in 1876, he was recognized and arrested by a customs official who did not read English but had seen Nast's *Harper's Weekly* caricatures of Tweed.

During the Presidential campaign of 1872 Nast savaged the candidacy of Horace Greeley. In 1873 he undertook a lucrative cross-country lecture tour billed as "The Prince of Caricaturists" and the "Destroyer of Tammany Hall." Nast's work during Grant's terms in office lacked the fire of his earlier work because he supported the administration. Richard Samuel West notes, "Nast was a dogmatist, content to view the world as a struggle between good and evil. Consequently, his work was caustic and lecturing. The harshness of his heavy black line and the severity of his crosshatching mirrored his angry politics."

Several circumstances caused a rapid decline in Nast's notoriety and fortunes. One was the transformation of American society after the Civil War. Party politics shifted and both Democrats and Republicans had scallywags in their ranks. Immigrants and women

became more literate and their purchasing power grew. An increase of leisure time made magazine readers seek entertainment and amusement in addition to information about current events.

Secondly, the management at *Harper's Weekly* changed. Nast enjoyed great editorial freedom with Fletcher Harper, the magazine's founder and publisher, and after his death in 1877, that ended. Joseph W. Harper, Jr., the new publisher, supported editor George Curtis as he moved the magazine away from an emphasis on politics toward topics of more general appeal. *Harper's Weekly* also faced competition from Puck with its beautiful color cartoons by Joseph Keppler. West observes that Nast was "the first journalist to make an issue of professional integrity." He refused to draw cartoons he did not believe in and Curtis did not want to publish cartoons that contradicted *Harper's Weekly* editorial positions.

The final circumstance affecting Nast was a change in how cartoons were printed. Morton Keller notes, "Nast's art . . . underwent a sea change in this time of political transformation. Photochemical reproduction replaced engraved woodblocks around 1880. Thereafter he drew with a pen not a pencil, and on paper instead of a wooden block. The result was a harder, sparser line to his drawings, unsparing of deficiencies of technique that had been obscured by the softer medium of block engraving. The change only underscored the fact that Nast had less and less to say; that his artistic force and imagination had declined in step with his political commitment and interest."

Thomas Nast left *Harper's Weekly* in late 1886. He freelanced for a variety of magazines and in September 1892 he established *Nast's Weekly*, which lasted less than six months. He tried unsuccessfully to return to his first ambition, historical painting. By 1902 he was desperate for work and accepted President Theodore Roosevelt's appointment to serve as consul general to Ecuador. After only six months abroad, he died there of yellow fever on December 7, 1902.

In an article titled "Nast, Gladiator of the Political Pencil," William Murrell states, "Nast is often spoken of as the first great American cartoonist. In a very real sense he was the last. For while it is true that many of his symbols and devices have become part of the cartoonist's stock in trade . . . his attitude was a complete flowering of the older tradition--a tradition of ruthless, two-fisted attack." After Nast's death *Harper's Weekly* noted that he belonged ". . . so much to the past that the impression has naturally spread that he was an old man." Nast was, in fact, only sixty-two when he died, a giant in the history of American cartooning who found himself out of step with changing times.



[Self-caricature] detail, *Harper's Weekly*, July 19, 1879, cover.

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5. James Monroe
6. John Quincy Adams
7. Andrew Jackson
8. Martin Van Buren
9. William Henry Harrison
10. John Tyler
11. James K. Polk
12. Zachary Taylor
13. Millard Fillmore
14. Franklin Pierce
15. James Buchanan
16. Abraham Lincoln
17. Andrew Johnson
18. **Ulysses S. Grant**
19. Rutherford B. Hayes
20. James Garfield
21. Chester A. Arthur
22. Grover Cleveland
23. Benjamin Harrison
24. Grover Cleveland
25. William McKinley
26. Theodore Roosevelt
27. William Howard Taft
28. Woodrow Wilson
29. Warren G. Harding
30. Calvin Coolidge
31. Herbert Hoover
32. Franklin D. Roosevelt
33. Harry S. Truman
34. Dwight D. Eisenhower
35. John F. Kennedy
36. Lyndon B. Johnson
37. Richard M. Nixon
38. Gerald R. Ford
39. James Carter
40. Ronald Reagan



Ulysses S. Grant

Late in the administration of Andrew Johnson, Gen. Ulysses S. Grant quarreled with the President and aligned himself with the Radical Republicans. He was, as the symbol of Union victory during the Civil War, their logical candidate for President in 1868.

When he was elected, the American people hoped for an end to turmoil. Grant provided neither vigor nor reform. Looking to Congress for direction, he seemed bewildered. One visitor to the White House noted "a puzzled pathos, as of a man with a problem before him of which he does not understand the terms."

Born in 1822, Grant was the son of an Ohio tanner. He went to West Point rather against his will and graduated in the middle of his class. In the Mexican War he fought under Gen. Zachary Taylor.

At the outbreak of the Civil War, Grant was working in his father's leather store in Galena, Illinois. He was appointed by the Governor to command an unruly volunteer regiment. Grant whipped it into shape and by September 1861 he had risen to the rank of brigadier general of volunteers.

He sought to win control of the Mississippi Valley. In February 1862 he took Fort Henry and attacked Fort Donelson. When the Confederate commander asked for terms, Grant replied, "No terms except an unconditional and immediate surrender can be accepted." The Confederates surrendered, and President Lincoln promoted Grant to major general of volunteers.

At Shiloh in April, Grant fought one of the bloodiest battles in the West and came out less well. President Lincoln fended off demands for his removal by saying, "I can't spare this man--he fights."

For his next major objective, Grant maneuvered and fought skillfully to win Vicksburg, the key city on the Mississippi, and thus cut the Confederacy in two. Then he broke the Confederate hold on Chattanooga.

Lincoln appointed him General-in-Chief in March 1864. Grant directed Sherman to drive through the South while he himself, with the Army of the Potomac, pinned down Gen. Robert E. Lee's Army of Northern Virginia.

BEHIND THE SCENES WITH PRESIDENT OBAMA



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- 44. Barack Obama

Finally, on April 9, 1865, at Appomattox Court House, Lee surrendered. Grant wrote out magnanimous terms of surrender that would prevent treason trials.

As President, Grant presided over the Government much as he had run the Army. Indeed he brought part of his Army staff to the White House.

Although a man of scrupulous honesty, Grant as President accepted handsome presents from admirers. Worse, he allowed himself to be seen with two speculators, Jay Gould and James Fisk. When Grant realized their scheme to corner the market in gold, he authorized the Secretary of the Treasury to sell enough gold to wreck their plans, but the speculation had already wrought havoc with business.

During his campaign for re-election in 1872, Grant was attacked by Liberal Republican reformers. He called them "narrow-headed men," their eyes so close together that "they can look out of the same gimlet hole without winking." The General's friends in the Republican Party came to be known proudly as "the Old Guard."

Grant allowed Radical Reconstruction to run its course in the South, bolstering it at times with military force.

After retiring from the Presidency, Grant became a partner in a financial firm, which went bankrupt. About that time he learned that he had cancer of the throat. He started writing his recollections to pay off his debts and provide for his family, racing against death to produce a memoir that ultimately earned nearly \$450,000. Soon after completing the last page, in 1885, he died.

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Learn more about Ulysses S. Grant 's spouse, [Julia Dent Grant](#).

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What Was Jim Crow?

MORE PICTURES



Jim Crow was the name of the racial caste system which operated primarily, but not exclusively in southern and border states, between 1877 and the mid-1960s. Jim Crow was

more than a series of rigid anti-Black laws. It was a way of life. Under Jim Crow, African Americans were relegated to the status of second class citizens. Jim Crow represented the legitimization of anti-Black racism. Many Christian ministers and theologians taught that Whites were the Chosen people, Blacks were cursed to be servants, and God supported racial segregation.

Craniologists, eugenicists, phrenologists, and Social Darwinists, at every educational level, buttressed the belief that Blacks were innately intellectually and culturally inferior to Whites. Pro-segregation politicians gave eloquent speeches on the great danger of integration: the mongrelization of the White race. Newspaper and magazine writers routinely referred to Blacks as niggers, coons, and darkies; and worse, their articles reinforced anti-Black stereotypes. Even children's games portrayed Blacks as inferior beings (see "[From Hostility to Reverence: 100 Years of African-American Imagery in Games](#)"). All major societal institutions reflected and supported the oppression of Blacks.



The Jim Crow system was undergirded by the following beliefs or rationalizations: Whites were superior to Blacks in all important ways, including but not

limited to intelligence, morality, and civilized behavior; sexual relations between Blacks and Whites would produce a mongrel race which would destroy America; treating Blacks as equals would encourage interracial sexual unions; any activity which suggested social equality encouraged interracial sexual relations; if necessary, violence must be used to keep Blacks at the bottom of the racial hierarchy. The following Jim Crow etiquette norms show how inclusive and pervasive these norms were:

- a. A Black male could not offer his hand (to shake hands) with a White male because it implied being socially equal. Obviously, a Black male could not

offer his hand or any other part of his body to a White woman, because he risked being accused of rape.

- b. Blacks and Whites were not supposed to eat together. If they did eat together, Whites were to be served first, and some sort of partition was to be placed between them.
- c. Under no circumstance was a Black male to offer to light the cigarette of a White female -- that gesture implied intimacy.
- d. Blacks were not allowed to show public affection toward one another in public, especially kissing, because it offended Whites.
- e. Jim Crow etiquette prescribed that Blacks were introduced to Whites, never Whites to Blacks. For example: "Mr. Peters (the White person), this is Charlie (the Black person), that I spoke to you about."
- f. Whites did not use courtesy titles of respect when referring to Blacks, for example, Mr., Mrs., Miss., Sir, or Ma'am. Instead, Blacks were called by their first names. Blacks had to use courtesy titles when referring to Whites, and were not allowed to call them by their first names.
- g. If a Black person rode in a car driven by a White person, the Black person sat in the back seat, or the back of a truck.
- h. White motorists had the right-of-way at all intersections.

Stetson Kennedy, the author of *Jim Crow Guide*, offered these simple rules that Blacks were supposed to observe in conversing with Whites:

1. Never assert or even intimate that a White person is lying.
2. Never impute dishonorable intentions to a White person.
3. Never suggest that a White person is from an inferior class.
4. Never lay claim to, or overly demonstrate, superior knowledge or intelligence.
5. Never curse a White person.
6. Never laugh derisively at a White person.
7. Never comment upon the appearance of a White female.¹

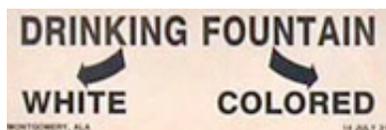


Jim Crow etiquette operated in conjunction with Jim Crow laws (black codes). When most people think of Jim Crow they think of laws (not the Jim Crow etiquette) which excluded Blacks from public transport and facilities,

juries, jobs, and neighborhoods. The passage of the 13th, 14th, and 15th Amendments to the Constitution had granted Blacks the same legal protections as Whites. However, after 1877, and the election of Republican Rutherford B. Hayes, southern and border states began restricting the liberties of Blacks. Unfortunately for Blacks, the Supreme Court helped undermine the Constitutional protections of Blacks with the infamous *Plessy v. Ferguson* (1896) case, which legitimized Jim Crow laws and the Jim Crow way of life.

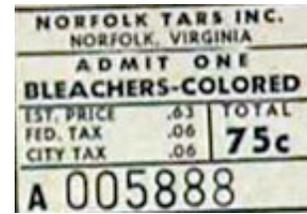
In 1890, Louisiana passed the "Separate Car Law," which purported to aid passenger comfort by creating "equal but separate" cars for Blacks and Whites. This was a ruse. No public accommodations, including railway travel, provided Blacks with equal facilities. The Louisiana law made it illegal for Blacks to sit in coach seats reserved for Whites, and Whites could not sit in seats reserved for Blacks. In 1891, a group of Blacks decided to test the Jim Crow law. They had Homer A. Plessy, who was seven-eighths White and one-eighth Black (therefore, Black), sit in the White-only railroad coach. He was arrested. Plessy's lawyer argued that Louisiana did not have the right to label one citizen as White and another Black for the purposes of restricting their rights and privileges. In *Plessy*, the Supreme Court stated that so long as state governments provided legal process and legal freedoms for Blacks, equal to those of Whites, they could maintain separate institutions to facilitate these rights. The Court, by a 7-2 vote, upheld the Louisiana law, declaring that racial separation did not necessarily mean an abrogation of equality. In practice, *Plessy* represented the legitimization of two societies: one White, and advantaged; the other, Black, disadvantaged and despised.

Blacks were denied the right to vote by grandfather clauses (laws that restricted the right to vote to people whose ancestors had voted before the Civil War), poll taxes (fees charged to poor Blacks), white primaries (only Democrats could vote, only Whites could be Democrats), and literacy tests ("Name all the Vice Presidents and Supreme Court Justices throughout America's history"). *Plessy* sent this message to southern and border states: Discrimination against Blacks is acceptable.



Jim Crow states passed statutes severely regulating social interactions between the races. Jim Crow signs were placed above water fountains, door entrances and exits, and in front of public facilities. There were separate hospitals for Blacks and Whites, separate prisons, separate public and private schools, separate churches, separate cemeteries, separate public restrooms, and separate public accommodations. In most instances, the Black facilities were grossly inferior -- generally, older, less-well-kept. In other cases, there were no Black facilities -- no Colored public restroom, no public beach, no place to sit or eat. *Plessy* gave Jim Crow states a legal way to ignore their constitutional obligations to their Black citizens.

Jim Crow laws touched every aspect of everyday life. For example, in 1935, Oklahoma prohibited Blacks and Whites from boating together. Boating implied social equality. In 1905, Georgia established separate parks for Blacks and Whites. In 1930, Birmingham, Alabama, made it illegal for Blacks and Whites to play checkers or dominoes together. Here are some of the typical Jim Crow laws, as compiled by the Martin Luther King, Jr., National Historic Site Interpretive Staff:



- *Barbers.* No colored barber shall serve as a barber (to) white girls or women (Georgia).
- *Blind Wards.* The board of trustees shall...maintain a separate building...on separate ground for the admission, care, instruction, and support of all blind persons of the colored or black race (Louisiana).
- *Burial.* The officer in charge shall not bury, or allow to be buried, any colored persons upon ground set apart or used for the burial of white persons (Georgia).
- *Buses.* All passenger stations in this state operated by any motor transportation company shall have separate waiting rooms or space and separate ticket windows for the white and colored races (Alabama).
- *Child Custody.* It shall be unlawful for any parent, relative, or other white person in this State, having the control or custody of any white child, by right of guardianship, natural or acquired, or otherwise, to dispose of, give or surrender such white child permanently into the custody, control, maintenance, or support, of a negro (South Carolina).
- *Education.* The schools for white children and the schools for negro children shall be conducted separately (Florida).
- *Libraries.* The state librarian is directed to fit up and maintain a separate place for the use of the colored people who may come to the library for the purpose of reading books or periodicals (North Carolina).
- *Mental Hospitals.* The Board of Control shall see that proper and distinct apartments are arranged for said patients, so that in no case shall Negroes and white persons be together (Georgia).
- *Militia.* The white and colored militia shall be separately enrolled, and shall never be compelled to serve in the same organization. No organization of colored troops shall be permitted where white troops are available and where whites are permitted to be organized, colored troops

shall be under the command of white officers (North Carolina).

- *Nurses.* No person or corporation shall require any White female nurse to nurse in wards or rooms in hospitals, either public or private, in which negro men are placed (Alabama).
- *Prisons.* The warden shall see that the white convicts shall have separate apartments for both eating and sleeping from the negro convicts (Mississippi).
- *Reform Schools.* The children of white and colored races committed to the houses of reform shall be kept entirely separate from each other (Kentucky).
- *Teaching.* Any instructor who shall teach in any school, college or institution where members of the white and colored race are received and enrolled as pupils for instruction shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined... (Oklahoma).
- *Wine and Beer.* All persons licensed to conduct the business of selling beer or wine...shall serve either white people exclusively or colored people exclusively and shall not sell to the two races within the same room at any time (Georgia).²

The Jim Crow laws and system of etiquette were undergirded by violence, real and threatened. Blacks who violated Jim Crow norms, for example, drinking from the White water fountain or trying to vote, risked their homes, their jobs, even



their lives. Whites could physically beat Blacks with impunity. Blacks had little legal recourse against these assaults because the Jim Crow criminal justice system was all-White: police, prosecutors, judges, juries, and prison officials. Violence was instrumental for Jim Crow. It was a method of social control. The most extreme forms of Jim Crow violence were lynchings.

Lynchings were public, often sadistic, murders carried out by mobs. Between 1882, when the first reliable data were collected, and 1968, when lynchings had become rare, there were 4,730 known lynchings, including 3,440 Black men and women. Most of the victims of Lynch-Law were hanged or shot, but some were burned at the stake, castrated, beaten with clubs, or dismembered. In the mid-1800s, Whites constituted the majority of victims (and perpetrators); however, by the period of Radical Reconstruction, Blacks became the most frequent lynching victims. This is an early indication that lynching was used as

an intimidation tool to keep Blacks, in this case the newly-freedmen, "in their places." The great majority of lynchings occurred in southern and border states, where the resentment against Blacks ran deepest. According to the social economist Gunnar Myrdal: "The southern states account for nine-tenths of the lynchings. More than two thirds of the remaining one-tenth occurred in the six states which immediately border the South."³

Many Whites claimed that although lynchings were distasteful, they were necessary supplements to the criminal justice system because Blacks were prone to violent crimes, especially the rapes of White women. Arthur Raper investigated nearly a century of lynchings and concluded that approximately one-third of all the victims were falsely accused.⁴

Under Jim Crow any and all sexual interactions between Black men and White women was illegal, illicit, socially repugnant, and within the Jim Crow definition of rape. Although only 19.2 percent of the lynching victims between 1882 to 1951 were even accused of rape, Lynch law was often supported on the popular belief that lynchings were necessary to protect White women from Black rapists. Myrdal refutes this belief in this way: "There is much reason to believe that this figure (19.2) has been inflated by the fact that a mob which makes the accusation of rape is secure from any further investigation; by the broad Southern definition of rape to include all sexual relations between Negro men and white women; and by the psychopathic fears of white women in their contacts with Negro men."⁵ Most Blacks were lynched for demanding civil rights, violating Jim Crow etiquette or laws, or in the aftermath of race riots.

Lynchings were most common in small and middle-sized towns where Blacks often were economic competitors to the local Whites. These Whites resented any economic and political gains made by Blacks. Lynchers were seldomly arrested, and if arrested, rarely convicted. Raper estimated that "at least one-half of the lynchings are carried out with police officers participating, and that in nine-tenths of the others the officers either condone or wink at the mob action."⁶ Lynching served many purposes: it was cheap entertainment; it served as a rallying, uniting point for Whites; it functioned as an ego-massage for low-income, low-status Whites; it was a method of defending White domination and helped stop or retard the fledgling social equality movement.

Lynch mobs directed their hatred against one (sometimes several) victims. The victim was an example of what happened to a Black man who tried to vote, or who looked at a White woman, or who tried to get a White man's job. Unfortunately for Blacks, sometimes the mob was not satisfied to murder a single or several victims. Instead, in the spirit of pogroms, the mobs went into Black communities and destroyed additional lives and property. Their immediate goal was to drive out -- through death or expulsion -- all Blacks; the larger goal was to maintain, at all costs, White supremacy. These pogrom-like

actions are often referred to as riots; however, Gunnar Myrdal was right when he described these "riots" as "a terrorization or massacre...a mass lynching."⁷ Interestingly, these mass lynchings were primarily urban phenomena, whereas the lynching of single victims was primarily a rural phenomena.

James Weldon Johnson, the famous Black writer, labeled 1919 as "The Red Summer." It was red from racial tension; it was red from bloodletting. During the summer of 1919, there were race riots in Chicago, Illinois; Knoxville and Nashville, Tennessee; Charleston, South Carolina; Omaha, Nebraska; and two dozen other cities. W.E.B. DuBois, the Black social scientist and civil rights activist, wrote: "During that year seventy-seven Negroes were lynched, of whom one was a woman and eleven were soldiers; of these, fourteen were publicly burned, eleven of them being burned alive. That year there were race riots large and small in twenty-six American cities including thirty-eight killed in a Chicago riot of August; from twenty-five to fifty in Phillips County, Arkansas; and six killed in Washington."⁸

The riots of 1919 were not the first or last "mass lynchings" of Blacks, as evidenced by the race riots in Wilmington, North Carolina (1898); Atlanta, Georgia (1906); Springfield, Illinois (1908); East St. Louis, Illinois (1917); Tulsa, Oklahoma (1921); and Detroit, Michigan (1943). Joseph Boskin, author of *Urban Racial Violence*, claimed that the riots of the 1900s had the following traits:

1. In each of the race riots, with few exceptions, it was White people that sparked the incident by attacking Black people.
2. In the majority of the riots, some extraordinary social condition prevailed at the time of the riot: prewar social changes, wartime mobility, post-war adjustment, or economic depression.
3. The majority of the riots occurred during the hot summer months.
4. Rumor played an extremely important role in causing many riots. Rumors of some criminal activity by Blacks against Whites perpetuated the actions of the White mobs.
5. The police force, more than any other institution, was invariably involved as a precipitating cause or perpetuating factor in the riots. In almost every one of the riots, the police sided with the attackers, either by actually participating in, or by failing to quell the attack.
6. In almost every instance, the fighting occurred within the Black community.⁹

Boskin omitted the following: the mass media, especially newspapers often

published inflammatory articles about "Black criminals" immediately before the riots; Blacks were not only killed, but their homes and businesses were looted, and many who did not flee were left homeless; and, the goal of the White rioters, as was true of White lynchers of single victims, was to instill fear and terror into Blacks, thereby buttressing White domination. The Jim Crow hierarchy could not work without violence being used against those on the bottom rung. George Fredrickson, a historian, stated it this way: "Lynching represented...a way of using fear and terror to check 'dangerous' tendencies in a black community considered to be ineffectively regimented or supervised. As such it constituted a confession that the regular institutions of a segregated society provided an inadequate measure of day-to-day control."¹⁰

Many Blacks resisted the indignities of Jim Crow, and, far too often, they paid for their bravery with their lives.

© Dr. David Pilgrim, Professor of Sociology
Ferris State University
Sept., 2000

¹ Kennedy, Stetson. *Jim Crow Guide: The Way It Was*. Boca Raton: Florida Atlantic University Press, 1959/1990, pp.216–117.

² This list was derived from a larger list composed by the Martin Luther King, Jr., National Historic Site Interpretive Staff. Last Updated January 5, 1998. The web address is: http://www.nps.gov/malu/documents/jim_crowlaws.htm.

³ Gunnar Myrdal, *An American Dilemma*. New York: 1944, pp. 560–561.

⁴ Myrdal, *op. cit.*, .561.

⁵ *Ibid.*, pp.561–562.

⁶ Arthur. A. Raper, *The Tragedy of Lynching*. Chapel Hill, 1933, pp.13–14.

⁷ Myrdal, *op.cit.*, p.566.

⁸ W.E.B. Dubois, Originally in *Dust of Dawn*. Cited here from *DuBois: Writings*, Nathan Huggins (editor). New York: Viking Press, 1986, p.747.

⁹ Joseph Boskin, *Urban Racial Violence*. Beverly Hills, 1976, pp.14–15.

¹⁰ George M. Fredrickson, *The Black Image In The White Mind: The Debate on Afro-American Character and Destiny 1817–1914*. New York: Harper & Row, 1971, p.272.

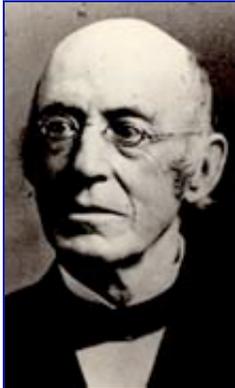

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William Lloyd Garrison

1805 - 1879



In the very first issue of his anti-slavery newspaper, the *Liberator*, William Lloyd Garrison stated, "I do not wish to think, or speak, or write, with moderation. . . . I am in earnest - - I will not equivocate -- I will not excuse -- I will not retreat a single inch -- AND I WILL BE HEARD." And Garrison was heard. For more than three decades, from the first issue of his weekly paper in 1831, until after the end of the Civil War in 1865 when the last issue was published, Garrison spoke out eloquently and passionately against slavery and for the rights of America's black inhabitants.

The son of a merchant sailing master, William Lloyd Garrison was born in Newburyport, Massachusetts, in 1805. Due in large measure to the Embargo Act, which Congress had passed in 1807, the Garrison family fell on hard times while William was still young. In 1808 William's father deserted the family, forcing them to scrounge for food from more prosperous families and forcing William to work, selling homemade molasses candy and delivering wood.

In 1818, after suffering through various apprenticeships, Garrison began work for the Newburyport Herald as a writer and editor. This job and subsequent newspaper jobs would give the young Garrison the skills he would utilize so expertly when he later published his own paper.

When he was 25, Garrison joined the Abolition movement. He became associated with the American Colonization Society, an

organization that believed free blacks should emigrate to a territory on the west coast of Africa. At first glance the society seemed to promote the freedom and happiness of blacks. There certainly were members who encouraged the manumission (granting of freedom) to slaves. However, it turned out that the number of members advocating manumission constituted a minority. Most members had no wish to free slaves; their goal was only to reduce the numbers of free blacks in the country and thus help preserve the institution of slavery.

By 1830 Garrison had rejected the programs of the American Colonization Society. By this time he had worked as co-editor of an antislavery paper started by Benjamin Lundy in Maryland, *The Genius of Universal Emancipation*. And on January 1, 1831, he published the first issue of his own anti-slavery newspaper, the *Liberator*.

In speaking engagements and through the *Liberator* and other publications, Garrison advocated the immediate emancipation of all slaves. This was an unpopular view during the 1830s, even with northerners who were against slavery. What would become of all the freed slaves? Certainly they could not assimilate into American society, they thought. Garrison believed that they could assimilate. He believed that, in time, all blacks would be equal in every way to the country's white citizens. They, too, were Americans and entitled to "life, liberty, and the pursuit of happiness."

Though circulation of the *Liberator* was relatively limited -- there were less than 400 subscriptions during the paper's second year -- Garrison soon gained a reputation for being the most radical of abolitionists. Still, his approach to emancipation stressed nonviolence and passive resistance, and he did attract a following. In 1832 he helped organize the New England Anti-Slavery Society, and, the following year, the American Anti-Slavery Society. These were the first organizations dedicated to promoting immediate emancipation.

Garrison was unyielding and steadfast in his beliefs. He believed that the the Anti-Slavery Society should not align itself with any political party. He believed that women should be allowed to participate in the Anti-Slavery Society. He believed that the U.S. Constitution was a pro-slavery document. Many within the Society differed with these positions, however, and in 1840 there was a major rift in the

Society which resulted in the founding of two additional organizations: the Liberty Party, a political organization, and the American and Foreign Anti-Slavery Society, which did not admit women. Later, in 1851, the once devoted and admiring Frederick Douglass stated his belief that the Constitution could be used as a weapon against slavery. Garrison, feeling betrayed, attacked Douglass through his paper. Douglass responded, and the attacks intensified. Garrison and Douglass would never reconcile their differences.

Although Lincoln's Emancipation Proclamation was a government decree, Garrison supported it wholeheartedly. After the end of the Civil War in 1865, Garrison published his last issue of the *Liberator*. After thirty five years and 1,820 issues, Garrison did not fail to publish a single issue.



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William Tecumseh Sherman biography

SYNOPSIS

During the U.S. Civil War, as commander of the Union Army's division of the Mississippi, William Tecumseh Sherman gathered 100,000 troops for the invasion of Georgia and captured and burned Atlanta and began his devastating March to the Sea to capture Savannah, leaving a trail of near-total destruction. Often credited with the saying "War is hell," he was a major architect of modern total war.

PROFILE

(born Feb. 8, 1820, Lancaster, Ohio, U.S.—died Feb. 14, 1891, New York, N.Y.) U.S. army general. A brother of John Sherman, he graduated from West Point, served in Florida and California, then resigned his commission in 1853 to pursue a banking career. He rejoined the Union army when the American Civil War broke out. He fought in the Battle of Bull Run, then served under Ulysses S. Grant at Shiloh and was promoted to major general. With Grant he helped win the Vicksburg Campaign and the Battle of Chattanooga. As commander of the division of the Mississippi, he assembled 100,000 troops for the invasion of Georgia (1864). After engagements with Confederate troops under Joseph Johnston, he captured and burned Atlanta and began his devastating March to the Sea to capture Savannah, leaving a trail of near-total destruction. In 1865 he marched north, destroying Confederate railroads and sources of supply in North and South Carolina. He accepted the surrender of Johnston's army on April 26. Promoted to general, he succeeded Grant as commander of the army (1869–84). Often credited with the saying "War is hell," he was a major architect of modern total war.

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QUICK FACTS

NAME: [William Tecumseh Sherman](#)
OCCUPATION: [General](#)
BIRTH DATE: [February 08, 1820](#)
DEATH DATE: [February 14, 1891](#)
EDUCATION: [West Point](#)
PLACE OF BIRTH: [Lancaster, Ohio](#)
PLACE OF DEATH: [New York, New York](#)

BEST KNOWN FOR

William Tecumseh Sherman was a U.S. Civil War Union Army leader known for "Sherman's March," in which he and his troops laid waste to the South.

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'William Tecumseh Sherman', *Biography.com*,(2012) <http://www.biography.com/people/william-tecumseh-sherman-9482051> [accessed Jan 23, 2012]

Chicago Style

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13th Amendment to the U.S. Constitution: Abolition of Slavery (1865)

The 13th amendment, which formally abolished slavery in the United States, passed the Senate on April 8, 1864, and the House on January 31, 1865. On February 1, 1865, President Abraham Lincoln approved the Joint Resolution of Congress submitting the proposed amendment to the state legislatures. The necessary number of states ratified it by December 6, 1865. The 13th amendment to the United States Constitution provides that "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

In 1863 President Lincoln had issued the [Emancipation Proclamation](#) declaring "all persons held as slaves within any State, or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free." Nonetheless, the Emancipation Proclamation did not end slavery in the nation. Lincoln recognized that the Emancipation Proclamation would have to be followed by a constitutional amendment in order to guarantee the abolishment of slavery.

The 13th amendment was passed at the end of the Civil War before the Southern states had been restored to the Union and should have easily passed the Congress. Although the Senate passed it in April 1864, the House did not. At that point, Lincoln took an active role to ensure passage through congress. He insisted that passage of the 13th amendment be added to the Republican Party platform for the upcoming Presidential elections. His efforts met with success when the House passed the bill in January 1865 with a vote of 119–56.

With the adoption of the 13th amendment, the United States found a final constitutional solution to the issue of slavery. The 13th amendment, along with the 14th and 15th, is one of the trio of Civil War amendments that greatly expanded the civil rights of Americans.

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[The Abraham Lincoln Papers at the Library of Congress](#)

Congress, Wednesday, February 01, 1865 (Joint Resolution Submitting 13th Amendment to the States; signed by Abraham Lincoln and Congress)

Abraham Lincoln Papers at the Library of Congress. Transcribed and Annotated by the Lincoln Studies Center, Knox College. Galesburg, Illinois.

Congress, Wednesday, February 01, 1865 (Joint Resolution Submitting 13th Amendment to the States; signed by Abraham Lincoln and Congress)

Congress, Joint Resolution¹, February 1, 1865

Thirty-Eighth Congress of the United States.

A Resolution; Submitting to the Legislatures of the several States a proposition to amend the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of both Houses concurring,) That the following article be proposed to the Legislatures of the several States as an Amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid, to all intents and purposes, as a part of the said Constitution, namely;

ARTICLE XIII.

Section 1. Neither Slavery nor involuntary servitude, except as a punishment for crime; whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2, Congress shall have power to enforce this article by appropriate legislation.

Schuyler Colfax Speaker of the House of Representatives

H. Hamlin Vice President of the United States

and President of the Senate

Approved, February 1. 1865.

[Signed by Lincoln:]

Abraham Lincoln

Attest: J. W. Forney

Secretary of the Senate

Edwd McPherson

Clerk of the House of Representatives

In the Senate, April 8, 1864.

[Followed by 58 Signatures]

In the House of Representatives, January 31, 1865

[Followed by 120 Signatures]

[Note 1 This is a copy of the Thirteenth Amendment to the Constitution, which abolished slavery in the United States, signed by members of the House and Senate. The amendment had passed the Senate in April of 1864, and the House by the necessary two thirds vote, on January 31, 1865. Though he was not required to do so, Lincoln also signed the joint resolution. The amendment then required ratification by three fourths of the states, with Illinois, to Lincoln's gratification, the first to do so.]



14th Amendment to the U.S. Constitution: Civil Rights (1868)

Following the Civil War, Congress submitted to the states three amendments as part of its Reconstruction program to guarantee equal civil and legal rights to black citizens. The major provision of the 14th amendment was to grant citizenship to “All persons born or naturalized in the United States,” thereby granting citizenship to former slaves. Another equally important provision was the statement that “nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” The right to due process of law and equal protection of the law now applied to both the Federal and state governments. On June 16, 1866, the House Joint Resolution proposing the 14th amendment to the Constitution was submitted to the states. On July 28, 1868, the 14th amendment was declared, in a certificate of the Secretary of State, ratified by the necessary 28 of the 37 States, and became part of the supreme law of the land.

Congressman John A. Bingham of Ohio, the primary author of the first section of the 14th amendment, intended that the amendment also nationalize the Federal Bill of Rights by making it binding upon the states. Senator Jacob Howard of Michigan, introducing the amendment, specifically stated that the privileges and immunities clause would extend to the states “the personal rights guaranteed and secured by the first eight amendments.” Historians disagree on how widely Bingham's and Howard's views were shared at the time in the Congress, or across the country in general. No one in Congress explicitly contradicted their view of the Amendment, but only a few members said anything at all about its meaning on this issue. For many years, the Supreme Court ruled that the Amendment did not extend the Bill of Rights to the states.

Not only did the 14th amendment fail to extend the Bill of Rights to the states; it also failed to protect the rights of black citizens. One legacy of Reconstruction was the determined struggle of black and white citizens to make the promise of the 14th amendment a reality. Citizens petitioned and initiated court cases, Congress enacted legislation, and the executive branch attempted to enforce measures that would guard all citizens' rights. While these citizens did not succeed in empowering the 14th amendment during the Reconstruction, they effectively articulated arguments and offered dissenting opinions that would be the basis for change in the 20th century.

(Information excerpted from *Teaching With Documents* [Washington, DC: The National Archives and Records Administration and the National Council for the Social Studies, 1998] p. 40.)

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Page 358 of 969

[Turn to image](#)

358

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358 THIRTY-NINTH CONGRESS. SESS. I. RES. 46, 47, 48. 1866.

was a freeman at the time of enlistment, when nothing to the contrary appears.

1864, ch. 124, § 4. Vol. xiii. p. 129.

What to be sufficient proof of marriage of colored soldier, to secure arrears of pay, &c. due at his death.

Issue of such marriage to be lawful heirs.

which he is entitled, and which is now or may hereafter be withheld by reason of such omission, but where nothing appears on the muster-roll or of record to show that a colored soldier was not a freeman at the date aforesaid, under the provision of the fourth section of the "Act making appropriations for the support of the army, for the year ending the thirtieth of June, eighteen hundred and sixty-five," the presumption shall be that the person was free at the time of his enlistment.

SEC. 2. *And be it further resolved*, That in determining who is or was the wife, widow, or heirs of any colored soldier, evidence that he and the woman claimed to be his wife or widow were joined in marriage by some ceremony deemed by them obligatory, followed by their living together as husband and wife up to the time of enlistment, shall be deemed sufficient proof of such marriage for the purpose of securing any arrears of pay, pension or other allowances due any colored soldier at the time of his death; and the children born of any such marriage shall be held and taken to be the lawful children and heirs of such soldier.

APPROVED, June 15, 1866.

June 15, 1866.

[No. 47.] *A Resolution making an Appropriation to enable the President to negotiate Treaties with certain Indian Tribes.*

Appropriation for negotiating treaties with certain Indian tribes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That one hundred and twenty-one thousand seven hundred and eighty-five dollars and seventy-seven cents, or so much thereof as may be necessary, be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to enable the President to negotiate treaties with the Indian tribes of the Upper Missouri, and the Upper Platte rivers; said sum to be expended by the commissioner of Indian affairs, under the direction of the Secretary of the Interior.

APPROVED, June 15, 1866.

June 16, 1866.

[No. 48.] *Joint Resolution proposing an Amendment to the Constitution of the United States.*

Be it resolved by the Senate and House of Representatives of the United

Proposed amendment to the Constitution of the United States.

States of America in Congress assembled, (two thirds of both Houses concurring.) That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three fourths of said legislatures, shall be valid as part of the Constitution, namely: —

Article xiv.

ARTICLE XIV.

Who are citizens of the United States and of the States; their privileges and immunities.

SEC. 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Apportionment of representatives.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which

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Page 358 of 969

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358

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15th Amendment to the U.S. Constitution: Voting Rights (1870)

To former abolitionists and to the Radical Republicans in Congress who fashioned Reconstruction after the Civil War, the 15th amendment, enacted in 1870, appeared to signify the fulfillment of all promises to African Americans. Set free by the [13th amendment](#), with citizenship guaranteed by the [14th amendment](#), black males were given the vote by the 15th amendment. From that point on, the freedmen were generally expected to fend for themselves. In retrospect, it can be seen that the 15th amendment was in reality only the beginning of a struggle for equality that would continue for more than a century before African Americans could begin to participate fully in American public and civic life.

African Americans exercised the franchise and held office in many Southern states through the 1880s, but in the early 1890s, steps were taken to ensure subsequent “white supremacy.” Literacy tests for the vote, “grandfather clauses” excluding from the franchise all whose ancestors had not voted in the 1860s, and other devices to disenfranchise African Americans were written into the constitutions of former Confederate states. Social and economic segregation were added to black America’s loss of political power. In 1896 the Supreme Court decision *Plessy v. Ferguson* legalized “separate but equal” facilities for the races. For more than 50 years, the overwhelming majority of African American citizens were reduced to second-class citizenship under the “Jim Crow” segregation system. During that time, African Americans sought to secure their rights and improve their position through organizations such as National Association for the Advancement of Colored People and the National Urban League and through the individual efforts of reformers like Booker T. Washington, W.E.B. DuBois, and A. Philip Randolph.

The most direct attack on the problem of African American disfranchisement came in 1965. Prompted by reports of continuing discriminatory voting practices in many Southern states, President Lyndon B. Johnson, himself a southerner, urged Congress on March 15, 1965, to pass legislation “which will make it impossible to thwart the 15th amendment.” He reminded Congress that “we cannot have government for all the people until we first make certain it is government of and by all the people.” The Voting Rights Act of 1965, extended in 1970, 1975, and 1982, abolished all remaining deterrents to exercising the franchise and authorized Federal supervision of voter registration where necessary.

(Information excerpted from *Milestone Documents* [Washington, DC: The National Archives and Records Administration, 1995] pp. 61-63.)

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Page 346 of 828

[Turn to image](#)

346

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346 FORTIETH CONGRESS. SESS. III. RES. 11, 14, 15, 16. 1869.

Ryan-Hitchcock mode of marine fortifications to be inquired into, and report made to Congress.

the admiral of the navy, or in the absence of the admiral, then the vice-admiral, be authorized and directed to inquire into the utility and practicability of the Ryan-Hitchcock mode of marine fortifications, and that they report to Congress at the next session thereof.

APPROVED, February 19, 1869.

Feb. 27, 1869.

[No. 14.] *A Resolution proposing an Amendment to the Constitution of the United States.*

Fifteenth amendment to the Constitution.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two thirds of both houses concurring,) That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three fourths of said legislatures, shall be valid as part of the Constitution, namely:

ARTICLE XV.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

SCHUYLER COLFAX,

Speaker of the House of Representatives.

B. F. WADE,

President of the Senate pro tempore.

Attest:

EDWD. MCPHERSON,

Clerk of House of Representatives.

GEO. C. GORHAM,

Sec'y of Senate U. S.

Received at Department of State February 27, 1869.

March 1, 1869. [No. 15.] *Joint Resolution granting the Consent of Congress provided for in section ten of*

1864, ch. 217,
§ 10.
Vol. xiii. p. 370.

Consent of
Congress given
to the Northern
Pacific R. R. Co.
to issue bonds,
&c.

the Act incorporating the Northern Pacific Railroad Company, approved July second, eighteen hundred and sixty-four.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the Congress of the United States is hereby given to the Northern Pacific Railroad Company to issue its bonds, and to secure the same by mortgage upon its railroad and its telegraph line, for the purpose of raising funds with which to construct said railroad and telegraph line between Lake Superior and Puget Sound, and also upon its branch to a point at or near Portland, Oregon; and the term "Puget Sound," as used here and in the act incorporating said company, is hereby construed to mean all the waters connected with the straits of Juan de Fuca within the territory of the United States.

APPROVED, March 1, 1869.

March 1, 1869. [No. 16.] *Joint Resolution in Relation to the Meeting of the House of Representatives at the first Session of the Forty-first Congress.*

Time of first
regular meeting
of the House of
Representatives
of the 41st
Congress.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for the first regular meeting of the House of Representatives of the Forty-first Congress be, and is hereby, postponed from twelve o'clock meridian, on the fourth day of March, eighteen hundred and sixty-nine, to the hour of three o'clock in the afternoon of the said day.

APPROVED, March 1, 1869.

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Page 346 of 828

Turn to image

346

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Democratic Party Platform; June 18, 1860

1. Resolved, That we, the Democracy of the Union in Convention assembled, hereby declare our affirmation of the resolutions unanimously adopted and declared as a platform of principles by the Democratic Convention at Cincinnati, in the year 1856, believing that Democratic principles are unchangeable in their nature, when applied to the same subject matters; and we recommend, as the only further resolutions, the following:

2. Inasmuch as difference of opinion exists 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](#), under the [Constitution of the United States](#), over the institution of slavery within the Territories,

Resolved, That the Democratic party will abide by the decision of the Supreme Court of the United States upon these questions of Constitutional Law.

3. Resolved, That it is the duty of the United States to afford ample and complete protection to all its citizens, whether at home or abroad, and whether native or foreign born.

4. Resolved, That one of the necessities of the age, in a military, commercial, and postal point of view, is speedy communications between the Atlantic and Pacific States; and the Democratic party pledge such Constitutional Government aid as will insure the construction of a Railroad to the Pacific coast, at the earliest practicable period.

5. Resolved, that the Democratic party are in favor of the acquisition of the Island of Cuba on such terms as shall be honorable to ourselves and just to Spain.

6. Resolved, That the enactments of the State Legislatures to defeat the faithful execution of the [Fugitive Slave Law](#), are hostile in character, subversive of the Constitution, and revolutionary in their effect.

7. Resolved, That it is in accordance with the interpretation of the Cincinnati platform, that during the existence of the Territorial Governments the measure of restriction, whatever it may be, imposed by the [Federal Constitution](#) on the power of the Territorial Legislature over the subject of the domestic relations, as the same has been, or shall hereafter be finally determined by the Supreme Court of the United States, should be respected by all good citizens, and enforced with promptness and fidelity by every branch of the general government.

June 18, 1860.

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Compromise of 1850 (1850)

By 1850 sectional disagreements centering on slavery were straining the bonds of union between the North and South. These tensions became especially acute when Congress began to consider whether western lands acquired after the Mexican War would permit slavery. In 1849 California requested permission to enter the Union as a free state. Adding more free state senators to Congress would destroy the balance between slave and free states that had existed since the Missouri Compromise of 1820.

Because everyone looked to the Senate to defuse the growing crisis, Senator Henry Clay of Kentucky proposed a series of resolutions designed to "Adjust amicably all existing questions of controversy . . . arising out of the institution of slavery." Clay attempted to frame his compromise so that nationally minded senators would vote for legislation in the interest of the Union.

In one of the most famous congressional debates in American history, the Senate discussed Clay's solution for 7 months. It initially voted down his legislative package, but Senator Stephen A. Douglas of Illinois stepped forward with substitute bills, which passed both Houses. With the Compromise of 1850, Congress had addressed the immediate crisis created by territorial expansion. But one aspect of the compromise—a strengthened fugitive slave act—soon began to tear at sectional peace.

The Compromise of 1850 is composed of five statutes enacted in September of 1850. The acts called for the admission of California as a "free state," provided for a territorial government for Utah and New Mexico, established a boundary between Texas and the United States, called for the abolition of slave trade in Washington, DC, and amended the Fugitive Slave Act.

The document presented here is Henry Clay's handwritten copy of the original Resolutions, which were not passed. The transcription includes Clay's Resolution and the five statutes approved by Congress.

For more information, visit the National Archives' [Treasures of Congress Online Exhibit](#).

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Reconstruction

The Disputed Presidential Election of 1876

Period: 1870s

In the election of 1876, the Republicans nominated Rutherford B. Hayes, the governor of Ohio, while the Democrats, out of power since 1861, selected Samuel J. Tilden, the governor of New York. The initial returns pointed to a Tilden victory, as the Democrats captured the swing states of Connecticut, Indiana, New Jersey, and New York. By midnight on Election Day, Tilden had 184 of the 185 electoral votes needed to win. He led the popular vote by 250,000.

But Republicans refused to accept the result. They accused the Democrats of using physical intimidation and bribery to discourage African Americans from voting in the South.

The final outcome hinged on the disputed results in four states--Florida, Louisiana, Oregon, and South Carolina--which prevented either candidate from securing a majority of electoral votes.

Republicans accused Democrats in Florida, Louisiana, and South Carolina of refusing to count African American and other Republican votes. Democrats, in turn, accused Republicans of ignoring many Tilden votes. In Florida, the Republicans claimed to have won by 922 votes out of about 47,000 cast. The Democrats claimed a 94 vote victory. Democrats charged that Republicans had ruined ballots in one pro-Tilden Florida precinct by smearing them with ink.

Both Democrats and Republicans in Oregon acknowledged that Hayes had carried the state. But when the Democratic governor learned that one of the Republican electors was a federal employee and ineligible to serve as an elector, he replaced him with a Democratic elector. The Republican elector, however, resigned his position as a postmaster and claimed the right to cast his ballot for Hayes.

Florida, Louisiana, Oregon, and South Carolina each submitted two sets of electoral returns to Congress with different results. To resolve the dispute, Congress, in January 1877, established an electoral commission made up of five U.S. representatives, five senators, and five Supreme Court justices. The justices included two Democrats, two Republicans, and Justice David Davis, who was considered to be independent. But before the commission could render a decision, Democrats in the Illinois legislature, under pressure from a nephew

of Samuel Tilden, elected Davis to the U.S. Senate, in hopes that this would encourage Davis to support the Democrat. Instead, Davis recused himself and was replaced by Justice Joseph Bradley.

Bradley was a Republican, but he was considered one of the court's least political members. In the end, however, he voted with the Republicans. A Democrat representative from New York, Abraham Hewitt, later claimed that Bradley was visited at home by a Republican Senator on the commission, who argued that "whatever the strict legal equities, it would be a national disaster if the government fell into Democratic hands."

Bradley's vote produced an eight-to-seven ruling, along straight party lines, to award all the disputed elector votes to Rutherford B. Hayes. This result produced such acrimony that many feared it would incite a second civil war.

Democrats threatened to filibuster the official counting of the electoral votes to prevent Hayes from assuming the presidency.

At a meeting in February 1877 at Washington, D.C.'s Wormley Hotel (which was operated by an African American), Democratic leaders accepted Hayes's election in exchange for Republican promises to withdraw federal troops from the South, provide federal funding for internal improvements in the South, and name a prominent Southerner to the president's cabinet. When the federal troops were withdrawn, the Republican governments in Florida, Louisiana, and South Carolina collapsed, bringing Reconstruction to a formal end.

Under the so-called Compromise of 1877, the national government would no longer intervene in southern affairs. This would permit the imposition of racial segregation and the disfranchisement of black voters.

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Cotton is King

Sen. James Henry Hammond (D-SC)

March 4, 1858

On the Admission of Kansas, Under the Lecompton Constitution
Speech Before the United States Senate

[Excerpts]

As I am disposed to see this question settled as soon as possible, and am perfectly willing to have a final and conclusive settlement now, after what the Senator from New York [William Seward] has said, I think it not improper that I should attempt to bring the North and South face to face, and see what resources each of us might have in the contingency of separate organizations.

If we never acquire another foot of territory for the South, look at her. Eight hundred and fifty thousand square miles. As large as Great Britain, France, Austria, Prussia and Spain. Is not that territory enough to make an empire that shall rule the world? With the finest soil, the most delightful climate, whose staple productions none of those great countries can grow, we have three thousand miles of continental sea-shore line so indented with bays and crowded with islands, that, when their shore lines are added, we have twelve thousand miles. Through the heart of our country runs the great Mississippi, the father of waters, into whose bosom are poured thirty-six thousand miles of tributary rivers; and beyond we have the desert prairie wastes to protect us in our rear. Can you hem in such a territory as that? You talk of putting up a wall of fire around eight hundred and fifty thousand square miles so situated! How absurd.

But, in this territory lies the great valley of the Mississippi, now the real, and soon to be the acknowledged seat of the empire of the world. The sway of that valley will be as great as ever the Nile knew in the earlier ages of mankind. We own the most of it. The most valuable part of it belongs to us now; and although those who have settled above us are now opposed to us, another generation will tell a different tale. They are ours by all the laws of nature; slave-labor will go over every foot of this great valley where it will be found profitable to use it, and some of those who may not use it are soon to be united with us by such ties as will make us one and inseparable. The iron horse will soon be clattering over the sunny plains of the South to bear the products of its upper tributaries of the valley to our Atlantic ports, as it now does through the ice-bound North. And there is the great Mississippi, a bond of union made by Nature herself. She will maintain it forever.

On this fine territory we have a population four times as large as that with which these colonies separated from the mother country, and a hundred, I might say a thousand fold stronger. Our population is now sixty per cent greater than that of the whole United States when we entered into the second war of independence. It is as large as the whole population of the United States was ten years after the conclusion of that war, and our own exports are three times as great as those of the whole United States then. Upon our muster-rolls we have a million of men. In a defensive war, upon an emergency, every one of them would be available. At any time, the South can raise, equip, and maintain in the field, a larger army than any Power of the earth can send against her, and an army of soldiers--men brought up on horseback, with guns in their hands. If we take the North, even when the two large States of Kansas and Minnesota shall be admitted, her territory will be one hundred thousand square miles less than ours. I do not speak of California and Oregon; there is no antagonism between the South and those countries, and never will be. The population of the North is fifty per cent greater than ours. I have nothing to say in disparagement either of the soil of the North, or the people of the North, who are a brave and energetic race, full of intellect. But they produce no great staple that the South does not produce; while we produce two or three, and these the very greatest, that she can never produce. As to her men, I may be allowed to say, they have never proved themselves to be superior to those of the South, either in the field or in the Senate.

But the strength of a nation depends in a great measure upon its wealth, and the wealth of a nation, like that of a man, is to be estimated by its surplus production. You may go to your trashy census books, full of falsehoods and nonsense--they tell you, for example, that in the State of Tennessee, the whole number of house-servants is not equal to that of those in my own house, and such things as that. You may estimate what is made throughout the country from these census books, but it is no matter how much is made if it is all consumed. If a man possess millions of dollars and consumes his income, is he rich? Is he competent to embark in any new enterprises? Can he long build ships or railroads? And could a people in that condition build ships and roads or go to war without a fatal strain on capital? All the enterprises of peace and war depend upon the surplus productions of a people. They may be happy, they may be comfortable, they may enjoy themselves in consuming what they make; but they are not rich, they are not strong. It appears, by going to the reports of the Secretary of the Treasury, which are authentic, that last year the United States exported in round numbers \$279,000,000 worth of domestic produce, excluding gold and foreign merchandise re-exported. Of this amount \$158,000,000 worth is the clear produce of the South; articles that are not and cannot be made at the North. There are then \$80,000,000 worth of exports of products of the forest, provisions and breadstuffs. If we assume that the South made but one third of these, and I think that is a low calculation, our exports were \$185,000,000, leaving to the North less than \$95,000,000.

In addition to this, we sent to the North \$30,000,000 worth of cotton, which is not counted in the exports. We sent to her \$7 or \$8,000,000 worth of tobacco, which is not counted in the exports. We sent naval stores, lumber, rice, and many other minor articles. There is no doubt that we sent to the North

\$40,000,000 in addition; but suppose the amount to be \$35,000,000, it will give us a surplus production of \$220,000,000. But the recorded exports of the South now are greater than the whole exports of the United States in any year before 1856. They are greater than the whole average exports of the United States for the last twelve years, including the two extraordinary years of 1856 and 1857. They are nearly double the amount of the average exports of the twelve preceding years. If I am right in my calculations as to \$220,000,000 of surplus produce, there is not a nation on the face of the earth, with any numerous population, that can compete with us in produce per capita. It amounts to \$16.66 per head, supposing that we have twelve millions of people. England with all her accumulated wealth, with her concentrated and educated energy, makes but sixteen and a half dollars of surplus production per head. I have not made a calculation as to the North, with her \$95,000,000 surplus; admitting that she exports as much as we do, with her eighteen millions of population it would be but little over twelve dollars a head. But she cannot export to us and abroad exceeding ten dollars a head against our sixteen dollars. I know well enough that the North sends to the South a vast amount of the productions of her industry. I take it for granted that she, at least, pays us in that way for the thirty or forty million dollars worth of cotton and other articles we send her. I am willing to admit that she sends us considerably more; but to bring her up to our amount of surplus production-- to bring her up to \$220,000,000 a year, the South must take from her \$125,000,000; and this, in addition to our share of the consumption of the \$330,000,000 worth introduced into the country from abroad, and paid for chiefly by our own exports. The thing is absurd; it is impossible; it can never appear anywhere but in a book of statistics, or a Congress speech.

With an export of \$220,000,000 under the present tariff, the South organized separately would have \$40,000,000 of revenue. With one-fourth the present tariff, she would have a revenue with the present tariff adequate to all her wants, for the South would never go to war; she would never need an army or a navy, beyond a few garrisons on the frontiers and a few revenue cutters. It is commerce that breeds war. It is manufactures that require to be hawked about the world, and that give rise to navies and commerce. But we have nothing to do but to take off restrictions on foreign merchandise and open our ports, and the whole world will come to us to trade. They will be too glad to bring and carry us, and we never shall dream of a war. Why the South has never yet had a just cause of war except with the North. Every time she has drawn her sword it has been on the point of honor, and that point of honor has been mainly loyalty to her sister colonies and sister States, who have ever since plundered and calumniated her.

But if there were no other reason why we should never have war, would any sane nation make war on cotton? Without firing a gun, without drawing a sword, should they make war on us we could bring the whole world to our feet. The South is perfectly competent to go on, one, two, or three years without planting a seed of cotton. I believe that if she was to plant but half her cotton, for three years to come, it would be an immense advantage to her. I am not so sure but that after three years' entire abstinence she would come out stronger than ever she was before, and better prepared to enter afresh upon her great career of enterprise. What would happen if no cotton was furnished for three years? I will not stop to depict what every one can imagine, but this is certain: England would topple headlong and carry the whole civilized world with her, save the South. No, you dare not make war on cotton. No power on earth

dares to make war upon it. Cotton is king. Until lately the Bank of England was king; but she tried to put her screws as usual, the fall before last, upon the cotton crop, and was utterly vanquished. The last power has been conquered. Who can doubt, that has looked at recent events, that cotton is supreme? When the abuse of credit had destroyed credit and annihilated confidence; when thousands of the strongest commercial houses in the world were coming down, and hundreds of millions of dollars of supposed property evaporating in thin air; when you came to a dead lock, and revolutions were threatened, what brought you up? Fortunately for you it was the commencement of the cotton season, and we have poured in upon you one million six hundred thousand bales of cotton just at the crisis to save you from destruction. That cotton, but for the bursting of your speculative bubbles in the North, which produced the whole of this convulsion, would have brought us \$100,000,000. We have sold it for \$65,000,000 and saved you. Thirty-five million dollars we, the slaveholders of the South, have put into the charity box for your magnificent financiers, your "cotton lords," your "merchant princes."

But, sir, the greatest strength of the South arises from the harmony of her political and social institutions. This harmony gives her a frame of society, the best in the world, and an extent of political freedom, combined with entire security, such as no other people ever enjoyed upon the face of the earth. Society precedes government; creates it, and ought to control it; but as far as we can look back in historic times we find the case different; for government is no sooner created than it becomes too strong for society, and shapes and moulds, as well as controls it. In later centuries the progress of civilization and of intelligence has made the divergence so great as to produce civil wars and revolutions; and it is nothing now but the want of harmony between governments and societies which occasions all the uneasiness and trouble and terror that we see abroad. It was this that brought on the American Revolution. We threw off a Government not adapted to our social system, and made one for ourselves. The question is, how far have we succeeded? The South, so far as that is concerned, is satisfied, harmonious, and prosperous, but demands to be let alone.

In all social systems there must be a class to do the menial duties, to perform the drudgery of life. That is, a class requiring but a low order of intellect and but little skill. Its requisites are vigor, docility, fidelity. Such a class you must have, or you would not have that other class which leads progress, civilization, and refinement. It constitutes the very mud-sill of society and of political government; and you might as well attempt to build a house in the air, as to build either the one or the other, except on this mud-sill. Fortunately for the South, she found a race adapted to that purpose to her hand. A race inferior to her own, but eminently qualified in temper, in vigor, in docility, in capacity to stand the climate, to answer all her purposes. We use them for our purpose, and call them slaves. We found them slaves by the common "consent of mankind," which, according to Cicero, "lex naturae est." The highest proof of what is Nature's law. We are old-fashioned at the South yet; slave is a word discarded now by "ears polite;" I will not characterize that class at the North by that term; but you have it; it is there; it is everywhere; it is eternal.

The Senator from New York [William Seward] said yesterday that the whole world had abolished slavery.

Aye, the name, but not the thing; all the powers of the earth cannot abolish that. God only can do it when he repeals the fiat, "the poor ye always have with you;" for the man who lives by daily labor, and scarcely lives at that, and who has to put out his labor in the market, and take the best he can get for it; in short, your whole hiring class of manual laborers and "operatives," as you call them, are essentially slaves. The difference between us is, that our slaves are hired for life and well compensated; there is no starvation, no begging, no want of employment among our people, and not too much employment either. Yours are hired by the day, not care for, and scantily compensated, which may be proved in the most painful manner, at any hour in any street of your large towns. Why, you meet more beggars in one day, in any single street of the city of New York, than you would meet in a lifetime in the whole South. We do not think that whites should be slaves either by law or necessity. Our slaves are black, of another and inferior race. The status in which we have placed them is an elevation. They are elevated from the condition in which God first created them, by being made our slaves. None of that race on the whole face of the globe can be compared with the slaves of the South. They are happy, content, unambitious, and utterly incapable, from intellectual weakness, ever to give us any trouble by their aspirations. Yours are white, of your own race; you are brothers of one blood. They are your equals in natural endowment of intellect, and they feel galled by their degradation. Our slaves do not vote. We give them no political power. Yours do vote, and, being the majority, they are the depositaries [sic] of all your political power. If they knew the tremendous secret, that the ballot-box is stronger than "an army with banners," and could combine, where would you be? Your society would be reconstructed, your government overthrown, your property divided, not as they have mistakenly attempted to initiate such proceedings by meeting in parks, with arms in their hands, but by the quiet process of the ballot-box. You have been making war upon us to our very hearthstones. How would you like for us to send lecturers and agitators North, to teach these people this, to aid in combining, and to lead them?...

Transient and temporary causes have thus far been your preservation. The great West has been open to your surplus population, and your hordes of semi-barbarian immigrants, who are crowding in year by year. They make a great movement, and you call it progress. Whither? It is progress; but it is progress toward Vigilance Committees. The South have sustained you in great measure. You are our factors. You fetch and carry for us. One hundred and fifty million dollars of our money passes annually through your hands. Much of it sticks; all of it assists to keep your machinery together and in motion. Suppose we were to discharge you; suppose we were to take our business out of your hands;--we should consign you to anarchy and poverty. You complain of the rule of the South; that has been another cause that has preserved you. We have kept the Government conservative to the great purposes of the Constitution. We have placed it, and kept it, upon the Constitution; and that has been the cause of your peace and prosperity. The Senator from New York says that that is about to be at an end; that you intend to take the Government from us; that it will pass from our hands into yours. Perhaps what he says is true; it may be; but do not forget--it can never be forgotten--it is written on the brightest page of human history--that we, the slaveholders of the South, took our country in her infancy, and, after ruling her for sixty out of the seventy years of her existence, we surrendered her to you without a stain upon her honor, boundless

in prosperity, incalculable in her strength, the wonder and admiration of the world. Time will show what you will make of her; but no time can diminish our glory or your responsibility.

SOURCE: Reprinted in *Selections from the Letters and Speeches of the Hon. James H. Hammond, of South Carolina* (New York: John F. Trow & Co., 1866), pages 311-322.

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Declaration of Causes of Seceding States

- [Georgia](#)
 - [Mississippi](#)
 - [South Carolina](#)
 - [Texas](#)
-

Georgia

[Copied by Justin Sanders from the Official Records, Ser IV, vol 1, pp. 81-85.]

The people of Georgia having dissolved their political connection with the Government of the United States of America, present to their confederates and the world the causes which have led to the separation. For the last ten years we have had numerous and serious causes of complaint against our non-slave-holding confederate States with reference to the subject of African slavery. They have endeavored to weaken our security, to disturb our domestic peace and tranquility, and persistently refused to comply with their express constitutional obligations to us in reference to that property, and by the use of their power in the Federal Government have striven to deprive us of an equal enjoyment of the common Territories of the Republic. This hostile policy of our confederates has been pursued with every circumstance of aggravation which could arouse the passions and excite the hatred of our people, and has placed the two sections of the Union for many years past in the condition of virtual civil war. Our people, still attached to the Union from habit and national traditions, and averse to change, hoped that time, reason, and argument would bring, if not redress, at least exemption from further insults, injuries, and dangers. Recent events have fully dissipated all such hopes and demonstrated the necessity of separation. Our Northern confederates, after a full and calm hearing of all the facts, after a fair warning of our purpose not to submit to the rule of the authors of all these wrongs and injuries, have by a large majority committed the Government of the United States into their hands. The people of Georgia, after an equally full and fair and deliberate hearing of the case, have declared with equal firmness that they shall not rule over them. A brief history of the rise, progress, and policy of anti-slavery and the political organization into whose hands the administration of the Federal Government has been committed will fully justify the pronounced verdict of the people of Georgia. The party of Lincoln, called the Republican party, under its present name and organization, is of recent origin. It is admitted to be an anti-slavery party. While it attracts to itself by its creed the scattered advocates of exploded political heresies, of condemned theories in political economy, the advocates of commercial restrictions, of protection, of special privileges, of waste and corruption in the administration of Government, anti-slavery is its mission and its purpose. By anti-slavery it is made a power in the state. The question of slavery was the great difficulty in the way of the formation of the Constitution. While the subordination and the political and social inequality of the African race was fully conceded by all, it was plainly apparent that slavery would soon disappear from what are now the non-slave-holding States of the original thirteen. The opposition to slavery was then, as now, general in those States and the Constitution was made with direct reference to that fact. But a distinct abolition party

was not formed in the United States for more than half a century after the Government went into operation. The main reason was that the North, even if united, could not control both branches of the Legislature during any portion of that time. Therefore such an organization must have resulted either in utter failure or in the total overthrow of the Government. The material prosperity of the North was greatly dependent on the Federal Government; that of the the South not at all. In the first years of the Republic the navigating, commercial, and manufacturing interests of the North began to seek profit and aggrandizement at the expense of the agricultural interests. Even the owners of fishing smacks sought and obtained bounties for pursuing their own business (which yet continue), and \$500,000 is now paid them annually out of the Treasury. The navigating interests begged for protection against foreign shipbuilders and against competition in the coasting trade. Congress granted both requests, and by prohibitory acts gave an absolute monopoly of this business to each of their interests, which they enjoy without diminution to this day. Not content with these great and unjust advantages, they have sought to throw the legitimate burden of their business as much as possible upon the public; they have succeeded in throwing the cost of light-houses, buoys, and the maintenance of their seamen upon the Treasury, and the Government now pays above \$2,000,000 annually for the support of these objects. These interests, in connection with the commercial and manufacturing classes, have also succeeded, by means of subventions to mail steamers and the reduction in postage, in relieving their business from the payment of about \$7,000,000 annually, throwing it upon the public Treasury under the name of postal deficiency. The manufacturing interests entered into the same struggle early, and has clamored steadily for Government bounties and special favors. This interest was confined mainly to the Eastern and Middle non-slave-holding States. Wielding these great States it held great power and influence, and its demands were in full proportion to its power. The manufacturers and miners wisely based their demands upon special facts and reasons rather than upon general principles, and thereby mollified much of the opposition of the opposing interest. They pleaded in their favor the infancy of their business in this country, the scarcity of labor and capital, the hostile legislation of other countries toward them, the great necessity of their fabrics in the time of war, and the necessity of high duties to pay the debt incurred in our war for independence. These reasons prevailed, and they received for many years enormous bounties by the general acquiescence of the whole country.

But when these reasons ceased they were no less clamorous for Government protection, but their clamors were less heeded-- the country had put the principle of protection upon trial and condemned it. After having enjoyed protection to the extent of from 15 to 200 per cent. upon their entire business for above thirty years, the act of 1846 was passed. It avoided sudden change, but the principle was settled, and free trade, low duties, and economy in public expenditures was the verdict of the American people. The South and the Northwestern States sustained this policy. There was but small hope of its reversal; upon the direct issue, none at all.

All these classes saw this and felt it and cast about for new allies. The anti-slavery sentiment of the North offered the best chance for success. An anti-slavery party must necessarily look to the North alone for support, but a united North was now strong enough to control the Government in all of its departments, and a sectional party was therefore determined upon. Time and issues upon slavery were necessary to its completion and final triumph. The feeling of anti-slavery, which it was well known was very general among the people of the North, had been long dormant or passive; it needed only a question to arouse it into aggressive activity. This question was before us. We had acquired a large territory by successful war with Mexico; Congress had to govern it; how, in relation to slavery, was the question then demanding solution. This state of facts gave form and shape to the anti-slavery sentiment throughout the North and the conflict began. Northern anti-slavery men of all parties asserted the right to exclude slavery from the territory by Congressional legislation and demanded the prompt and efficient exercise of this power to that end. This insulting and unconstitutional demand was met with great moderation and firmness by the South. We had

shed our blood and paid our money for its acquisition; we demanded a division of it on the line of the Missouri restriction or an equal participation in the whole of it. These propositions were refused, the agitation became general, and the public danger was great. The case of the South was impregnable. The price of the acquisition was the blood and treasure of both sections-- of all, and, therefore, it belonged to all upon the principles of equity and justice.

The Constitution delegated no power to Congress to excluded either party from its free enjoyment; therefore our right was good under the Constitution. Our rights were further fortified by the practice of the Government from the beginning. Slavery was forbidden in the country northwest of the Ohio River by what is called the ordinance of 1787. That ordinance was adopted under the old confederation and by the assent of Virginia, who owned and ceded the country, and therefore this case must stand on its own special circumstances. The Government of the United States claimed territory by virtue of the treaty of 1783 with Great Britain, acquired territory by cession from Georgia and North Carolina, by treaty from France, and by treaty from Spain. These acquisitions largely exceeded the original limits of the Republic. In all of these acquisitions the policy of the Government was uniform. It opened them to the settlement of all the citizens of all the States of the Union. They emigrated thither with their property of every kind (including slaves). All were equally protected by public authority in their persons and property until the inhabitants became sufficiently numerous and otherwise capable of bearing the burdens and performing the duties of self-government, when they were admitted into the Union upon equal terms with the other States, with whatever republican constitution they might adopt for themselves.

Under this equally just and beneficent policy law and order, stability and progress, peace and prosperity marked every step of the progress of these new communities until they entered as great and prosperous commonwealths into the sisterhood of American States. In 1820 the North endeavored to overturn this wise and successful policy and demanded that the State of Missouri should not be admitted into the Union unless she first prohibited slavery within her limits by her constitution. After a bitter and protracted struggle the North was defeated in her special object, but her policy and position led to the adoption of a section in the law for the admission of Missouri, prohibiting slavery in all that portion of the territory acquired from France lying North of 36 [degrees] 30 [minutes] north latitude and outside of Missouri. The venerable Madison at the time of its adoption declared it unconstitutional. Mr. Jefferson condemned the restriction and foresaw its consequences and predicted that it would result in the dissolution of the Union. His prediction is now history. The North demanded the application of the principle of prohibition of slavery to all of the territory acquired from Mexico and all other parts of the public domain then and in all future time. It was the announcement of her purpose to appropriate to herself all the public domain then owned and thereafter to be acquired by the United States. The claim itself was less arrogant and insulting than the reason with which she supported it. That reason was her fixed purpose to limit, restrain, and finally abolish slavery in the States where it exists. The South with great unanimity declared her purpose to resist the principle of prohibition to the last extremity. This particular question, in connection with a series of questions affecting the same subject, was finally disposed of by the defeat of prohibitory legislation.

The Presidential election of 1852 resulted in the total overthrow of the advocates of restriction and their party friends. Immediately after this result the anti-slavery portion of the defeated party resolved to unite all the elements in the North opposed to slavery and to stake their future political fortunes upon their hostility to slavery everywhere. This is the party two whom the people of the North have committed the Government. They raised their standard in 1856 and were barely defeated. They entered the Presidential contest again in 1860 and succeeded.

The prohibition of slavery in the Territories, hostility to it everywhere, the equality of the black and white

ances, disregard of all constitutional guarantees in its favor, were boldly proclaimed by its leaders and applauded by its followers.

With these principles on their banners and these utterances on their lips the majority of the people of the North demand that we shall receive them as our rulers.

The prohibition of slavery in the Territories is the cardinal principle of this organization.

For forty years this question has been considered and debated in the halls of Congress, before the people, by the press, and before the tribunals of justice. The majority of the people of the North in 1860 decided it in their own favor. We refuse to submit to that judgment, and in vindication of our refusal we offer the Constitution of our country and point to the total absence of any express power to exclude us. We offer the practice of our Government for the first thirty years of its existence in complete refutation of the position that any such power is either necessary or proper to the execution of any other power in relation to the Territories. We offer the judgment of a large minority of the people of the North, amounting to more than one-third, who united with the unanimous voice of the South against this usurpation; and, finally, we offer the judgment of the Supreme Court of the United States, the highest judicial tribunal of our country, in our favor. This evidence ought to be conclusive that we have never surrendered this right. The conduct of our adversaries admonishes us that if we had surrendered it, it is time to resume it.

The faithless conduct of our adversaries is not confined to such acts as might aggrandize themselves or their section of the Union. They are content if they can only injure us. The Constitution declares that persons charged with crimes in one State and fleeing to another shall be delivered up on the demand of the executive authority of the State from which they may flee, to be tried in the jurisdiction where the crime was committed. It would appear difficult to employ language freer from ambiguity, yet for above twenty years the non-slave-holding States generally have wholly refused to deliver up to us persons charged with crimes affecting slave property. Our confederates, with punic faith, shield and give sanctuary to all criminals who seek to deprive us of this property or who use it to destroy us. This clause of the Constitution has no other sanction than their good faith; that is withheld from us; we are remediless in the Union; out of it we are remitted to the laws of nations.

A similar provision of the Constitution requires them to surrender fugitives from labor. This provision and the one last referred to were our main inducements for confederating with the Northern States. Without them it is historically true that we would have rejected the Constitution. In the fourth year of the Republic Congress passed a law to give full vigor and efficiency to this important provision. This act depended to a considerable degree upon the local magistrates in the several States for its efficiency. The non-slave-holding States generally repealed all laws intended to aid the execution of that act, and imposed penalties upon those citizens whose loyalty to the Constitution and their oaths might induce them to discharge their duty. Congress then passed the act of 1850, providing for the complete execution of this duty by Federal officers. This law, which their own bad faith rendered absolutely indispensable for the protection of constitutional rights, was instantly met with ferocious revilings and all conceivable modes of hostility. The Supreme Court unanimously, and their own local courts with equal unanimity (with the single and temporary exception of the supreme court of Wisconsin), sustained its constitutionality in all of its provisions. Yet it stands to-day a dead letter for all practicable purposes in every non-slave-holding State in the Union. We have their covenants, we have their oaths to keep and observe it, but the unfortunate claimant, even accompanied by a Federal officer with the mandate of the highest judicial authority in his hands, is everywhere met with fraud, with force, and with legislative enactments to elude, to resist, and defeat him. Claimants are murdered with impunity; officers of the law are beaten by frantic mobs instigated by inflammatory appeals from persons

holding the highest public employment in these States, and supported by legislation in conflict with the clearest provisions of the Constitution, and even the ordinary principles of humanity. In several of our confederate States a citizen cannot travel the highway with his servant who may voluntarily accompany him, without being declared by law a felon and being subjected to infamous punishments. It is difficult to perceive how we could suffer more by the hostility than by the fraternity of such brethren.

The public law of civilized nations requires every State to restrain its citizens or subjects from committing acts injurious to the peace and security of any other State and from attempting to excite insurrection, or to lessen the security, or to disturb the tranquillity of their neighbors, and our Constitution wisely gives Congress the power to punish all offenses against the laws of nations.

These are sound and just principles which have received the approbation of just men in all countries and all centuries; but they are wholly disregarded by the people of the Northern States, and the Federal Government is impotent to maintain them. For twenty years past the abolitionists and their allies in the Northern States have been engaged in constant efforts to subvert our institutions and to excite insurrection and servile war among us. They have sent emissaries among us for the accomplishment of these purposes. Some of these efforts have received the public sanction of a majority of the leading men of the Republican party in the national councils, the same men who are now proposed as our rulers. These efforts have in one instance led to the actual invasion of one of the slave-holding States, and those of the murderers and incendiaries who escaped public justice by flight have found fraternal protection among our Northern confederates.

These are the same men who say the Union shall be preserved.

Such are the opinions and such are the practices of the Republican party, who have been called by their own votes to administer the Federal Government under the Constitution of the United States. We know their treachery; we know the shallow pretenses under which they daily disregard its plainest obligations. If we submit to them it will be our fault and not theirs. The people of Georgia have ever been willing to stand by this bargain, this contract; they have never sought to evade any of its obligations; they have never hitherto sought to establish any new government; they have struggled to maintain the ancient right of themselves and the human race through and by that Constitution. But they know the value of parchment rights in treacherous hands, and therefore they refuse to commit their own to the rulers whom the North offers us. Why? Because by their declared principles and policy they have outlawed \$3,000,000,000 of our property in the common territories of the Union; put it under the ban of the Republic in the States where it exists and out of the protection of Federal law everywhere; because they give sanctuary to thieves and incendiaries who assail it to the whole extent of their power, in spite of their most solemn obligations and covenants; because their avowed purpose is to subvert our society and subject us not only to the loss of our property but the destruction of ourselves, our wives, and our children, and the desolation of our homes, our altars, and our firesides. To avoid these evils we resume the powers which our fathers delegated to the Government of the United States, and henceforth will seek new safeguards for our liberty, equality, security, and tranquillity.

[Approved, Tuesday, January 29, 1861]

Mississippi

[Copied by Justin Sanders from "Journal of the State Convention", (Jackson, MS: E. Barksdale, State Printer, 1861), pp. 86-88]

A Declaration of the Immediate Causes which Induce and Justify the Secession of the State of Mississippi from the Federal Union.

In the momentous step which our State has taken of dissolving its connection with the government of which we so long formed a part, it is but just that we should declare the prominent reasons which have induced our course.

Our position is thoroughly identified with the institution of slavery-- the greatest material interest of the world. Its labor supplies the product which constitutes by far the largest and most important portions of commerce of the earth. These products are peculiar to the climate verging on the tropical regions, and by an imperious law of nature, none but the black race can bear exposure to the tropical sun. These products have become necessities of the world, and a blow at slavery is a blow at commerce and civilization. That blow has been long aimed at the institution, and was at the point of reaching its consummation. There was no choice left us but submission to the mandates of abolition, or a dissolution of the Union, whose principles had been subverted to work out our ruin.

That we do not overstate the dangers to our institution, a reference to a few facts will sufficiently prove.

The hostility to this institution commenced before the adoption of the Constitution, and was manifested in the well-known Ordinance of 1787, in regard to the Northwestern Territory.

The feeling increased, until, in 1819-20, it deprived the South of more than half the vast territory acquired from France.

The same hostility dismembered Texas and seized upon all the territory acquired from Mexico.

It has grown until it denies the right of property in slaves, and refuses protection to that right on the high seas, in the Territories, and wherever the government of the United States had jurisdiction.

It refuses the admission of new slave States into the Union, and seeks to extinguish it by confining it within its present limits, denying the power of expansion.

It tramples the original equality of the South under foot.

It has nullified the Fugitive Slave Law in almost every free State in the Union, and has utterly broken the compact which our fathers pledged their faith to maintain.

It advocates negro equality, socially and politically, and promotes insurrection and incendiarism in our midst.

It has enlisted its press, its pulpit and its schools against us, until the whole popular mind of the North is excited and inflamed with prejudice.

It has made combinations and formed associations to carry out its schemes of emancipation in the States and wherever else slavery exists.

It seeks not to elevate or to support the slave, but to destroy his present condition without providing a better.

It has invaded a State, and invested with the honors of martyrdom the wretch whose purpose was to apply flames to our dwellings, and the weapons of destruction to our lives.

It has broken every compact into which it has entered for our security.

It has given indubitable evidence of its design to ruin our agriculture, to prostrate our industrial pursuits and to destroy our social system.

It knows no relenting or hesitation in its purposes; it stops not in its march of aggression, and leaves us no room to hope for cessation or for pause.

It has recently obtained control of the Government, by the prosecution of its unhallowed schemes, and destroyed the last expectation of living together in friendship and brotherhood.

Utter subjugation awaits us in the Union, if we should consent longer to remain in it. It is not a matter of choice, but of necessity. We must either submit to degradation, and to the loss of property worth four billions of money, or we must secede from the Union framed by our fathers, to secure this as well as every other species of property. For far less cause than this, our fathers separated from the Crown of England.

Our decision is made. We follow their footsteps. We embrace the alternative of separation; and for the reasons here stated, we resolve to maintain our rights with the full consciousness of the justice of our course, and the undoubting belief of our ability to maintain it.

South Carolina

[Copied by Justin Sanders from J.A. May & J.R. Faunt, *South Carolina Secedes* (U. of S. Car. Pr, 1960), pp. 76-81.]

Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union

The people of the State of South Carolina, in Convention assembled, on the 26th day of April, A.D., 1852, declared that the frequent violations of the Constitution of the United States, by the Federal Government, and its encroachments upon the reserved rights of the States, fully justified this State in then withdrawing from the Federal Union; but in deference to the opinions and wishes of the other slaveholding States, she forbore at that time to exercise this right. Since that time, these encroachments have continued to increase, and further forbearance ceases to be a virtue.

And now the State of South Carolina having resumed her separate and equal place among nations, deems it due to herself, to the remaining United States of America, and to the nations of the world, that she should declare the immediate causes which have led to this act.

In the year 1765, that portion of the British Empire embracing Great Britain, undertook to make laws for the government of that portion composed of the thirteen American Colonies. A struggle for the right of self-government ensued, which resulted, on the 4th of July, 1776, in a Declaration, by the Colonies, "that they are, and of right ought to be, FREE AND INDEPENDENT STATES; and that, as free and independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do."

They further solemnly declared that whenever any "form of government becomes destructive of the ends for which it was established, it is the right of the people to alter or abolish it, and to institute a new government." Deeming the Government of Great Britain to have become destructive of these ends, they declared that the Colonies "are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved."

In pursuance of this Declaration of Independence, each of the thirteen States proceeded to exercise its separate sovereignty; adopted for itself a Constitution, and appointed officers for the administration of government in all its departments-- Legislative, Executive and Judicial. For purposes of defense, they united their arms and their counsels; and, in 1778, they entered into a League known as the Articles of Confederation, whereby they agreed to entrust the administration of their external relations to a common agent, known as the Congress of the United States, expressly declaring, in the first Article "that each State retains its sovereignty, freedom and independence, and every power, jurisdiction and right which is not, by this Confederation, expressly delegated to the United States in Congress assembled."

Under this Confederation the war of the Revolution was carried on, and on the 3rd of September, 1783, the contest ended, and a definite Treaty was signed by Great Britain, in which she acknowledged the independence of the Colonies in the following terms: "ARTICLE 1-- His Britannic Majesty acknowledges the said United States, viz: New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, to be FREE, SOVEREIGN AND INDEPENDENT STATES; that he treats with them as such; and for himself, his heirs and successors, relinquishes all claims to the government, propriety and territorial rights of the same and every part thereof."

Thus were established the two great principles asserted by the Colonies, namely: the right of a State to govern itself; and the right of a people to abolish a Government when it becomes destructive of the ends for which it was instituted. And concurrent with the establishment of these principles, was the fact, that each Colony became and was recognized by the mother Country a FREE, SOVEREIGN AND INDEPENDENT STATE.

In 1787, Deputies were appointed by the States to revise the Articles of Confederation, and on 17th September, 1787, these Deputies recommended for the adoption of the States, the Articles of Union, known as the Constitution of the United States.

The parties to whom this Constitution was submitted, were the several sovereign States; they were to agree or disagree, and when nine of them agreed the compact was to take effect among those concurring; and the General Government, as the common agent, was then invested with their authority.

If only nine of the thirteen States had concurred, the other four would have remained as they then were-- separate, sovereign States, independent of any of the provisions of the Constitution. In fact, two of the States did not accede to the Constitution until long after it had gone into operation among the other eleven; and during that interval, they each exercised the functions of an independent nation.

By this Constitution, certain duties were imposed upon the several States, and the exercise of certain of their powers was restrained, which necessarily implied their continued existence as sovereign States. But to remove all doubt, an amendment was added, which declared that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people. On the 23d May, 1788, South Carolina, by a Convention of her People, passed an Ordinance assenting to this Constitution, and afterwards altered her own Constitution, to conform herself to the

obligations she had undertaken.

Thus was established, by compact between the States, a Government with definite objects and powers, limited to the express words of the grant. This limitation left the whole remaining mass of power subject to the clause reserving it to the States or to the people, and rendered unnecessary any specification of reserved rights.

We hold that the Government thus established is subject to the two great principles asserted in the Declaration of Independence; and we hold further, that the mode of its formation subjects it to a third fundamental principle, namely: the law of compact. We maintain that in every compact between two or more parties, the obligation is mutual; that the failure of one of the contracting parties to perform a material part of the agreement, entirely releases the obligation of the other; and that where no arbiter is provided, each party is remitted to his own judgment to determine the fact of failure, with all its consequences.

In the present case, that fact is established with certainty. We assert that fourteen of the States have deliberately refused, for years past, to fulfill their constitutional obligations, and we refer to their own Statutes for the proof.

The Constitution of the United States, in its fourth Article, provides as follows: "No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due."

This stipulation was so material to the compact, that without it that compact would not have been made. The greater number of the contracting parties held slaves, and they had previously evinced their estimate of the value of such a stipulation by making it a condition in the Ordinance for the government of the territory ceded by Virginia, which now composes the States north of the Ohio River.

The same article of the Constitution stipulates also for rendition by the several States of fugitives from justice from the other States.

The General Government, as the common agent, passed laws to carry into effect these stipulations of the States. For many years these laws were executed. But an increasing hostility on the part of the non-slaveholding States to the institution of slavery, has led to a disregard of their obligations, and the laws of the General Government have ceased to effect the objects of the Constitution. The States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Illinois, Indiana, Michigan, Wisconsin and Iowa, have enacted laws which either nullify the Acts of Congress or render useless any attempt to execute them. In many of these States the fugitive is discharged from service or labor claimed, and in none of them has the State Government complied with the stipulation made in the Constitution. The State of New Jersey, at an early day, passed a law in conformity with her constitutional obligation; but the current of anti-slavery feeling has led her more recently to enact laws which render inoperative the remedies provided by her own law and by the laws of Congress. In the State of New York even the right of transit for a slave has been denied by her tribunals; and the States of Ohio and Iowa have refused to surrender to justice fugitives charged with murder, and with inciting servile insurrection in the State of Virginia. Thus the constituted compact has been deliberately broken and disregarded by the non-slaveholding States, and the consequence follows that South Carolina is released from her obligation.

The ends for which the Constitution was framed are declared by itself to be "to form a more perfect union,

establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

These ends it endeavored to accomplish by a Federal Government, in which each State was recognized as an equal, and had separate control over its own institutions. The right of property in slaves was recognized by giving to free persons distinct political rights, by giving them the right to represent, and burthening them with direct taxes for three-fifths of their slaves; by authorizing the importation of slaves for twenty years; and by stipulating for the rendition of fugitives from labor.

We affirm that these ends for which this Government was instituted have been defeated, and the Government itself has been made destructive of them by the action of the non-slaveholding States. Those States have assumed the right of deciding upon the propriety of our domestic institutions; and have denied the rights of property established in fifteen of the States and recognized by the Constitution; they have denounced as sinful the institution of slavery; they have permitted open establishment among them of societies, whose avowed object is to disturb the peace and to eloign the property of the citizens of other States. They have encouraged and assisted thousands of our slaves to leave their homes; and those who remain, have been incited by emissaries, books and pictures to servile insurrection.

For twenty-five years this agitation has been steadily increasing, until it has now secured to its aid the power of the common Government. Observing the *forms* [emphasis in the original] of the Constitution, a sectional party has found within that Article establishing the Executive Department, the means of subverting the Constitution itself. A geographical line has been drawn across the Union, and all the States north of that line have united in the election of a man to the high office of President of the United States, whose opinions and purposes are hostile to slavery. He is to be entrusted with the administration of the common Government, because he has declared that that "Government cannot endure permanently half slave, half free," and that the public mind must rest in the belief that slavery is in the course of ultimate extinction.

This sectional combination for the submersion of the Constitution, has been aided in some of the States by elevating to citizenship, persons who, by the supreme law of the land, are incapable of becoming citizens; and their votes have been used to inaugurate a new policy, hostile to the South, and destructive of its beliefs and safety.

On the 4th day of March next, this party will take possession of the Government. It has announced that the South shall be excluded from the common territory, that the judicial tribunals shall be made sectional, and that a war must be waged against slavery until it shall cease throughout the United States.

The guaranties of the Constitution will then no longer exist; the equal rights of the States will be lost. The slaveholding States will no longer have the power of self-government, or self-protection, and the Federal Government will have become their enemy.

Sectional interest and animosity will deepen the irritation, and all hope of remedy is rendered vain, by the fact that public opinion at the North has invested a great political error with the sanction of more erroneous religious belief.

We, therefore, the People of South Carolina, by our delegates in Convention assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, have solemnly declared that the Union heretofore existing between this State and the other States of North America, is dissolved, and that the State of South Carolina has resumed her position among the nations of the world, as a separate and independent

State; with full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do.

Adopted December 24, 1860

[Committee signatures]

Texas

[Copied by Justin Sanders from E.W. Winkler, ed., *Journal of the Secession Convention of Texas*, pp. 61-66.]

A Declaration of the Causes which Impel the State of Texas to Secede from the Federal Union.

The government of the United States, by certain joint resolutions, bearing date the 1st day of March, in the year A.D. 1845, proposed to the Republic of Texas, then *a free, sovereign and independent nation* [emphasis in the original], the annexation of the latter to the former, as one of the co-equal states thereof,

The people of Texas, by deputies in convention assembled, on the fourth day of July of the same year, assented to and accepted said proposals and formed a constitution for the proposed State, upon which on the 29th day of December in the same year, said State was formally admitted into the Confederate Union.

Texas abandoned her separate national existence and consented to become one of the Confederate Union to promote her welfare, insure domestic tranquility and secure more substantially the blessings of peace and liberty to her people. She was received into the confederacy with her own constitution, under the guarantee of the federal constitution and the compact of annexation, that she should enjoy these blessings. She was received as a commonwealth holding, maintaining and protecting the institution known as negro slavery-- the servitude of the African to the white race within her limits-- a relation that had existed from the first settlement of her wilderness by the white race, and which her people intended should exist in all future time. Her institutions and geographical position established the strongest ties between her and other slave-holding States of the confederacy. Those ties have been strengthened by association. But what has been the course of the government of the United States, and of the people and authorities of the non-slave-holding States, since our connection with them?

The controlling majority of the Federal Government, under various pretences and disguises, has so administered the same as to exclude the citizens of the Southern States, unless under odious and unconstitutional restrictions, from all the immense territory owned in common by all the States on the Pacific Ocean, for the avowed purpose of acquiring sufficient power in the common government to use it as a means of destroying the institutions of Texas and her sister slaveholding States.

By the disloyalty of the Northern States and their citizens and the imbecility of the Federal Government, infamous combinations of incendiaries and outlaws have been permitted in those States and the common territory of Kansas to trample upon the federal laws, to war upon the lives and property of Southern citizens in that territory, and finally, by violence and mob law, to usurp the possession of the same as exclusively the property of the Northern States.

The Federal Government, while but partially under the control of these our unnatural and sectional enemies, has for years almost entirely failed to protect the lives and property of the people of Texas against the Indian savages on our border, and more recently against the murderous forays of banditti from the neighboring territory of Mexico; and when our State government has expended large amounts for such purpose, the Federal Government has refused reimbursement therefor, thus rendering our condition more insecure and harassing than it was during the existence of the Republic of Texas.

These and other wrongs we have patiently borne in the vain hope that a returning sense of justice and humanity would induce a different course of administration.

When we advert to the course of individual non-slave-holding States, and that a majority of their citizens, our grievances assume far greater magnitude.

The States of Maine, Vermont, New Hampshire, Connecticut, Rhode Island, Massachusetts, New York, Pennsylvania, Ohio, Wisconsin, Michigan and Iowa, by solemn legislative enactments, have deliberately, directly or indirectly violated the 3rd clause of the 2nd section of the 4th article [the fugitive slave clause] of the federal constitution, and laws passed in pursuance thereof; thereby annulling a material provision of the compact, designed by its framers to perpetuate the amity between the members of the confederacy and to secure the rights of the slave-holding States in their domestic institutions-- a provision founded in justice and wisdom, and without the enforcement of which the compact fails to accomplish the object of its creation. Some of those States have imposed high fines and degrading penalties upon any of their citizens or officers who may carry out in good faith that provision of the compact, or the federal laws enacted in accordance therewith.

In all the non-slave-holding States, in violation of that good faith and comity which should exist between entirely distinct nations, the people have formed themselves into a great sectional party, now strong enough in numbers to control the affairs of each of those States, based upon an unnatural feeling of hostility to these Southern States and their beneficent and patriarchal system of African slavery, proclaiming the debasing doctrine of equality of all men, irrespective of race or color-- a doctrine at war with nature, in opposition to the experience of mankind, and in violation of the plainest revelations of Divine Law. They demand the abolition of negro slavery throughout the confederacy, the recognition of political equality between the white and negro races, and avow their determination to press on their crusade against us, so long as a negro slave remains in these States.

For years past this abolition organization has been actively sowing the seeds of discord through the Union, and has rendered the federal congress the arena for spreading firebrands and hatred between the slave-holding and non-slave-holding States.

By consolidating their strength, they have placed the slave-holding States in a hopeless minority in the federal congress, and rendered representation of no avail in protecting Southern rights against their exactions and encroachments.

They have proclaimed, and at the ballot box sustained, the revolutionary doctrine that there is a 'higher law' than the constitution and laws of our Federal Union, and virtually that they will disregard their oaths and trample upon our rights.

They have for years past encouraged and sustained lawless organizations to steal our slaves and prevent their recapture, and have repeatedly murdered Southern citizens while lawfully seeking their rendition.

They have invaded Southern soil and murdered unoffending citizens, and through the press their leading men and a fanatical pulpit have bestowed praise upon the actors and assassins in these crimes, while the governors of several of their States have refused to deliver parties implicated and indicted for participation in such offenses, upon the legal demands of the States aggrieved.

They have, through the mails and hired emissaries, sent seditious pamphlets and papers among us to stir up servile insurrection and bring blood and carnage to our firesides.

They have sent hired emissaries among us to burn our towns and distribute arms and poison to our slaves for the same purpose.

They have impoverished the slave-holding States by unequal and partial legislation, thereby enriching themselves by draining our substance.

They have refused to vote appropriations for protecting Texas against ruthless savages, for the sole reason that she is a slave-holding State.

And, finally, by the combined sectional vote of the seventeen non-slave-holding States, they have elected as president and vice-president of the whole confederacy two men whose chief claims to such high positions are their approval of these long continued wrongs, and their pledges to continue them to the final consummation of these schemes for the ruin of the slave-holding States.

In view of these and many other facts, it is meet that our own views should be distinctly proclaimed.

We hold as undeniable truths that the governments of the various States, and of the confederacy itself, were established exclusively by the white race, for themselves and their posterity; that the African race had no agency in their establishment; that they were rightfully held and regarded as an inferior and dependent race, and in that condition only could their existence in this country be rendered beneficial or tolerable.

That in this free government *all white men are and of right ought to be entitled to equal civil and political rights* [emphasis in the original]; that the servitude of the African race, as existing in these States, is mutually beneficial to both bond and free, and is abundantly authorized and justified by the experience of mankind, and the revealed will of the Almighty Creator, as recognized by all Christian nations; while the destruction of the existing relations between the two races, as advocated by our sectional enemies, would bring inevitable calamities upon both and desolation upon the fifteen slave-holding states.

By the secession of six of the slave-holding States, and the certainty that others will speedily do likewise, Texas has no alternative but to remain in an isolated connection with the North, or unite her destinies with the South.

For these and other reasons, solemnly asserting that the federal constitution has been violated and virtually abrogated by the several States named, seeing that the federal government is now passing under the control of our enemies to be diverted from the exalted objects of its creation to those of oppression and wrong, and realizing that our own State can no longer look for protection, but to God and her own sons-- We the delegates of the people of Texas, in Convention assembled, have passed an ordinance dissolving all political connection with the government of the United States of America and the people thereof and confidently appeal to the intelligence and patriotism of the freemen of Texas to ratify the same at the ballot box, on the 23rd day of the present month.

Adopted in Convention on the 2nd day of Feby, in the year of our Lord one thousand eight hundred and sixty-one and of the independence of Texas the twenty-fifth.

[Delegates' signatures]

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Historical Document

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Dred Scott case: the Supreme Court decision

1857

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In March of 1857, the United States Supreme Court, led by Chief Justice Roger B. Taney, declared that all blacks -- slaves as well as free -- were not and could never become citizens of the United States. The court also declared the 1820 Missouri Compromise unconstitutional, thus permitting slavery in all of the country's territories.

The case before the court was that of *Dred Scott v. Sanford*. Dred Scott, a slave who had lived in the free state of Illinois and the free territory of Wisconsin before moving back to the slave state of Missouri, had appealed to the Supreme Court in hopes of being granted his freedom.

Taney -- a staunch supporter of slavery and intent on protecting southerners from northern aggression -- wrote in the Court's majority opinion that, because Scott was black, he was not a citizen and therefore had no right to sue. The framers of the Constitution, he wrote, believed that blacks "had no rights which the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery for his benefit. He was bought and sold and treated as an ordinary article of merchandise and traffic, whenever profit could be made by it."

Referring to the language in the Declaration of Independence that includes the phrase, "all men are created equal," Taney reasoned that "it is too clear for dispute, that the enslaved African race were not intended to be included, and formed no part of the people who framed and adopted this declaration. . . ."

Abolitionists were incensed. Although disappointed, Frederick Douglass, found a bright side to the decision and announced, "my hopes were never brighter than now." For Douglass, the decision would bring slavery to the attention of the nation and was a step toward slavery's ultimate destruction.



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January 23, 2012

The Emancipation Proclamation

President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863, as the nation approached its third year of bloody civil war. The proclamation declared "that all persons held as slaves" within the rebellious states "are, and henceforward shall be free."

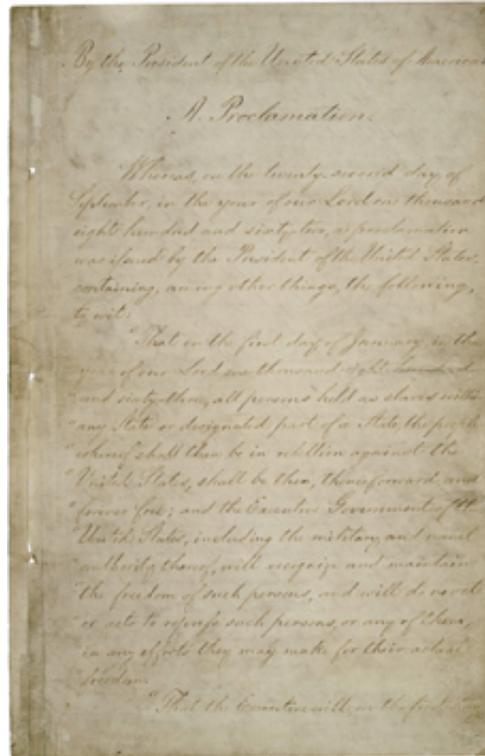
Despite this expansive wording, the Emancipation Proclamation was limited in many ways. It applied only to states that had seceded from the Union, leaving slavery untouched in the loyal border states. It also expressly exempted parts of the Confederacy that had already come under Northern control. Most important, the freedom it promised depended upon Union military victory.

Although the Emancipation Proclamation did not end slavery in the nation, it captured the hearts and imagination of millions of Americans and fundamentally transformed the character of the war. After January 1, 1863, every advance of federal troops expanded the domain of freedom. Moreover, the Proclamation announced the acceptance of black men into the Union Army and Navy, enabling the liberated to become liberators. By the end of the war, almost 200,000 black soldiers and sailors had fought for the Union and freedom.

From the first days of the Civil War, slaves had acted to secure their own liberty. The Emancipation Proclamation confirmed their insistence that the war for the Union must become a war for freedom. It added moral force to the Union cause and strengthened the Union both militarily and politically. As a milestone along the road to slavery's final destruction, the Emancipation Proclamation has assumed a place among the great documents of human freedom.

The original of the Emancipation Proclamation of January 1, 1863, is in the National Archives in Washington, DC. With the text covering five pages the document was originally tied with narrow red and blue ribbons, which were attached to the signature page by a wafered impression of the seal of the United States. Most of the ribbon remains; parts of the seal are still decipherable, but other parts have worn off.

The document was bound with other proclamations in a large volume preserved for many years by the Department of State. When it was prepared for binding, it was reinforced with strips along the center folds and then mounted on a still larger sheet of heavy paper. Written in red ink on the upper right-hand corner of this large sheet is the number of the Proclamation, 95, given to it by the Department of State long after it was signed. With other records, the volume containing the Emancipation Proclamation was transferred in 1936 from the Department of State to the National Archives of the United States.



The Emancipation Proclamation

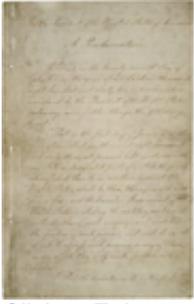
[Page One](#)

[Page Two](#)

[Page Three](#)

[Page Four](#)

[Page Five](#)



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[Transcript of the Proclamation](#)

[The Preliminary Emancipation Proclamation, 1862](#)

["The Emancipation Proclamation: An Act of Justice"](#) by John Hope Franklin.

[Audio: Former slave Charlie Smith discusses work and living situation after the Emancipation Proclamation.](#) (357K, 0:46) from NARA's [ARC database](#) (NWDNM(s)-16.332B)

[The Charters of Freedom](#)

Image at Top of Page:

The Emancipation Proclamation, page 1

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Gettysburg Address (1863)

At the end of the Battle of Gettysburg, more than 51,000 Confederate and Union soldiers were wounded, missing, or dead. Many of those who died were laid in makeshift graves along the battlefield. Pennsylvania Governor Andrew Curtin commissioned David Wills, an attorney, to purchase land for a proper burial site for the deceased Union soldiers. Wills acquired 17 acres for the cemetery, which was planned and designed by landscape architect William Saunders.

The cemetery was dedicated on November 19, 1863. The main speaker for the event was Edward Everett, one of the nation's foremost orators. President Lincoln was also invited to speak "as Chief Executive of the nation, formally [to] set apart these grounds to their sacred use by a few appropriate remarks." At the ceremony, Everett spoke for more than 2 hours; Lincoln spoke for 2 minutes.

President Lincoln had given his brief speech a lot of thought. He saw meaning in the fact that the Union victory at Gettysburg coincided with the nation's birthday; but rather than focus on the specific battle in his remarks, he wanted to present a broad statement about the larger significance of the war. He invoked the Declaration of Independence, and its principles of liberty and equality, and he spoke of "a new birth of freedom" for the nation. In his brief address, he continued to reshape the aims of the war for the American people—transforming it from a war for Union to a war for Union and freedom. Although Lincoln expressed disappointment in the speech initially, it has come to be regarded as one of the most elegant and eloquent speeches in U.S. history.

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Kansas-Nebraska Act (1854)

In January 1854, Senator Stephen Douglas introduced a bill that divided the land west of Missouri into two territories, Kansas and Nebraska. He argued for popular sovereignty, which would allow the settlers of the new territories to decide if slavery would be legal there. Antislavery supporters were outraged because, under the terms of the Missouri Compromise of 1820, slavery would have been outlawed in both territories.

After months of debate, the Kansas-Nebraska Act passed on May 30, 1854. Pro-slavery and anti-slavery settlers rushed to Kansas, each side hoping to determine the results of the first election held after the law went into effect. The conflict turned violent, aggravating the split between North and South until reconciliation was virtually impossible.

Opponents of the Kansas-Nebraska Act helped found the Republican Party, which opposed the spread of slavery into the territories. As a result of the Kansas-Nebraska Act, the United States moved closer to Civil War.

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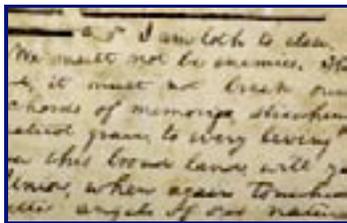
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Lincoln's First Inaugural Address



Abraham Lincoln (1809-1865)

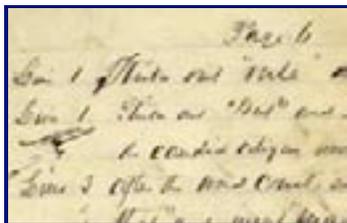
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[Page 2](#), [3](#), [4](#), [5](#), [6](#), [7](#)

Printed text with emendations
in the hand of Lincoln

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Gift of Robert Todd Lincoln, 1923

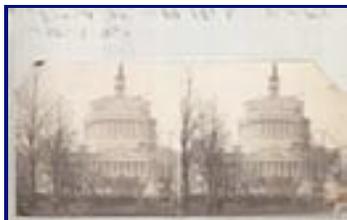


William H. Seward (1801-1872)

[Holograph notes on
Lincoln's inaugural address](#)

1861

[Manuscript Division](#) (3.6)



[Holograph diary \[in shorthand\]](#)

entry for March 4, 1861

"Inauguration of President
Lincoln at the U.S. Capitol" and

[stereograph view](#) of the inaugural ceremony

[Manuscript Division](#) (5.9)

In composing his first inaugural address, delivered March 4, 1861, Abraham Lincoln focused on shoring up his support in the North without further alienating the South, where he was almost universally hated or feared. For guidance and inspiration, he turned to four historic documents, all concerned directly or indirectly with states' rights: Daniel Webster's 1830 reply to Robert Y. Hayne; President Andrew Jackson's Nullification Proclamation of 1832; Henry Clay's compromise speech of 1850; and the U.S. Constitution. Lincoln's initial effort was typeset and printed at the office of the Illinois State Journal, edited and then reprinted. Lincoln sent four copies of the second strike to his closest political advisors for commentary, resulting in further changes.

The finished address avoided any mention of the Republican Party platform, which condemned all efforts to reopen the African slave trade and denied the authority of Congress or a territorial legislature to legalize slavery in the territories. The address also denied any plan on the part of the Lincoln administration to interfere with the institution of slavery in states where it existed. But to Lincoln, the Union, which he saw as older even than the Constitution, was perpetual and unbroken, and secession legally impossible.

Until the final draft, Lincoln's address had ended with a question for the South: "Shall it be peace or sword?" In the famous concluding paragraph, Lincoln, following the suggestion of Seward, moderated his tone dramatically and ended on a memorable note of conciliation:

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.

MISSISSIPPI RESOLUTIONS ON SECESSION

November 30, 1860



MISSISSIPPI.

*The Mississippi legislature passed this resolution on November 30, 1860, prior to the state's actual secession. This text was taken from the book *The Annals of America, Volume 9, 1858-1865, The Crisis of the Union, Encyclopaedia Britannica, Inc. , 1976, citing the "Laws of the state of Mississippi, Passed at a Called Session of the Mississippi Legislature held in ... Jackson, November, 1860," Jackson, 1860, pp. 43-45. I am greatly indebted to my friends Kyle and Delia Siegrist, of Huntsville, AL, for helping me to recover the text of this document.**

Whereas, The Constitutional Union was formed by the several States in their separate sovereign capacity for the purpose of mutual advantage and protection;

That the several States are distinct sovereignties, whose supremacy is limited so far only as the same has been delegated by voluntary compact to a Federal Government, and when it fails to accomplish the ends for which it was established, the parties to the compact have the right to resume, each State for itself, such delegated powers;

That the institution of slavery existed prior to the formation of the Federal Constitution, and is recognized by its letter, and all efforts to impair its value or lessen its duration by Congress, or any of the free States, is a violation of the compact of Union and is destructive of the ends for which it was ordained, but in defiance of the principles of the Union thus established, the people of the Northern States have assumed a revolutionary position toward the Southern States;

That they have set at defiance that provision of the Constitution which was intended to secure domestic tranquility among the States and promote their general welfare, namely: "No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom the Service or Labour may be due;"

That they have by voluntary associations, individual agencies and State legislation interferred with slavery as it prevails in the slaveholding States;

That they have enticed our slaves from us and, by State intervention obstructed and prevented their rendition under the fugitive slave law;

That they continue their system of agitation obviously for the purpose of encouraging other slaves to escape from service, to weaken the institution in the slave-holding States by rendering the holding of such property insecure, and as a consequence its ultimate abolition certain;

That they claim the right and demand its execution by Congress to exclude slavery from the Territories, but claim the right of protection for every species of property owned by themselves;

That they declare in every manner in which public opinion is expressed their unalterable determination to exclude from admittance into the Union any new State that tolerates slavery in its Constitution, and thereby force Congress to a condemnation of that species of property;

That they thus seek by an increase of abolition States "to acquire two-thirds of both houses" for the purpose of preparing an amendment to the Constitution of the United States, abolishing slavery in the States, and so continue the agitation that the proposed amendment shall be ratified by the Legislatures of three-fourths of the States;

That they have in violation of the comity of all civilized nations, and in violation of the comity established by the Constitution of the United States, insulted and outraged our citizens when traveling among them for pleasure, health, or business, by taking their servants and liberating the same, under the forms of State laws, and subjecting their owners to degrading and ignominious punishment;

That to encourage the stealing of our property they have put at defiance that provision of the Constitution which declares that fugitives from justice (escaping) into another State, on demand of the Executive authority of that state from which he fled, shall be delivered up;

That they have sought to create domestic discord in the Southern States by incendiary publications;

That they have encouraged a hostile invasion of a Southern State to excite insurrection, murder, and rapine;

That they have deprived Southern citizens of their property and continue an unfriendly agitation of their domestic institutions, claiming for themselves perfect immunity from external interference with their domestic policy;

We of the Southern States alone made an exception to that universal quiet;

That they have elected a majority of Electors for President and Vice-President on the ground that there exists an irreconcilable conflict between the two sections of the Confederacy in reference to their respective systems of labor and in pursuance of their hostility to us and our institutions, thus declaring to the civilized world that the powers of this Government are to be used for the dishonor and overthrow of the Southern Section of this great Confederacy.

Therefore:

Be it resolved by the Legislature of the State of Mississippi, That in the opinion of those who now constitute the said Legislature, the secession of each aggrieved State is the proper remedy for these

injuries.

Missouri Compromise (1820)

With the purchase of the Louisiana Territory and the application of Missouri for statehood, the long-standing balance between the number of slave states and the number of free states would be changed. Controversy arose within Congress over the issue of slavery.

Congress adopted this legislation and admitted Missouri as a slave state and Maine as a non-slave state at the same time, so that the balance between slave and free states in the nation would remain equal. The Missouri compromise also proposed that slavery be prohibited above the 36° 30' latitude line in the remainder of the Louisiana Territory. This provision held for 34 years, until it was repealed by the Kansas-Nebraska Act of 1854.

The document featured here is the conference committee's report on the Missouri Compromise.

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Northwest Ordinance (1787)

The Northwest Ordinance, adopted July 13, 1787, by the Second Continental Congress, chartered a government for the Northwest Territory, provided a method for admitting new states to the Union from the territory, and listed a bill of rights guaranteed in the territory. Following the principles outlined by Thomas Jefferson in the Ordinance of 1784, the authors of the Northwest Ordinance (probably Nathan Dane and Rufus King) spelled out a plan that was subsequently used as the country expanded to the Pacific.

The following three principal provisions were ordained in the document: (1) a division of the Northwest Territory into "not less than three nor more than five States"; (2) a three-stage method for admitting a new state to the Union—with a congressionally appointed governor, secretary, and three judges to rule in the first phase; an elected assembly and one nonvoting delegate to Congress to be elected in the second phase, when the population of the territory reached "five thousand free male inhabitants of full age"; and a state constitution to be drafted and membership to the Union to be requested in the third phase when the population reached 60,000; and (3) a bill of rights protecting religious freedom, the right to a writ of habeas corpus, the benefit of trial by jury, and other individual rights. In addition the ordinance encouraged education and forbade slavery.

The copy of the ordinance on this site is a printed document, dated in the last paragraph and signed by the secretary of Congress, Charles Thomson.

(Information excerpted from National Archives Education Staff. *The Constitution: Evolution of a Government*. Santa Barbara: ABC-CLIO, 2001.)

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Transcript of Northwest Ordinance (1787)

An Ordinance for the government of the Territory of the United States northwest of the River Ohio.

Section 1. Be it ordained by the United States in Congress assembled, That the said territory, for the purposes of temporary government, be one district, subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

Sec 2. Be it ordained by the authority aforesaid, That the estates, both of resident and nonresident proprietors in the said territory, dying intestate, shall descent to, and be distributed among their children, and the descendants of a deceased child, in equal parts; the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them: And where there shall be no children or descendants, then in equal parts to the next of kin in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parents' share; and there shall in no case be a distinction between kindred of the whole and half blood; saving, in all cases, to the widow of the intestate her third part of the real estate for life, and one third part of the personal estate; and this law relative to descents and dower, shall remain in full force until altered by the legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be (being of full age), and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed and delivered by the person being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts, and registers shall be appointed for that purpose; and personal property may be transferred by delivery; saving, however to the French and Canadian inhabitants, and other settlers of the Kaskaskies, St. Vincents and the neighboring villages who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance, of property.

Sec. 3. Be it ordained by the authority aforesaid, That there shall be appointed from time to time by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein in 1,000 acres of land, while in the exercise of his office.

Sec. 4. There shall be appointed from time to time by Congress, a secretary, whose commission shall continue in force for four years unless sooner revoked; he shall reside in the district, and have a freehold estate therein in 500 acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the acts and laws passed by the legislature, and the public records of the district, and the proceedings of the governor in his executive department, and transmit authentic copies of such acts and proceedings, every six months, to the Secretary of Congress: There shall also be appointed a court to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in 500 acres of land while in the exercise of their offices; and their commissions shall continue in force during good behavior.

Sec. 5. The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary and best suited to the circumstances of the district, and report them to Congress from time to time: which laws shall be in force in the district until the organization of the General Assembly therein, unless disapproved of by Congress; but afterwards the Legislature shall have authority to alter them as they shall think fit.

Sec. 6. The governor, for the time being, shall be commander in chief of the militia, appoint and

commission all officers in the same below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

Sec. 7. Previous to the organization of the general assembly, the governor shall appoint such magistrates and other civil officers in each county or township, as he shall find necessary for the preservation of the peace and good order in the same: After the general assembly shall be organized, the powers and duties of the magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers not herein otherwise directed, shall during the continuance of this temporary government, be appointed by the governor.

Sec. 8. For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof; and he shall proceed from time to time as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature.

Sec. 9. So soon as there shall be five thousand free male inhabitants of full age in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect a representative from their counties or townships to represent them in the general assembly: Provided, That, for every five hundred free male inhabitants, there shall be one representative, and so on progressively with the number of free male inhabitants shall the right of representation increase, until the number of representatives shall amount to twenty five; after which, the number and proportion of representatives shall be regulated by the legislature: Provided, That no person be eligible or qualified to act as a representative unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and, in either case, shall likewise hold in his own right, in fee simple, two hundred acres of land within the same; Provided, also, That a freehold in fifty acres of land in the district, having been a citizen of one of the states, and being resident in the district, or the like freehold and two years residence in the district, shall be necessary to qualify a man as an elector of a representative.

Sec. 10. The representatives thus elected, shall serve for the term of two years; and, in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township for which he was a member, to elect another in his stead, to serve for the residue of the term.

Sec. 11. The general assembly or legislature shall consist of the governor, legislative council, and a house of representatives. The Legislative Council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum: and the members of the Council shall be nominated and appointed in the following manner, to wit: As soon as representatives shall be elected, the Governor shall appoint a time and place for them to meet together; and, when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid; and, whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom congress shall appoint and commission for the residue of the term. And every five years, four months at least before the expiration of the time of service of the members of council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress; five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives, shall have authority to make laws in all cases, for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills, having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent; but no bill, or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the general assembly, when, in his opinion, it shall be expedient.

Sec. 12. The governor, judges, legislative council, secretary, and such other officers as Congress shall

appoint in the district, shall take an oath or affirmation of fidelity and of office; the governor before the president of congress, and all other officers before the Governor. As soon as a legislature shall be formed in the district, the council and house assembled in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating but not voting during this temporary government.

Sec. 13. And, for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory: to provide also for the establishment of States, and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest:

Sec. 14. It is hereby ordained and declared by the authority aforesaid, That the following articles shall be considered as articles of compact between the original States and the people and States in the said territory and forever remain unalterable, unless by common consent, to wit:

Art. 1. No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments, in the said territory.

Art. 2. The inhabitants of the said territory shall always be entitled to the benefits of the writ of habeas corpus, and of the trial by jury; of a proportionate representation of the people in the legislature; and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offenses, where the proof shall be evident or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers or the law of the land; and, should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall, in any manner whatever, interfere with or affect private contracts or engagements, bona fide, and without fraud, previously formed.

Art. 3. Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and, in their property, rights, and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity, shall from time to time be made for preventing wrongs being done to them, and for preserving peace and friendship with them.

Art. 4. The said territory, and the States which may be formed therein, shall forever remain a part of this Confederacy of the United States of America, subject to the Articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the federal debts contracted or to be contracted, and a proportional part of the expenses of government, to be apportioned on them by Congress according to the same common rule and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the legislatures of the district or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers. No tax shall be imposed on lands the property of the United States; and, in no case, shall nonresident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways and forever free, as well to the inhabitants of the said

territory as to the citizens of the United States, and those of any other States that may be admitted into the confederacy, without any tax, impost, or duty therefor.

Art. 5. There shall be formed in the said territory, not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to wit: The western State in the said territory, shall be bounded by the Mississippi, the Ohio, and Wabash Rivers; a direct line drawn from the Wabash and Post Vincents, due North, to the territorial line between the United States and Canada; and, by the said territorial line, to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line, drawn due north from the mouth of the Great Miami, to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: Provided, however, and it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And, whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State government: Provided, the constitution and government so to be formed, shall be republican, and in conformity to the principles contained in these articles; and, so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

Art. 6. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the 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.

Be it ordained by the authority aforesaid, That the resolutions of the 23rd of April, 1784, relative to the subject of this ordinance, be, and the same are hereby repealed and declared null and void.

Done by the United States, in Congress assembled, the 13th day of July, in the year of our Lord 1787, and of their sovereignty and independence the twelfth.

Transcription courtesy of [the Avalon Project](#) at Yale Law School.

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Republican Party Platform (1860)

May 1860

Resolved That we, the delegated representatives of the republican electors of the United States, in convention assembled, in discharge of the duty we owe to our constituent and our country, unite in the following declarations:

FIRST. That the history of the nation during the last four years has fully established the propriety and necessity of the organization and perpetuation of the republican party, and that the causes which called it into existence are permanent in their nature, and now more than ever before demand its peaceful and constitutional triumph.

SECOND. That the maintenance of the principles promulgated in the declaration of independence and embodied in the federal constitution, "That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed," is essential to the preservation of our republican institutions; and that the federal constitution, the rights of the states, and the Union of the states, must and shall be preserved.

THIRD. That to the Union of the states this nation owes its unprecedented increase in population; its surprising development of material resources; its rapid augmentation of wealth; its happiness at home and its honor abroad; and we hold in abhorrence all schemes for disunion, come from whatever source they may; and we congratulate the country that no republican member of congress has uttered or countenanced the threats of disunion so often made by democratic members, without rebuke and with applause from their political associates; and we denounce those threats of disunion, in case of a popular overthrow of their ascendancy, as denying the vital principles of a free government, and as an avowal of contemplated treason, which it is the imperative duty of an indignant people sternly to rebuke and forever silence.

FOURTH. That the maintenance inviolate of the rights of the states, and especially the right of each state, to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depends, and we denounce the lawless invasion by armed force of the soil of any state or territory, no matter under what pretext, as among the gravest of crimes.

FIFTH. That the present democratic administration has far exceeded our worst apprehension in its measureless subserviency to the exactions of a sectional interest, as is especially evident in its desperate exertions to force the infamous Lecompton constitution upon the protesting people of Kansas--in construing the personal relation between master and servant to involve an unqualified property in persons--in its attempted enforcement everywhere, on land and sea, through the intervention of congress and of the federal courts, of the extreme pretensions of a purely local interest, and in its general and unvarying abuse of the power entrusted to it by a confiding people.

SIXTH. That the people justly view with alarm the reckless extravagance which pervades every department of the federal government; that a return to rigid economy and accountability is indispensable to arrest the systematic plunder of the public treasury by favored partisans; while the recent startling developments of frauds and corruptions at the federal metropolis, show that an entire change of administration is imperatively demanded.

SEVENTH. That the new dogma that the constitution of its own force carries slavery into any or all of the territories of the United States, is a dangerous political heresy, at variance with the explicit provisions of that instrument itself, with cotemporaneous exposition, and with legislative and judicial precedent, is revolutionary in its tendency and subversive of the peace and harmony of the country.

EIGHTH. That the normal condition of all the territory of the United States is that of freedom; that as our republican fathers, when they had abolished slavery in all our national territory, ordained that no "person should be deprived of life, liberty or property, without due process of law," it becomes our duty, by legislation, whenever such legislation is necessary, to maintain this provision of the constitution against all attempts to violate it; and we deny the authority of congress, of a territorial legislature, or of any individuals, to give legal existence to slavery in any territory of the United States.

NINTH. That we brand the recent reöpening of the African slave trade, under the cover of our national flag, aided by perversions of judicial power, as a crime against humanity, and a burning shame to our country and age, and we call upon congress to take prompt and efficient measures for the total and final suppression of that execrable traffic.

TENTH. That in the recent vetoes by the federal governors of the acts of the legislatures of Kansas and Nebraska, prohibiting slavery in those territories, we find a practical illustration of the boasted democratic principle of non-intervention and popular sovereignty, embodied in the Kansas-Nebraska bill, and a demonstration of the deception and fraud involved therein.

ELEVENTH. That Kansas should of right be immediately admitted as a state, under the constitution recently formed and adopted by her people, and accepted by the house of representatives.

TWELFTH. That while providing revenue for the support of the general government by duties upon imports, sound policy requires such an adjustment of these imposts as to encourage the development of

the industrial interests of the whole country, and we commend that policy of national exchanges which secures to the workingmen liberal wages, to agriculture remunerating prices, to mechanics and manufacturers an adequate reward for their skill, labor and enterprise, and to the nation commercial prosperity and independence.

THIRTEENTH. That we protest against any sale or alienation to others of the public lands held by actual settlers, and against any view of the free homestead policy which regards the settlers as paupers or suppliants for public bounty, and we demand the passage by congress of the complete and satisfactory homestead measure which has already passed the house.

FOURTEENTH. That the republican party is opposed to any change in our naturalization laws, or any state legislation by which the rights of citizenship hitherto accorded by emigrants from foreign lands shall be abridged or impaired; and in favor of giving a full and efficient protection to the rights of all classes of citizens, whether native or naturalized, both at home and abroad.

FIFTEENTH. That appropriation by congress for river and harbor improvements of a national character, required for the accommodation and security of an existing commerce, are authorized by the constitution and justified by the obligation of government to protect the lives and property of its citizens.

SIXTEENTH. That a railroad to the Pacific ocean is imperatively demanded by the interests of the whole country; that the federal government ought to render immediate and efficient aid in its construction; and that, as preliminary thereto, a daily overland mail should be promptly established.

SEVENTEENTH. Finally, having thus set forth our distinctive principles and views, we invite the cooperation of all citizens, however differing on other questions who substantially agree with us in their affirmance and support.

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The Impending Crisis

The Lincoln-Douglas Debates

Period: 1850s

The critical issues dividing the nation--slavery versus free labor, popular sovereignty, and the legal and political status of black Americans --were brought into sharp focus in a series of dramatic debates during the 1858 election campaign for U.S. senator from Illinois. The campaign pitted a little-known lawyer from Springfield named Abraham Lincoln against Senator Stephen A. Douglas, the front runner for the Democratic presidential nomination in 1860.

The public knew little about the man the Republicans selected to run against Douglas. Lincoln had been born on February 12, 1809, in a log cabin near Hodgenville, Kentucky, and he grew up on the wild Kentucky and Indiana frontier. At the age of 21, he moved to Illinois, where he worked as a clerk in a country store, volunteered to fight Indians in the Black Hawk War, became a local postmaster and a lawyer, and served four terms in the lower house of the Illinois General Assembly.

A Whig in politics, Lincoln was elected in 1846 to the U.S. House of Representatives, but his stand against the Mexican War had made him too unpopular to win reelection. After the passage of the Kansas-Nebraska Act in 1854, Lincoln reentered politics, and in 1858 the Republican Party nominated him to run against Douglas for the Senate.

Lincoln accepted the Republican nomination with the famous words: "A house divided against itself cannot stand. I believe this Government cannot endure permanently half-slave and half-free." He did not believe the Union would fall, but he did predict that it would cease to be divided. Lincoln proceeded to argue that Stephen Douglas's Kansas-Nebraska Act and the Supreme Court's Dred Scott decision were part of a conspiracy to make slavery lawful "in all the States, old as well as new--North as well as South."

For four months Lincoln and Douglas crisscrossed Illinois, traveling nearly 10,000 miles and participating in seven face-to-face debates before crowds of up to 15,000.

Douglas's strategy in the debates was to picture Lincoln as a fanatical "Black Republican" whose goal was to incite civil war, emancipate the slaves, and make blacks the social and political equals of whites.

Lincoln denied that he was a radical. He said that he supported the Fugitive Slave Law and opposed any interference with slavery in the states where it already existed.

During the course of the debates, Lincoln and Douglas presented two sharply contrasting views of the problem of slavery. Douglas argued that slavery was a dying institution that had reached its natural limits and could not thrive where climate and soil were inhospitable. He asserted that the problem of slavery could best be resolved if it were treated as essentially a local problem.

Lincoln, on the other hand, regarded slavery as a dynamic, expansionistic institution, hungry for new territory. He argued that if Northerners allowed slavery to spread unchecked, slaveowners would make slavery a national institution and would reduce all laborers, white as well as black, to a state of virtual slavery.

The sharpest difference between the two candidates involved the issue of black Americans' legal rights. Douglas was unable to conceive of blacks as anything but inferior to whites, and he was unalterably opposed to Negro citizenship. "I want citizenship for whites only," he declared. Lincoln said that he, too, was opposed to "bringing about in any way the social and political equality of the white and black races." But he insisted that black Americans were equal to Douglas and "every living man" in their right to life, liberty, and the fruits of their own labor.

The debates reached a climax on a damp, chilly August 27. At Freeport, Illinois, Lincoln asked Douglas to reconcile the Supreme Court's Dred Scott decision, which denied Congress the power to exclude slavery from a territory, with popular sovereignty. Could the residents of a territory "in any lawful way" exclude slavery prior to statehood?

Douglas replied by stating that the residents of a territory could exclude slavery by refusing to pass laws protecting slaveholders' property rights. "Slavery cannot exist a day or an hour anywhere," he declared, "unless it is supported by local police regulations."

Lincoln had maneuvered Douglas into a trap. Any way he answered, Douglas was certain to alienate Northern Free Soilers or proslavery Southerners. The Dred Scott decision had given slaveowners the right to take their slavery into any western territories. Now Douglas said that territorial settlers could exclude slavery, despite what the Court had ruled. Douglas won reelection, but his cautious statements antagonized Southerners and Northern Free Soilers alike.

In the fall election of 1858, the general public in Illinois did not have an opportunity to vote for either Lincoln or Douglas because the state legislature, and not individual voters, actually elected the Illinois senator. In the final balloting, the Republicans outpolled the Democrats. But the Democrats had gerrymandered the voting districts so skillfully that they kept control of the state legislature.

Although Lincoln failed to win a Senate seat, his battle with Stephen Douglas had catapulted him into the national spotlight and made him a serious presidential possibility in 1860. As Lincoln himself noted, his defeat was "a slip and not a fall."

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Law Creating the Freedmen's Bureau

CHAP. XC.—*An Act to establish a Bureau for the Relief of Freedmen and Refugees.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established in the War Department, to continue during the present war of rebellion, and for one year thereafter, a bureau of refugees, freedmen, and abandoned lands, to which shall be committed, as hereinafter provided, the supervision and management of all abandoned lands, and the control of all subjects relating to refugees and freedmen from rebel states, or from any district of country within the territory embraced in the operations of the army, under such rules and regulations as may be prescribed by the head of the bureau and approved by the President. The said bureau shall be under the management and control of a commissioner to be appointed by the President, by and with the advice and consent of the Senate, whose compensation shall be three thousand dollars per annum, and such number of clerks as may be assigned to him by the Secretary of War, not exceeding one chief clerk, two of the fourth class, two of the third class, and five of the first class. And the commissioner and all persons appointed under this act, shall, before entering upon their duties, take the oath of office prescribed in an act entitled "An act to prescribe an oath of office, and for other purposes," approved July second, eighteen hundred and sixty-two, and the commissioner and the chief clerk shall, before entering upon their duties, give bonds to the treasurer of the United States, the former in the sum of fifty thousand dollars, and the latter in the sum of ten thousand dollars, conditioned for the faithful discharge of their duties respectively, with securities to be approved as sufficient by the Attorney-General, which bonds shall be filed in the office of the first comptroller of the treasury, to be by him put in suit for the benefit of any injured party upon any breach of the conditions thereof.

SEC. 2. *And be it further enacted*, That the Secretary of War may direct such issues of provisions, clothing, and fuel, as he may deem needful for the immediate and temporary shelter and supply of destitute and suffering refugees and freedmen and their wives and children, under such rules and regulations as he may direct.

SEC. 3. *And be it further enacted*, That the President may, by and with the advice and consent of the Senate, appoint an assistant commissioner for each of the states declared to be in insurrection, not exceeding ten in number, who shall, under the direction of the commissioner, aid in the execution of the provisions of this act; and he shall give a bond to the Treasurer of the United States, in the sum of twenty thousand dollars, in the form and manner prescribed in the first section of this act. Each of said commissioners shall receive an annual salary of two thousand five hundred dollars in full compensation for all his services. And any military officer may be detailed and assigned to duty under this act without increase of pay or allowances. The commissioner shall, before the commencement of each regular session of congress, make full report of his proceedings with exhibits of the state of his accounts to the President, who shall communicate the same to congress, and shall also make special reports whenever required to do so by the President or either house of congress; and the assistant commissioners shall make quarterly reports of their proceedings to the commissioner, and also such other special reports as from time to time may be required.

SEC. 4. *And be it further enacted*, That the commissioner, under the direction of the President, shall have authority to set apart, for the use of loyal refugees and freedmen, such tracts of land within the insurrectionary states as shall have been abandoned, or to which the United States shall have acquired title by confiscation or sale, or otherwise, and to every male citizen, whether refugee or freedman, as aforesaid, there shall be assigned not more than forty acres of such land, and the person to whom it was so assigned shall be protected in the use and enjoyment of the land for the term of three years at an annual rent not exceeding six per centum upon the value of such land, as it was appraised by the state authorities in the year eighteen hundred and sixty, for the purpose of taxation, and in case no such appraisal can be found, then the rental shall be based upon the estimated value of the land in said year, to be ascertained in such manner as the commissioner may by regulation prescribe. At the end of said term, or at any time during said term, the occupants of any parcels so assigned may purchase the land and receive such title thereto as the United States can convey, upon paying therefor the value of the land, as ascertained and fixed for the purpose of

determining the annual rent aforesaid.

SEC. 5. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

APPROVED, March 3, 1865.

U.S., *Statutes at Large, Treaties, and Proclamations of the United States of America*, vol. 13 (Boston, 1866), pp. 507–9.

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▶ FREEDMEN'S BUREAU (1865 - 72)



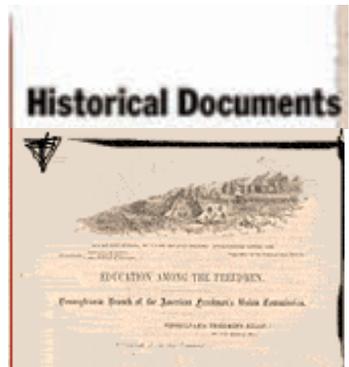
The Bureau of Refugees, Freedmen, and Abandoned Lands was created by Congress in March 1865 to assist for one year in the transition from slavery to freedom in the South. The Bureau was given "the supervision and management of all abandoned lands, and the control of all subjects relating to refugees and freedmen, under such rules and regulations as may be presented by the head of the

Bureau and approved by the President."

The Bureau's task was to help the Southern blacks and whites make the transition from a society based on slavery to one allowing freedom.

The bureau was run by the War Department, and its first and most important commissioner was General O.O. Howard, a Civil War hero sympathetic to blacks. The Bureau's task was to help the Southern blacks and whites make the transition from slavery to freedom.

Their responsibilities included introducing a system of free labor, overseeing some 3,000 schools for freedpersons, settling disputes and enforcing contracts between the usually white landowners and their black labor force, and securing justice for blacks in state courts.



A [broadside](#) from the Pennsylvania Freedmen's Relief Association appealing for funds to hire teachers to educate the freedmen.

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black labor force, and securing justice for blacks in state courts. The Bureau was renewed by a Congressional bill in 1866 but was vetoed by President Andrew Johnson, who thought it was unconstitutional. Johnson was opposed to having the federal government secure black rights. Congress passed the bill over his veto. Southern whites were basically opposed to blacks having any rights at all, and the Bureau lacked military force to back up its authority as the army had been quickly disbanded and most of the soldiers assigned to the Western frontier. The Bureau was able to accomplish some of its goals, especially in the field of education. It established a number of colleges and training schools for blacks, including Howard University (named for General Howard) and Hampton Institute. Howard believed

that the mission of the Bureau was a temporary one, wanting to avoid black dependency on the federal agency. He firmly believed that African Americans should obtain all their rights as quickly as possible, but failed to see that because of Southern white hostility long-term support was necessary for them to do so. The Bureau also failed to bring together whites and blacks in the South because it lacked the means to do so. It needed support from Southern and Northern politicians and received little help from either. Its staff was cut



Learn about General O'Howard, head of the Freedmen's Bureau.

significantly by 1869 and it ceased operations in 1872.

-- Richard Wormser

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Transcript of Compromise of 1850 (1850)

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Note: The six documents transcribed here are Henry Clay's Resolution and the five statutes approved by Congress. The acts called for the admission of California as a "free state," provided for a territorial government for Utah and New Mexico, established a boundary between Texas and the United States, called for the abolition of slave trade in Washington, DC, and amended the Fugitive Slave Act.

CLAY'S RESOLUTIONS January 29, 1850

It being desirable, for the peace, concord, and harmony of the Union of these States, to settle and adjust amicably all existing questions of controversy between them arising out of the institution of slavery upon a fair, equitable and just basis: therefore,

1. Resolved, That California, with suitable boundaries, ought, upon her application to be admitted as one of the States of this Union, without the imposition by Congress of any restriction in respect to the exclusion or introduction of slavery within those boundaries.
2. Resolved, That as slavery does not exist by law, and is not likely to be introduced into any of the territory acquired by the United States from the republic of Mexico, it is inexpedient for Congress to provide by law either for its introduction into, or exclusion from, any part of the said territory; and that appropriate territorial governments ought to be established by Congress in all of the said territory, not assigned as the boundaries of the proposed State of California, without the adoption of any restriction or condition on the subject of slavery.
3. Resolved, That the western boundary of the State of Texas ought to be fixed on the Rio del Norte, commencing one marine league from its mouth, and running up that river to the southern line of New Mexico; thence with that line eastwardly, and so continuing in the same direction to the line as established between the United States and Spain, excluding any portion of New Mexico, whether lying on the east or west of that river.
4. Resolved, That it be proposed to the State of Texas, that the United States will provide for the payment of all that portion of the legitimate and bona fide public debt of that State contracted prior to its annexation to the United States, and for which the duties on foreign imports were pledged by the said State to its creditors, not exceeding the sum of dollars, in consideration of the said duties so pledged having been no longer applicable to that object after the said annexation, but having thenceforward become payable to the United States; and upon the condition, also, that the said State of Texas shall, by some solemn and authentic act of her legislature or of a convention, relinquish to the United States any claim which it has to any part of New Mexico.
5. Resolved, That it is inexpedient to abolish slavery in the District of Columbia whilst that institution continues to exist in the State of Maryland, without the consent of that State, without the consent of the people of the District, and without just compensation to the owners of slaves within the District.
6. But, resolved, That it is expedient to prohibit, within the District, the slave trade in slaves brought into it from States or places beyond the limits of the District, either to be sold therein as merchandise, or to be transported to other markets without the District of Columbia.
7. Resolved, That more effectual provision ought to be made by law, according to the requirement of the constitution, for the restitution and delivery of persons bound to service or labor in any State, who may escape into any other State or Territory in the Union. And,

8. Resolved, That Congress has no power to promote or obstruct the trade in slaves between the slaveholding States; but that the admission or exclusion of slaves brought from one into another of them, depends exclusively upon their own particular laws.

An Act proposing to the State of Texas the Establishment of her Northern and Western Boundaries, the Relinquishment by the said State of all Territory claimed by her exterior to said boundaries, and of all her Claims upon the United States, and to establish a territorial Government for New Mexico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following propositions shall be, and the same hereby are, offered to the State of Texas, which, when agreed to by the said State, in an act passed by the general assembly, shall be binding and obligatory upon the United States, and upon the said State of Texas: Provided, The said agreement by the said general assembly shall be given on or before the first day of December, eighteen hundred and fifty:

FIRST. The State of Texas will agree that her boundary on the north shall commence at the point at which the meridian of one hundred degrees west from Greenwich is intersected by the parallel of thirty-six degrees thirty minutes north latitude, and shall run from said point due west to the meridian of one hundred and three degrees west from Greenwich; thence her boundary shall run due south to the thirty-second degree of north latitude; thence on the said parallel of thirty-two degrees of north latitude to the Rio Bravo del Norte, and thence with the channel of said river to the Gulf of Mexico.

SECOND. The State of Texas cedes to the United States all her claim to territory exterior to the limits and boundaries which she agrees to establish by the first article of this agreement.

THIRD. The State of Texas relinquishes all claim upon the United States for liability of the debts of Texas, and for compensation or indemnity for the surrender to the United States of her ships, forts, arsenals, custom-houses, custom-house revenue, arms and munitions of war, and public buildings with their sites, which became the property of the United States at the time of the annexation.

FOURTH. The United States, in consideration of said establishment of boundaries, cession of claim--to territory, and relinquishment of claims, will pay to the State of Texas the sum of ten millions of dollars in a stock bearing five per cent. interest, and redeemable at the end of fourteen years, the interest payable half-yearly at the treasury of the United States.

FIFTH. Immediately after the President of the United States shall have been furnished with an authentic copy of the act of the general assembly of Texas accepting these propositions, he shall cause the stock to be issued in favor of the State of Texas, as provided for in the fourth article of this agreement: Provided, also, That no more than five millions of said stock shall be issued until the creditors of the State holding bonds and other certificates of stock of Texas for which duties on imports were specially pledged, shall first file at the treasury of the United States releases of all claim against the United States for or on account of said bonds or certificates in such form as shall be prescribed by the Secretary of the Treasury and approved by the president of the United States: Provided, That nothing herein contained. shall be construed to impair or qualify any thing contained in the third article of the second section of the " joint resolution for annexing Texas to the United States," approved March first, eighteen hundred and forty-five; either as regards the number of States that may here- after be formed out of the State of Texas, or otherwise.

SEC. 2. And be it further enacted, That all that portion of the Territory of the United States bounded as follows: Beginning at a point in the Colorado River where the boundary line with the republic of Mexico crosses the same; thence eastwardly with the said boundary line to the Rio Grande; thence following the main channel of said river the parallel of the thirty-second degree of north latitude ; thence east with said degree to its intersection with the one hundred and third degree of longitude west of Greenwich; thence north with said degree of longitude to the parallel of thirty-eighth degree of north latitude; thence west with said parallel to the summit of the Sierra Madre ; thence south with the crest of said mountains to the thirty-seventh parallel of north latitude; thence west with said parallel to its intersection with the boundary line of the State of California ; thence with said boundary line to the place of beginning- be, and the same is hereby, erected into a temporary government, by the name of the Territory of New Mexico: Provided, That

nothing in this act contained shall be construed to inhibit the government of the United States from dividing said Territory into two or more Territories, in such manner and at such times as Congress shall deem convenient and proper, or from attaching any portion thereof to any other Territory or State: And provided, further, That, when admitted as a State, the said Territory, or any portion of the same, shall be received into the Union, with or without slavery, as their constitution may prescribe at the time of their admission.

SEC. 3. And be it further enacted, That the executive power and authority in and over said Territory of New Mexico shall be vested in , a governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The governor shall reside within said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian affairs, and shall approve all laws passed by the legislative assembly before they shall take effect; he may grant pardons for offences against the laws of said Territory, and reprieves for offences against the laws of the United States, until the decision of the President can be made known thereon. he shall commission all officers who shall be appointed to office under the laws of the said Territory, and shall take care that the laws be faithfully executed.

SEC. 4. And be it further enacted, That there shall be a secretary of said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States ; .he shall record and preserve all the laws and proceedings of the legis- lative assembly hereinafter constituted and all the acts and proceed- ings of the governor in his executive department ; he shall transmit one copy of the laws and one copy of the executive proceedings, on or before the first day of December in each year, to the President of the United States, and, at the same time, two copies of the laws to the Speaker of the House of Representatives and the President of the Senate, for the use of Congress. And, in case of the death, removal, resignation, or other necessary absence of the governor from the Terri- tory, the secretary shall have, and he is hereby authorized and required to execute and perform all the powers and duties of the governor during such vacancy or necessary absence, or until another governor shall be duly appointed to fill such vacancy.

SEC. 5. And be it further enacted, That the legislative power and authority of said Territory shall be vested in the governor and a legislative assembly. The legislative assembly shall consist of a Council and House of Representatives. The Council shall consist of thirteen members, having the qualifications of voters as hereinafter prescribed, whose term of service shall continue two years. The House of Representatives shall consist of twenty-six members, possess- ing the same qualifications as prescribed for members of the Council, and whose term of service shall continue one year. An apportionment shall be made, as nearly equal as practicable, among the several coun- ties or districts, for the election of the Council and House of Repre- sentatives, giving to each section of the Territory representation in the ratio of its population, (Indians excepted,) as nearly as may be. And the members of the Council and of the House of Representatives shall reside in, and be inhabitants of, the district for which they may be elected respectively. Previous to the first election, the governor shall cause a census or enumeration of the inhabitants of the several counties and districts of the Territory to be taken, and the first elec- tion shall be held at such time and places, and be conducted in such manner, as the governor shall appoint and direct; and he shall, at the same time, declare the number of the members of the Council and House of Representatives to which each of the counties or districts shall be entitled under this act. The number of persons authorized to be elected having the highest number of votes in each of said Coun- cil districts, for members of the Council, shall be declared by the gov- ernor to be duly elected to the Council; and the person or persons authorized to be elected having the greatest number of votes for the House of Representatives, equal to the number to which each county or district shall be entitled, shall be declared by the governor to be duly elected members of the House of Representatives: Provided, That in case of a tie- between two or more persons voted for, the gov- ernor shall order a new election to supply the vacancy made by such tie. And the persons thus elected to the legislative assembly shall meet at such place and on such day as the governor shall appoint; but thereafter, the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the Council and House of Repre- sentatives according to the population, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the legislative assembly: Provided,

That no one session shall exceed the term of forty days.

SEC. 6. And be it further enacted, That every free white male inhabitant, above the age of twenty-one years, who shall have been a resident of said Territory at the time of the passage of this act, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters and of holding office, at all subsequent elections, shall be such as shall be prescribed by the legislative assembly: Provided, That the right of suffrage, and of holding office, shall be exercised only by citizens of the United States, including those recognized as citizens by the treaty with the republic of Mexico, concluded February second, eighteen hundred and forty-eight.

SEC. 7. And be it further enacted, That the legislative power of the Territory shall extend to all rightful subjects of legislation, consistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. All the laws passed by the legislative assembly and governor shall be submitted to the Congress of the United States, and, if disapproved, shall be null and of no effect.

SEC. 8. And be it further enacted, That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the governor and legislative assembly of the Territory of New Mexico. The governor shall nominate, and, by and with the advice and consent of the legislative Council, appoint, an officers not herein otherwise provided for; and in the first instance the governor alone may appoint all said officers, who shall hold their offices until the end of the first session of the legislative assembly, and shall lay off the necessary districts for members of the Council and House of Representatives, and all other officers.

SEC. 9. And be it further enacted, That no member of the legislative assembly shall hold, or be appointed to, any office which shall have been created, or the salary or emoluments of which shall have been increased while he was a member, during the term for which he was elected, and for one year after the expiration of such term; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the legislative assembly, or shall hold any office under the government of said Territory.

SEC. 10. And be it further enacted, That the judicial power of said Territory shall be vested in a Supreme Court, District Courts, Probate Courts, and in justices of the peace. The Supreme Court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually, and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a District Court shall be held in each of said districts by one of the justices of the Supreme Court, at such time and place as may be prescribed by law; and the said judges shall, after their appointments, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the Probate Courts and of justices of the peace, shall be as limited by law: Provided, That justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said Supreme and District Courts, respectively, shall possess chancery as well as common law jurisdiction. Each District Court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exception, and appeals, shall be allowed in all cases from the final decisions of said District Courts to the Supreme Court, under such regulations as may be prescribed by law, but in no case removed to the Supreme Court shall trial by jury be allowed in said court. The Supreme Court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error and appeals from the final decisions of said Supreme Court shall be allowed, and may be taken to the Supreme Court of the United States, in the same manner and under the same regulations as from the Circuit Courts of the United States, where the value of the property or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; except only that in all cases involving title to slaves, the said

writs of error or appeals shall be allowed and decided by the said Supreme Court without regard to the value of the matter, property, or title in controversy; and except also that a writ of error or appeal shall also be allowed to the Supreme Court of the United States from the decision of the said Supreme Court created by this act, or of any judge thereof, or of the District Courts created by this act, or of any judge thereof, upon any writ of habeas corpus involving the question of personal freedom; and each of the said District Courts shall have and exercise the same jurisdiction in all cases arising under the Constitution and laws of the United States as is vested in the Circuit and District Courts of the United States; and the said Supreme and District Courts of the said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are grantable by the judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said Constitution and laws; and writs of error and appeals in all such cases shall be made to the Supreme Court of said Territory, the same as in other cases. The said clerk shall receive in all such cases the same fees which the clerks of the District Courts of Oregon Territory now receive for similar services.

SEC. 11. And be it further enacted, That there shall be appointed an attorney for said Territory, who shall continue in office for four years, unless sooner removed by the President, and who shall receive the same fees and salary as the attorney of the United States for the present Territory of Oregon. There shall also be a marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the president, and who shall execute all processes issuing from the said courts when exercising their jurisdiction as Circuit and District Courts of the United States: he shall perform the duties, be subject to the same regulation and penalties, and be entitled to the same fees as the marshal of the District Court of the United States for the present Territory of Oregon, and shall, in addition, be paid two hundred [dollars] annually as a compensation for extra services.

SEC. 12. And be it further enacted, That the governor secretary, chief justice and associate justices, attorney and marshal shall be nominated, and, by and with the advice and consent of the Senate, appointed by the President of the United States. The governor and secretary, to be appointed as aforesaid, shall, before they act as such, respectively take an oath or affirmation, before the district judge, or some justice of the peace in the limits of said Territory, duly authorized to administer oaths and affirmations by the laws now in force therein, or before the chief justice or some associate justice of the Supreme Court of the United States, to support the Constitution of the United States, and faithfully to discharge the duties of their respective offices; which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken, and such certificates shall be received and recorded by the said secretary among the executive proceedings; and the chief justice and associate justices, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation, before the said governor or secretary, or some judge or justice of the peace of the Territory, who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted, by the person taking the same, to the secretary, to be by him recorded as aforesaid; and afterwards, the like oath or affirmation shall be taken, certified, and recorded, in such manner and form as may be prescribed by law. The governor shall receive an annual salary of fifteen hundred dollars as governor, and one thousand dollars as superintendent of Indian affairs. The chief justice and associate justices shall each receive an annual salary of eighteen hundred dollars. The secretary shall receive an annual salary of eighteen hundred dollars. The said salaries shall be paid quarter-yearly, at the treasury of the United States. The members of the legislative assembly shall be entitled to receive three dollars each per day during their attendance at the sessions thereof, and three dollars each for every twenty miles' travel in going to and returning from the said sessions, estimated according to the nearest usually travelled route. There shall be appropriated annually the sum of one thousand dollars, to be expended by the governor, to defray the contingent expenses of the Territory; there shall also be appropriated annually a sufficient sum to be expended by the secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the legislative assembly, the printing of the laws, and other incidental expenses ; and the secretary of the Territory shall annually account to the Secretary of the Treasury of the United States for the manner in which the aforesaid sum shall have been expended.

SEC. 13. And be it further enacted, That the legislative assembly of the Territory of New Mexico shall hold its first session at such time and place in said Territory as the Governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the governor and legislative assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem eligible; which place, however, shall thereafter be subject to be changed by the said governor and legislative assembly.

SEC. 14. And be it further enacted, That a delegate to the House of Representatives of the United States, to serve during each Congress of the United States, may be elected by the voters qualified to elect members of the legislative assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives. The first election shall be held at such time and places, and be conducted in such manner, as the governor shall appoint and direct; and at all subsequent elections, the times, places, and manner of holding the elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the governor to be duly elected, and a certificate thereof shall be given accordingly: Provided, That such delegate shall receive no higher sum for mileage than is allowed by law to the delegate from Oregon.

SEC. 15. And be it further enacted, That when the lands in said Territory shall be surveyed under the direction of the government of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township in said Territory shall be, and the same are hereby, reserved for the purpose of being applied to schools in said Territory, and in the States and Territories hereafter to be erected out of the same. .

SEC. 16. And be it further enacted, That temporarily and until otherwise provided by law, the governor of said Territory may define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts, by proclamation to be issued by him; but the legislative assembly, at their first or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

SEC. 17. And be it further enacted, That the Constitution, and all laws of the United States which are not locally inapplicable, shall have the same force and effect within the said Territory of New Mexico as elsewhere within the United States.

SEC. 18. And be it further enacted, That the provisions of this act be, and they are hereby, suspended until the boundary between the United States and the State of Texas shall be adjusted; and when such adjustment shall have been effected, the President of the United States shall issue his proclamation, declaring this act to be in full force and operation, and shall proceed to appoint the officers herein provided to be appointed in and for said Territory.

SEC. 19. And be it further enacted, That no citizen of the United States shall be deprived of his life, liberty, or property, in said Territory, except by the judgment of his peers and the laws of the land.

APPROVED, September 9, 1850.

An Act for the admission of the State of California into the Union.

Whereas the people of California have presented a constitution and asked admission into the Union, which constitution was submitted to Congress by the President of the United States, by message dated February thirteenth, eighteen hundred and fifty, and which, on due examination, is found to be republican in its form of government:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of California shall be one, and is hereby declared to be one, of the United States

of America, and admitted into the Union on an equal footing with the original States in all respects whatever.

SEC. 2. And be it further enacted, That, until the representatives in Congress shall be apportioned according to an actual enumeration of the inhabitants of the United States, the State of California shall be entitled to two representatives in Congress.

SEC. 3. And be it further enacted, That the said State of California is admitted into the Union upon the express condition that the people of said State, through their legislature or otherwise, shall never interfere with the primary disposal of the public lands within its limits, and shall pass no law and do no act whereby the title of the United States to, and right to dispose of, the same shall be impaired or questioned; and that they shall never lay any tax or assessment of any description whatsoever upon the public domain of the United States, and in no case shall non-resident proprietors, who are citizens of the United States, be taxed higher than residents; and that all the navigable waters within the said State shall be common highways, and forever free, as well to the inhabitants of said State as to the citizens of the United States, without any tax, impost, or duty therefor: Provided, That nothing herein contained shall be construed as recognizing or rejecting the propositions tendered by the people of California as articles of compact in the ordinance adopted by the convention which formed the constitution of that State.

APPROVED, September 9, 1850.

An Act to establish a Territorial Government for Utah.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States included within the following limits, to wit: bounded on the west by the State of California, on the north by the Territory of Oregon, and on the east by the summit of the Rocky Mountains, and on the south by the thirty-seventh parallel of north latitude, be, and the same is hereby, created into a temporary government, by the name of the Territory of Utah; and, when admitted as a State, the said Territory, or any portion of the same, shall be received into the Union, with or without slavery, as their constitution may prescribe at the time of their admission: Provided, That nothing in this act contained shall be construed to inhibit the government of the United States from dividing said Territory into two or more Territories, in such manner and at such times as Congress shall deem convenient and proper, or from attaching any portion of said Territory to any other State or Territory of the United States.

SEC. 2. And be it further enacted, That the executive power and authority in and over said Territory of Utah shall be vested in a governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The governor shall reside within said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian affairs, and shall approve all laws passed by the legislative assembly before they shall take effect: he may grant pardons for offences against the laws of said Territory, and reprieves for offences against the laws of the United States, until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the said Territory, and shall take care that the laws be faithfully executed.

SEC. 3. And be it further enacted, That there shall be a secretary of said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States: he shall record and preserve all the laws and proceedings of the legislative assembly hereinafter constituted, and all the acts and proceedings of the governor in his executive department; he shall transmit one copy of the laws and one copy of the executive proceedings, on or before the first day of December in each year, to the President of the United States, and, at the same time, two copies of the laws to the Speaker of the House of Representatives, and the President of the Senate, for the use of Congress. And in the case of the death, removal, resignation, or other necessary absence of the governor from the Territory, the secretary shall have, and he is hereby authorized and required to execute and perform, all the powers and duties of the governor during such vacancy or necessary absence, or until another governor shall be duly appointed to

fill such vacancy.

SEC. 4. And be it further enacted, That the legislative power and authority of said Territory shall be vested in the governor and a legislative assembly. The legislative assembly shall consist of a Council and House of Representatives. The Council shall consist of thirteen members, having the qualifications of voters as hereinafter prescribed, whose term of service shall continue two years. The House of Representatives shall consist of twenty-six members, possessing the same qualifications as prescribed for members of the Council, and , whose term of service shall continue one year. An apportionment shall be made, as nearly equal as practicable, among the several coun-ties or districts, for the election of the Council and House of Repre- sentatives, giving to each section of the Territory representation in the ratio of its population, Indians excepted, as nearly as may be. And the members of the Council and of the House of Representatives shall reside in, and be inhabitants of, the district for which they may be elected respectively. Previous to the first election, the governor shall cause a census or enumeration of the inhabitants of the several coun- ties and districts of the Territory to be taken, and the first election shall be held at such time and places, and be conducted in such manner, as the governor shall appoint and direct; and he shall, at the same time, declare the number of members of the Council and House of Representatives to which each of the counties or districts shall be entitled under this act. The number of persons authorized to be elected hav- ing the highest number of votes in each of said Council districts for members of the Council, shall be declared by the governor to be duly elected to the Council; and the person or persons authorized to be elected having the highest number of votes for the House of Repe- sentatives, equal to the number to which each county or district shall be entitled, shall be declared by the governor to be duly elected mem- bers or the House of Representatives: Provided, That in case of a tie between two or more persons voted for, the governor shall order a new election to supply the vacancy made by such a tie. And the persons thus elected to the legislative assembly shall meet at such place, and on such day, as the governor shall appoint; but thereafter, the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the Council and House of Representatives, according to population, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the legislative assembly: Provided That no one session shall exceed the term of forty days.

SEC. 5. And be it further enacted, That every free white male inhabitant above the age of twenty-one years, who shall have been a resident or said Territory at the time of the passage of this act, shall he entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters and of hold- ing office, at all subsequent elections, shall be such as shall be pre- scribed by the legislative assembly: Provided, That the right of suffrage and of holding office shall be exercised only by citizens of the United States, including those recognized as citizens by the treaty with the republic of Mexico, concluded February second, eighteen hundred and forty-eight.

SEC. 6. And be it further enacted, That the legislative power of said Territory shall extend to all rightful subjects of legislation, con- sistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. All the laws passed by the legislative assembly and governor shall be submit- ted to the Congress of the United States, and, if disapproved, shall be null and of no effect.

SEC. 7. And be it further enacted, That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the governor and legislative assembly of the territory of Utah. The governor shall nominate, and, by and with the advice and consent of the legislative Council, appoint all officers not herein otherwise pro- vided for; and in the first instance the governor alone may appoint all said officers, who shall hold their offices until the end of the first ses- sion of the legislative assembly, and shall layoff the necessary dis- tricts for members of the Council and House of Representatives, and all other offices.

SEC. 8. And be it further enacted, That no member of the legislative assembly shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased

while he was a member, during the term for which he was elected, and for one year after the expiration of such term; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the legislative assembly, or shall hold any office under the government of said Territory.

SEC. 9. And be it further enacted, That the judicial power of said Territory shall be vested in a Supreme Court, District Courts, Probate Courts, and in justices of the peace. The Supreme Court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the Seat of government of said Territory annually, and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a District Court shall be held in each of said districts by one of the justices of the Supreme Court, at such time and place as may be prescribed by law; and the said judges shall, after their appointments, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the Probate Courts and of justices of the peace, shall be as limited by law: Provided, That justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said Supreme and District Courts, respectively, shall possess chancery as well as common law jurisdiction. Each District Court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exception, and appeals shall be allowed in all cases from the final decisions of said District Courts to the Supreme Court, under such regulations as may be prescribed by law; but in no case removed to the Supreme Court shall trial by jury be allowed in said court. The Supreme Court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error, and appeals from the final decisions of said Supreme Court, shall be allowed, and may be taken to the Supreme Court of the United States, in the same manner and under the same regulations as from the Circuit Courts of the United States, where the value of the property or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars, except only that, in all cases involving title to slaves, the said writs of error or appeals shall be allowed and decided by the said Supreme Court, without regard to the value of the matter, property, or title in controversy; and except also, that a writ of error or appeal shall also be allowed to the Supreme Court of the United States, from the decisions of the said Supreme Court created by this act or of any judge thereof or of the District Courts created by this act or of any judge thereof, upon any writ of habeas corpus involving the question of personal freedom; and each of the said District Courts shall have and exercise the same jurisdiction in all cases arising under the Constitution and laws of the United States as is vested in the Circuit and District Courts of the United States; and the said Supreme and District Courts of the said Territory, and the respective judges thereof shall and may grant writs of habeas corpus in all cases in which the same are granted by the judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said Constitution and laws; and writs of error and appeal, in all such cases, shall be made to the Supreme Court of said Territory, the same as in other cases. The said clerk shall receive in all such cases the same fees which the clerks of the District Courts of Oregon Territory now receive for similar services.

SEC. 10. And be it further enacted, That there shall be appointed an attorney for said Territory, who shall continue in office for four years, unless sooner removed by the President, and who shall receive the same fees and salary as the attorney of the United States for the present Territory of Oregon. There shall also be a marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the President, and who shall execute all processes issuing from the said courts, when exercising their jurisdiction as Circuit and District Courts of the United States: he shall perform the duties, be subject to the same regulation and penalties, and be entitled to the same fees as the marshal of the District Court of the United States for the present Territory of Oregon; and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.

SEC. 11. And be it further enacted, That the governor, secretary, chief justice and associate justices,

attorney and marshal, shall be nominated, and, by and with the advice and consent of the Senate, appointed by the President of the United States. The governor and secretary to be appointed as aforesaid shall, before they act as such, respectively, take an oath or affirmation, before the district judge, or some justice of the peace in the limits of said Territory, duly authorized to administer oaths and affirmations by the laws now in force there-in or before the chief justice or some associate justice of the Supreme Court of the United States, to support the Constitution of the United States, and faithfully to discharge the duties of their respective offices ; which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken, and such certificates shall be received and recorded by the said secretary among the executive proceedings; and the chief justice and associate justices, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation, before the said governor or secretary, or some judge or justice of the peace of the Territory who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted, by the person taking the same, to the secretary, to be by him recorded as aforesaid; and afterwards, the like oath or affirmation shall be taken, certified, and recorded, in such manner and form as may be prescribed by law. The governor shall receive an annual salary of fifteen hundred dollars as governor, and one thousand dollars as superintendent of Indian affairs. The chief justice and associate justices shall each receive an annual salary of eighteen hundred dollars. The secretary shall receive an annual salary of eighteen hundred dollars. The said salaries shall be paid quarterly, at the treasury of the United States. The members of the legislative assembly shall be entitled to receive three dollars each per day during their attendance at the sessions thereof, and three dollars each for twenty miles' travel, in going to and returning from the said sessions, estimated according to the nearest usually travelled route. There shall be appropriated annually the sum of one thousand dollars, to be expended by the governor, to defray the contingent expenses of the Territory. There shall also be appropriated, annually, a sufficient sum, to be expended by the secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the legislative assembly, the printing of the laws, and other incidental expenses; and the secretary of the Territory shall annually account to the Secretary of the Treasury of the United States for the manner in which the aforesaid sum shall have been expended.

SEC. 12. And be it further enacted, That the legislative assembly of the Territory of Utah shall hold its first session at such time and place in said Territory as the governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the governor and legislative assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem eligible; which place, however, shall thereafter be, subject to be changed by the said governor and legislative assembly. And the sum of twenty thousand dollars, out of any money in the treasury not otherwise appropriated, is hereby appropriated and granted to said Territory of Utah to be applied by the governor and legislative assembly to the erection of suitable public buildings at the seat of government.

SEC. 13. And be it further enacted, That a delegate to the House of Representatives of the United States, to serve during each Congress of the United States, may be elected by the voters qualified to elect members of the legislative assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives. The first election shall be held at such time and places, and be conducted in such manner, as the governor shall appoint and direct; and at all subsequent elections, the times, places, and manner of holding the elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the governor to be duly elected, and a certificate thereof shall be given accordingly : Provided, That said delegate shall receive no higher sum for mileage than is allowed by law to the delegate from Oregon.

SEC. 14. And be it further enacted, That the sum of five thousand dollars be, and the same is hereby, appropriated out of any moneys in the treasury not otherwise appropriated, to be expended by and under the direction of the said governor of the territory of Utah, in the purchase of a library, to be kept at the seat of government for the use of the governor, legislative assembly, judges of the Supreme Court, secretary, marshal, and attorney of said Territory, and such other persons, and under such regulations, as shall be

prescribed by law.

SEC. 15. And be it further enacted, That when the lands in the said Territory shall be surveyed under the direction of the government of the United States preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township in said Territory shall be, and the same are hereby, reserved for the purpose of being applied to schools in said Territory, and in the States and Territories hereafter to be erected out of the same.

SEC. 16. And be it further enacted, That temporarily, and until otherwise provided by law, the governor of said Territory may define the judicial districts of said Territory, and assign the judges who maybe appointed for said Territory to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts, by proclamation to be issued by him; but the legislative assembly, at their first or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

SEC. 17. And be it further enacted, That the Constitution and laws of the United States are hereby extended over and declared to be in force in said Territory of Utah, so far as the same, or any provision thereof, may be applicable.

APPROVED, September 9, 1850.

An Act to amend, and supplementary to, the Act entitled "An Act respecting Fugitives from Justice, and Persons escaping from the Service of their Masters," approved February twelfth, one thousand seven hundred and ninety-three.

Be it enacted by the Senate and House of Representatives of the United States of America in congress assembled, That the persons who have been, or may hereafter be, appointed commissioners, in virtue of any act of Congress, by the Circuit Courts of the United States and who, in consequence of such appointment, are authorized to exercise the powers that any justice of the peace, or other magistrate of any of the United States, may exercise in respect to offenders for any crime or offence against the United States, by arresting, imprisoning, or bailing the same under and by virtue of the thirty-third section of the act of the twenty-fourth of September seventeen hundred and eighty-nine, entitled "An Act to establish the Judicial courts of the United States," shall be, and are hereby, authorized and required to exercise and discharge all the powers and duties conferred by this act.

SEC. 2. And be it further enacted, That the Superior Court of each organized Territory of the United States shall have the same power to appoint commissioners to take acknowledgements of bail and affidavits and to take depositions of witnesses in civil causes, which is now possessed by the Circuit Court of the United States; and all commissioners who shall hereafter be appointed for such purposes by the Superior Court of any organized Territory of the United States, shall possess all the powers, and exercise all the duties, conferred by law upon the commissioners appointed by the Circuit Courts of the United States for similar purposes, and shall moreover exercise and discharge all the powers and duties conferred by this act.

SEC. 3. And be it further enacted, That the Circuit Courts of the United States, and the Superior Courts of each organized Territory of the United States, shall from time to time enlarge the number of commissioners, with a view to afford reasonable facilities to reclaim fugitives from labor, and to the prompt discharge of the duties imposed by this act.

SEC. 4. And be it further enacted, That the commissioners above named shall have concurrent jurisdiction with the judges of the Circuit and District Courts of the United States, in their respective circuits and districts within the several States, and the judges of the Superior Courts of the Territories, severally and collectively, in term-time and vacation; and shall grant certificates to such claimants, upon satisfactory proof being made, with authority to take and remove such fugitives from service or labor, under the restrictions herein contained, to the State or Territory from which such persons may have escaped or fled.

SEC. 5. And be it further enacted, That it shall be the duty of all marshals and deputy marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed ; and should any marshal or deputy marshal refuse to receive such warrant, or other process, when tendered, or to use all proper means diligently to execute the same, he shall, on conviction thereof, be fined in the sum of one thousand dollars, to the use of such claimant, on the motion of such claimant, by the Circuit or District Court for the district of such marshal; and after arrest of such fugitive, by such marshal or his deputy, or whilst at any time in his custody under the provisions of this act, should such fugitive escape, whether with or without the assent of such marshal or his deputy, such marshal shall be liable, on his official bond, to be prosecuted for the benefit of such claimant, for the full value of the service or labor of said fugitive in the State, Territory, or District whence he escaped: and the better to enable the said commissioners, when thus appointed, to execute their duties faithfully and efficiently, in conformity with the requirements of the Constitution of the United States and of this act, they are hereby authorized and empowered, within their counties respectively, to appoint, in writing under their hands, anyone or more suitable persons, from time to time, to execute all such warrants and other process as may be issued by them in the lawful performance of their respective duties; with authority to such commissioners, or the persons to be appointed by them, to execute process as aforesaid, to summon and call to their aid the bystanders, or posse comitatus of the proper county, when necessary to ensure a faithful observance of the clause of the Constitution referred to, in conformity with the provisions of this act ; and all good citizens are hereby commanded to aid and assist in the prompt and efficient execution of this law, whenever their services may be required, as aforesaid, for that purpose; and said warrants shall run, and be executed by said officers, any where in the State within which they are issued.

SEC. 6. And be it further enacted, That when a person held to service or labor in any State or Territory of the United States, has heretofore or shall hereafter escape into another State or Territory of the United States, the person or persons to whom such service or labor may be due, or his, her, or their agent or attorney, duly authorized, by power of attorney, in writing, acknowledged and certified under the seal of some legal officer or court of the State or Territory in which the same may be executed, may pursue and reclaim such fugitive person, either by procuring a warrant from some one of the courts, judges, or commissioners aforesaid, of the proper circuit, district, or county, for the apprehension of such fugitive from service or labor, or by seizing and arresting such fugitive, where the same can be done without process, and by taking, or causing such person to be taken, forthwith before such court, judge, or commissioner, whose duty it shall be to hear and determine the case of such claimant in a summary manner; and upon satisfactory proof being made, by deposition or affidavit, in writing, to be taken and certified by such court, judge, or commissioner, or by other satisfactory testimony, duly taken and certified by some court, magistrate, justice of the peace, or other legal officer authorized to administer an oath and take depositions under the laws of the State or Territory from which such person owing service or labor may have escaped, with a certificate of such magistracy or other authority, as aforesaid, with the seal of the proper court or officer thereto attached, which seal shall be sufficient to establish the competency of the proof, and with proof, also by affidavit, of the identity of the person whose service or labor is claimed to be due as aforesaid, that the person so arrested does in fact owe service or labor to the person or persons claiming him or her, in the State or Territory from which such fugitive may have escaped as aforesaid, and that said person escaped, to make out and deliver to such claimant, his or her agent or attorney, a certificate setting forth the substantial facts as to the service or labor due from such fugitive to the claimant, and of his or her escape from the State or Territory in which such service or labor was due, to the State or Territory in which he or she was arrested, with authority to such claimant, or his or her agent or attorney, to use such reasonable force and restraint as may be necessary, under the circumstances of the case, to take and remove such fugitive person back to the State or Territory whence he or she may have escaped as aforesaid. In no trial or hearing under this act shall the testimony of such alleged fugitive be admitted in evidence; and the certificates in this and the first [fourth] section mentioned, shall be conclusive of the right of the person or persons in whose favor granted, to remove such fugitive to the State or Territory from which he escaped, and shall prevent all molestation of such person or persons by any process issued by any court judge, magistrate, or other person whomsoever.

SEC. 7. And be it further enacted, That any person who shall knowingly and willingly obstruct, hinder, or

prevent such claimant, his agent or attorney, or any person or persons lawfully assisting him, her, or them, from arresting such a fugitive from service or labor, either with or without process as aforesaid, or shall rescue, or attempt to rescue such fugitive from service or labor, from the custody of such claimant, his or her agent or attorney, or other person or persons lawfully assisting as aforesaid, when so arrested, pursuant to the authority herein given and declared; or shall aid, abet, or assist such person so owing service or labor as aforesaid, directly or indirectly, to escape from such claimant, his agent or attorney, or other person or persons legally authorized as aforesaid; or shall harbor or conceal such fugitive, so as to prevent the discovery and arrest of such person, after notice or knowledge of the fact that such person was a fugitive from service or labor as aforesaid, shall, for either of said offences, be subject to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months, by indictment and conviction before the District Court of the United States for the district in which such offence may have been committed, or before the proper court of criminal jurisdiction, if committed within anyone of the organized Territories of the United States; and shall moreover forfeit and pay, by way of civil damages to the party injured by such illegal conduct, the sum of one thousand dollars, for each fugitive so lost as aforesaid, to be recovered by action of debt, in any of the District or Territorial Courts aforesaid, within whose jurisdiction the said offence may have been committed.

SEC. 8. And be it further enacted, That the marshals, their deputies, and the clerks of the said District and Territorial Courts, shall be paid, for their services, the like fees as may be allowed to them for similar services in other cases; and where such services are rendered exclusively in the arrest, custody, and delivery of the fugitive to the claimant, his or her agent or attorney, or where such supposed fugitive may be discharged out of custody for the want of sufficient proof as aforesaid, then such fees are to be paid in the whole by such claimant, his agent or attorney; and in all cases where the proceedings are before a commissioner, he shall be entitled to a fee of ten dollars in full for his services in each case, upon the delivery of the said certificate to the claimant, his or her agent or attorney; or a fee of five dollars in cases where the proof shall not, in the opinion of such commissioner, warrant such certificate and delivery, inclusive of all services incident to such arrest and examination, to be paid, in either case, by the claimant, his or her agent or attorney. The person or persons authorized to execute the process to be issued by such commissioners for the arrest and detention of fugitives from service or labor as aforesaid, shall also be entitled to a fee of five dollars each for each person he or they may arrest and take before any such commissioner as aforesaid, at the instance and request of such claimant, with such other fees as may be deemed reasonable by such commissioner for such other additional services as may be necessarily performed by him or them; such as attending at the examination, keeping the fugitive in custody, and providing him with food and lodging during his detention, and until the final determination of such commissioner; and, in general, for performing such other duties as may be required by such claimant, his or her attorney or agent, or commissioner in the premises, such fees to be made up in conformity with the fees usually charged by the officers of the courts of justice within the proper district or county, as near as may be practicable, and paid by such claimants, their agents or attorneys, whether such supposed fugitives from service or labor be ordered to be delivered to such claimants by the final determination of such commissioners or not.

SEC. 9. And be it further enacted, That, upon affidavit made by the claimant of such fugitive, his agent or attorney, after such certificate has been issued, that he has reason to apprehend that such fugitive will be rescued by force from his or their possession before he can be taken beyond the limits of the State in which the arrest is made, it shall be the duty of the officer making the arrest to retain such fugitive in his custody, and to remove him to the State whence he fled, and there to deliver him to said claimant, his agent, or attorney. And to this end, the officer aforesaid is hereby authorized and required to employ so many persons as he may deem necessary to overcome such force, and to retain them in his service so long as circumstances may require. The said officer and his assistants, while so employed, to receive the same compensation, and to be allowed the same expenses, as are now allowed by law for transportation of criminals, to be certified by the judge of the district within which the arrest is made, and paid out of the treasury of the United States.

SEC. 10. And be it further enacted, That when any person held to service or labor in any State or Territory,

or in the District of Columbia, shall escape therefrom, the party to whom such service or labor shall be due, his, her, or their agent or attorney, may apply to any court of record therein, or judge thereof in vacation, and make satisfactory proof to such court, or judge in vacation, of the escape aforesaid, and that the person escaping owed service or labor to such party. Whereupon the court shall cause a record to be made of the matters so proved, and also a general description of the person so escaping, with such convenient certainty as may be; and a transcript of such record, authenticated by the attestation of the clerk and of the seal of the said court, being produced in any other State, Territory, or district in which the person so escaping may be found, and being exhibited to any judge, commissioner, or other officer authorized by the law of the United States to cause persons escaping from service or labor to be delivered up, shall be held and taken to be full and conclusive evidence of the fact of escape, and that the service or labor of the person escaping is due to the party in such record mentioned. And upon the production by the said party of other and further evidence if necessary, either oral or by affidavit, in addition to what is contained in the said record of the identity of the person escaping, he or she shall be delivered up to the claimant. And the said court, commissioner, judge, or other person authorized by this act to grant certificates to claimants of fugitives, shall, upon the production of the record and other evidences aforesaid, grant to such claimant a certificate of his right to take any such person identified and proved to be owing service or labor as aforesaid, which certificate shall authorize such claimant to seize or arrest and transport such person to the State or Territory from which he escaped: Provided, That nothing herein contained shall be construed as requiring the production of a transcript of such record as evidence as aforesaid. But in its absence the claim shall be heard and determined upon other satisfactory proofs, competent in law.

APPROVED, September 18, 1850.

An Act to suppress the Slave Trade in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of January, eighteen hundred and fifty-one, it shall not be lawful to bring into the District of Columbia any slave whatever, for the purpose of being sold, or for the purpose of being placed in depot, to be subsequently transferred to any other State or place to be sold as merchandize. And if any slave shall be brought into the said District by its owner, or by the authority or consent of its owner, contrary to the provisions of this act, such slave shall thereupon become liberated and free.

SEC. 2. And be it further enacted, That it shall and may be lawful for each of the corporations of the cities of Washington and Georgetown, from time to time, and as often as may be necessary, to abate, break up, and abolish any depot or place of confinement of slaves brought into the said District as merchandize, contrary to the provisions of this act, by such appropriate means as may appear to either of the said corporations expedient and proper. And the same power is hereby vested in the Levy Court of Washington county, if any attempt shall be made, within its jurisdictional limits, to establish a depot or place of confinement for slaves brought into the said District as merchandize for sale contrary to this act.

APPROVED, September 20, 1850.

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Transcript of Gettysburg Address (1863)

Executive Mansion,

Washington, , 186 .

Four score and seven years ago our fathers brought forth, upon this continent, a new nation, conceived in liberty, and dedicated to the proposition that "all men are created equal"

Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived, and so dedicated, can long endure. We are met on a great battle field of that war. We have come to dedicate a portion of it, as a final resting place for those who died here, that the nation might live. This we may, in all propriety do. But, in a larger sense, we can not dedicate -- we can not consecrate -- we can not hallow, this ground-- The brave men, living and dead, who struggled here, have hallowed it, far above our poor power to add or detract. The world will little note, nor long remember what we say here; while it can never forget what they did here.

It is rather for us, the living, ~~to stand here,~~ we here be dedica-ted to the great task remaining before us -- that, from these honored dead we take increased devotion to that cause for which they here, gave the last full measure of devotion -- that we here highly resolve these dead shall not have died in vain; that the nation, shall have a new birth of freedom, and that government of the people by the people for the people, shall not perish from the earth.

Abraham Lincoln, Draft of the Gettysburg Address: Nicolay Copy. Transcribed and annotated by the Lincoln Studies Center, Knox College, Galesburg, Illinois. Available at Abraham Lincoln Papers at the Library of Congress, Manuscript Division (Washington, D.C.: American Memory Project, [2000-02]), <http://memory.loc.gov/ammem/alhtml/malhome.html>.

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Transcript of Kansas-Nebraska Act (1854)

An Act to Organize the Territories of Nebraska and Kansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States included within the following limits, except such portions thereof as are hereinafter expressly exempted from the operations of this act, to wit: beginning at a point in the Missouri River where the fortieth parallel of north latitude crosses the same; then west on said parallel to the east boundary of the Territory of Utah, the summit of the Rocky Mountains; thence on said summit northwest to the forty-ninth parallel of north latitude; thence east on said parallel to the western boundary of the territory of Minnesota; thence southward on said boundary to the Missouri River; thence down the main channel of said river to the place of beginning, be, and the same is hereby, created into a temporary government by the name of the Territory Nebraska; and when admitted as a State or States, the said Territory or any portion of the same, shall be received into the Union with without slavery, as their constitution may prescribe at the time of the admission: Provided, That nothing in this act contained shall be construed to inhibit the government of the United States from dividing said Territory into two or more Territories, in such manner and at such tin as Congress shall deem convenient and proper, or from attaching a portion of said Territory to any other State or Territory of the United States: *Provided further,* That nothing in this act contained shall construed to impair the rights of person or property now pertaining the Indians in said Territory' so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or include any territory which, by treaty with any Indian tribe, is not, without the consent of said tribe, to be included within the territorial line or jurisdiction of any State or Territory; but all such territory shall excepted out of the boundaries, and constitute no part of the Territory of Nebraska, until said tribe shall signify their assent to the President of the United States to be included within the said Territory of Nebraska. or to affect the authority of the government of the United States make any regulations respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent to the government to make if this act had never passed.

SEC. 2. *And Be it further enacted,* That the executive power and authority in and over said Territory of Nebraska shall be vested in a Governor who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The Governor shall reside within said Territory, and shall be commander-in-chief of the militia thereof. He may grant pardons and respites for offences against the laws of said Territory, and reprieves for offences against the laws of the United States, until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the aid Territory, and shall take care that the laws be faithfully executed.

SEC. 3. *And Be it further enacted,* That there shall be a Secretary of said Territory, who shall reside therein, and hold his office for five years, unless sooner removed by the President of the United States; he shall record and preserve all the laws and proceedings of the Legislative Assembly hereinafter constituted, and all the acts and proceedings of the Governor in his executive department; he shall transmit one copy of the laws and journals of the Legislative Assembly within thirty days after the end of each session, and one copy of the executive proceedings and official correspondence semi-annually, on the first days of January and July in each year to the President of the United States, and two copies of the laws to the President of the Senate and to the Speaker of the House of Representatives, to be deposited in the libraries of Congress, and in or case of the death, removal, resignation, or absence of the Governor from the Territory, the Secretary shall be, and he is hereby, authorized and required to execute and perform all the powers and duties of the Governor during such vacancy or absence, or until another Governor shall be duly appointed and qualified to fill such vacancy.

SEC 4. *And be it further enacted,* That the legislative power and authority of said Territory shall be vested in the Governor and a Legislative Assembly. The Legislative Assembly shall consist of a Council and House of Representatives. The Council shall consist of thirteen members, having the qualifications of voters, as hereinafter prescribed, whose term of service shall continue two years. The House of Representatives shall, at its first session, consist of twenty-six members, possessing the same qualifications as prescribed for members of the Council, and whose term of service shall continue one year. The number of representatives may be increased by the Legislative Assembly, from time to time, in proportion to the increase of qualified voters: *Provided,* That the whole number shall never exceed thirty-nine. An apportionment shall be made, as nearly equal as practicable, among the several counties or districts, for the election of the council and representatives, giving to each section of the Territory representation in the ratio of its qualified voters as nearly as may be. And the members of the Council and of the House of Representatives shall reside in, and be inhabitants of, the district or county, or counties for which they may be elected, respectively. Previous to the first election, the Governor shall cause a census, or enumeration of the inhabitants and qualified voters of the several counties and districts of the Territory, to be taken by such persons and in such mode as the Governor shall designate and appoint; and the persons so appointed shall receive a reasonable compensation therefor. And the first election shall be held at such time and places, and be conducted in such manner, both as to the persons who shall superintend such election and the returns thereof, as the Governor shall appoint and direct; and he shall at the same time declare the number of members of the Council and House of Representatives to which each of the counties or districts shall be entitled under this act. The persons having the highest number of legal votes in each of said council districts for members of the Council, shall be declared by the Governor to be duly elected to the Council; and the persons having the highest number of legal votes for the House of Representatives, shall be declared by the Governor to be duly elected members of said house: *Provided,* That in case two or more persons voted for shall have an equal number of votes, and in case a vacancy shall otherwise occur in either branch of the Legislative Assembly, the Governor shall order a new election; and the persons thus elected to the Legislative Assembly shall meet at such place and on such day as the Governor shall appoint; but thereafter, the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the Council and House of Representatives, according to the number of qualified voters, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the Legislative Assembly: *Provided,* That no session in any one year shall exceed the term of forty days, except the first session, which may continue sixty days.

SEC. 5. *And be it further enacted,* That every free white male inhabitant above the age of twenty-one years who shall be an actual resident of said Territory, and shall possess the qualifications hereinafter prescribed, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters, and of holding office, at all subsequent elections, shall be such as shall be prescribed by the Legislative Assembly: *Provided,* That the right of suffrage and of holding office shall be exercised only by citizens of the United States and those who shall have declared on oath their intention to become such, and shall have taken an oath to support the Constitution of the United States and the provisions of this act: And provided further, That no officer, soldier, seaman, or marine, or other person in the army or navy of the United States, or attached to troops in the service of the United States, shall be allowed to vote or hold office in said Territory, by reason of being on service therein.

SEC. 6. *And Be it further enacted,* That the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. Every bill which shall have passed the Council and House of Representatives of the said Territory shall, before it become a law, be presented to the Governor of the Territory; if he approve, he shall sign it; but if not, he shall return it with his objections to the house in which it originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two thirds of

that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, to be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Assembly, by adjournment, prevents its return, in which case it shall not be a law.

SEC. 7. *And be it further enacted,* That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the Governor and Legislative Assembly of the Territory of Nebraska. The Governor shall nominate, and, by and with the advice and consent of the Legislative Council, appoint all officers not herein otherwise provided for; and in the first instance the Governor alone may appoint all said officers, who shall hold their offices until the end of the first session of the Legislative Assembly; and shall lay off the necessary districts for members of the Council and House of Representatives, and all other officers.

SEC. 8. *And be it further enacted,* That no member of the Legislative Assembly shall hold, or be appointed to, any office which shall have been created, or the salary or emoluments of which shall have been increased, while he was a member, during the term for which he was elected, and for one year after the expiration of such term; but this restriction shall not be applicable to members of the first Legislative Assembly; and no person holding a commission or appointment under the United States, except Postmasters, shall be a member of the Legislative Assembly, or hold any office under the government of said Territory.

SEC. 9. *And be it further enacted,* That the judicial power of said Territory shall be vested in a Supreme Court, District Courts, Probate Courts, and in Justices of the Peace. The Supreme Court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually, and they shall hold their offices during the period of four years, and until their successor shall be appointed and qualified. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the Supreme Court, at such times and places as may be prescribed by law; and the said judges shall, after their appointments, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of justices of the peace, shall be as limited by law: *Provided,* That justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said supreme and districts courts, respectively, shall possess chancery as well as common law jurisdiction. Each District Court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may, be held. Writs of error, bills of exception, and appeals, shall be allowed in all cases from the final decisions of said district courts to the Supreme Court, under such regulations as may be prescribed by law; but in no case removed to the Supreme Court shall trial by jury be allowed in said court. The Supreme Court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error, and appeals from the final decisions of said Supreme Court, shall be allowed, and may be taken to the Supreme Court of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, where the value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; except only that in all cases involving title to slaves, the said writs of error, or appeals shall be allowed and decided by the said Supreme Court, without regard to the value of the matter, property, or title in controversy; and except also that a writ of error or appeal shall also be allowed to the Supreme Court of the United States, from the decision of the said Supreme Court created by this act, or of any judge thereof, or of the district courts created by this act, or of any judge thereof, upon any writ of habeas corpus, involving the question of personal freedom: *Provided,* that nothing herein contained shall be construed to apply to or affect the provisions to the " act respecting fugitives from justice, and persons escaping from the service of their masters," approved February twelfth, seventeen hundred and ninety-three, and the " act to amend and supplementary to the aforesaid act," approved September eighteen, eighteen hundred and fifty; and each

of the said district courts shall have and exercise the same jurisdiction in all cases arising under the Constitution and Laws of the United States as is vested in the Circuit and District Courts of the United States; and the said Supreme and District Courts of the said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are granted by the judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said constitution and laws, and writs of error and appeal in all such cases shall be made to the Supreme Court of said Territory, the same as in other cases. The said clerk shall receive in all such cases the same fees which the clerks of the district courts of Utah Territory now receive for similar services.

SEC. 10. *And Be it further enacted,* That the provisions of an act entitled "An act respecting fugitives from justice, and persons escaping from the service of their masters," approved February twelve, seventeen hundred and ninety-three, and the provisions of the act entitled " An act to amend, and supplementary to, the aforesaid act," approved September eighteen, eighteen hundred and fifty, be, and the same are hereby, declared to extend to and be in full force within the limits of said Territory of Nebraska.

SEC. 11. *And be it further enacted,* That there shall be appointed an Attorney for said Territory, who shall continue in office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President, and who shall receive the same fees and salary I as the Attorney of the United States for the present Territory of Utah. There shall also be a Marshal for the Territory appointed, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President, and who shall execute all processes issuing from the said courts when exercising their jurisdiction as Circuit and District Courts of the United States; he shall perform the duties, be subject to the same regulation and penalties, and be entitled to the same fees, as the Marshal of the District Court of the United States for the present Territory of Utah, and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.

SEC. 12. *And be it further enacted,* That the Governor, Secretary, Chief Justice, and Associate Justices, Attorney and Marshal, shall be nominated, and, by and with the advice and consent of the Senate, appointed by the President of the United States. The Governor and a Secretary to be appointed as aforesaid, shall, before they act as such, respectively take an oath or affirmation before the District Judge or some Justice of the Peace in the limits of said Territory, duly authorized to administer oaths and affirmations by the laws now in force therein, or before the Chief Justice, or some Associate Justice of the Supreme Court of the United States, to support the Constitution of the United States, and faithfully to discharge the duties of their respective offices, which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken; and such certificates shall be received and recorded by the said Secretary among the Executive proceedings; and the Chief Justice and Associate Justices, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation before the said Governor or Secretary, or some Judge or Justice of the Peace of the Territory, who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the Secretary, to be by him recorded as aforesaid; and, afterwards, the like oath or affirmation shall be taken, certified, and recorded, in such manner and form as may be prescribed by law. The Governor shall receive an annual salary of two thousand five hundred dollars. The Chief Justice and Associate Justices shall each receive an annual salary of two thousand dollars. The Secretary shall receive an annual salary of two thousand dollars. The said salaries shall be paid quarter-yearly, from the dates of the respective appointments, at the Treasury of the United States; but no such payment shall be made until said officers shall have entered upon the duties of their respective appointments. The members of the Legislative Assembly shall be entitled to receive three dollars each per day during their attendance at the sessions thereof, and three dollars each for every twenty miles' travel in going to and returning from the said sessions, estimated according to the nearest usually travelled route; and an additional allowance of three dollars shall be paid to the presiding officer of each house for each day he shall so preside. And a chief clerk, one assistant clerk, a sergeant-at-arms, and doorkeeper, may be chosen for each house; and the chief clerk shall receive four dollars per day, and the said other officers three dollars per day, during the session of the Legislative Assembly; but no other officers shall be paid by the United States: *Provided,* That

there shall be but one session of the legislature annually, unless, on an extraordinary occasion, the Governor shall think proper to call the legislature together. There shall be appropriated, annually, the usual sum, to be expended by the Governor, to defray the contingent expenses of the Territory, including the salary of a clerk of the Executive Department; and there shall also be appropriated, annually, a sufficient sum, to be expended by the Secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the Legislative Assembly, the printing of the laws, and other incidental expenses; and the Governor and Secretary of the Territory shall, in the disbursement of all moneys intrusted to them, be governed solely by the instructions of the Secretary of the Treasury of the United States, and shall, semi-annually, account to the said Secretary for the manner in which the aforesaid moneys shall have been expended; and no expenditure shall be made by said Legislative Assembly for objects not specially authorized by the acts of Congress, making the appropriations, nor beyond the sums thus appropriated for such objects.

SEC. 13. *And be it further enacted,* That the Legislative Assembly of the Territory of Nebraska shall hold its first session at such time and place in said Territory as the Governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the Governor and Legislative Assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem eligible; which place, however, shall thereafter be subject to be changed by the said Governor and Legislative Assembly.

SEC. 14. *And be it further enacted,* That a delegate to the House of Representatives of the United States, to serve for the term of two years, who shall be a citizen of the United States, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives, but the delegate first elected shall hold his seat only during the term of the Congress to which he shall be elected. The first election shall be held at such time and places, and be conducted in such manner, as the Governor shall appoint and direct; and at all subsequent elections the times, places, and manner of holding the elections, shall be prescribed by law. The person having the greatest number of votes shall be declared by the Governor to be duly elected; and a certificate thereof shall be given accordingly. That the Constitution, and all Laws of the United States which are not locally inapplicable, shall have the same force and effect within the said Territory of Nebraska as elsewhere within the United States, except the eighth section of the act preparatory to the admission of Missouri into the Union approved March sixth, eighteen hundred and twenty, which, being inconsistent with the principle of non-intervention by Congress with slaves in the States and Territories, as recognized by the legislation of eighteen hundred and fifty, commonly called the Compromise Measures, is hereby declared inoperative and void; it being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States: *Provided,* That nothing herein contained shall be construed to revive or put in force any law or regulation which may have existed prior to the act of sixth March, eighteen hundred and twenty, either protecting, establishing, prohibiting, or abolishing slavery.

SEC. 15. *And Be it further enacted,* That there shall hereafter be appropriated, as has been customary for the Territorial governments, sufficient amount, to be expended under the direction of the said Governor of the Territory of Nebraska, not exceeding the sums heretofore appropriated for similar objects, for the erection of suitable public buildings at the seat of government, and for the purchase of a library, to be kept at the seat of government for the use of the Governor, Legislative Assembly, Judges of the Supreme Court, Secretary, Marshal, and Attorney of said Territory, and such other persons, and under such regulations as shall be prescribed by law.

SEC. 16. *And be it further enacted,* That when the lands in the said Territory shall be surveyed under the direction of the government of the United States, preparatory to bringing the same into market, section; numbered sixteen and thirty-six in each township in said Territory shall be, and the same are hereby, reserved for the purpose of being applied to schools in said Territory, and in the States and Territories hereafter to be erected out of the same.

SEC. 17. *And be it further enacted,* That, until otherwise provided by law, the Governor of said Territory may define the Judicial Districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts; and also appoint the times and places for holding courts in the several counties or subdivisions in each of said Judicial Districts by proclamation, to be issued by him; but the Legislative Assembly, at their first or any subsequent session, may organize, alter, or modify such Judicial Districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

SEC. 18. *And be it further enacted,* That all officers to be appointed by the President, by and with the advice and consent of the Senate, for the Territory of Nebraska, who, by virtue of the provisions of any law now existing, or which may be enacted during the present Congress, are required to give security for moneys that may be intrusted with them for disbursement, shall give such security, at such time and place, and in such manner, as the Secretary of the Treasury may prescribe.

SEC. 19. *And be it further enacted,* That all that part of the Territory of the United States included within the following limits, except such portions thereof as are hereinafter expressly exempted from the operations of this act, to wit, beginning at a point on the western boundary of the State of Missouri, where the thirty-seventh parallel of north latitude crosses the same; thence west on said parallel to the eastern boundary of New Mexico; thence north on said boundary to latitude thirty-eight; thence following said boundary westward to the east boundary of the Territory of Utah, on the summit of the Rocky Mountains; thence northward on said summit to the fortieth parallel of latitude, thence east on said parallel to the western boundary of the State of Missouri; thence south with the western boundary of said State to the place of beginning, be, and the same is hereby, created into a temporary government by the name of the Territory of Kansas; and when admitted as a State or States, the said Territory, or any portion of the same, shall be received into the Union with or without slavery, as their Constitution may prescribe at the time of their admission: *Provided,* That nothing in this act contained shall be construed to inhibit the government of the United States from dividing said Territory into two or more Territories, in such manner and at such times as Congress shall deem convenient and proper, or from attaching any portion of said Territory to any other State or Territory of the United States: *Provided* further, That nothing in this act contained shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with any Indian tribe, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any State or Territory; but all such territory shall be excepted out of the boundaries, and constitute no part of the Territory of Kansas, until said tribe shall signify their assent to the President of the United States to be included within the said Territory of Kansas, or to affect the authority of the government of the United States to make any regulation respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent to the government to make if this act had never passed.

SEC. 20. *And be it further enacted,* That the executive power and authority in and over said Territory of Kansas shall be vested in a Governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The Governor shall reside within said Territory, and shall be commander-in-chief of the militia thereof. He may grant pardons and respites for offences against the laws of said Territory, and reprieves for offences against the laws of the United States, until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the said Territory, and shall take care that the laws be faithfully executed.

SEC. 21. *And be it further enacted,* That there shall be a Secretary of said Territory, who shall reside therein, and hold his office for five years, unless sooner removed by the President of the United States; he shall record and preserve all the laws and proceedings of the Legislative Assembly hereinafter constituted, and all the acts and proceedings of the Governor in his Executive Department; he shall transmit one copy of the laws and journals of the Legislative Assembly within thirty days after the end of each session, and one copy of the executive proceedings and official correspondence semi-annually, on the first days of January and July in each year, to the President of the United States, and two copies of the laws to the

President of the Senate and to the Speaker of the House of Representatives, to be deposited in the libraries of Congress; and, in case of the death, removal, resignation, or absence of the Governor from the Territory, the Secretary shall be, and he is hereby, authorized and required to execute and perform all the powers and duties of the Governor during such vacancy or absence, or until another Governor shall be duly appointed and qualified to fill such vacancy.

SEC. 22. *And be it further enacted,* That the legislative power and authority of said Territory shall be vested in the Governor and a Legislative Assembly. The Legislative Assembly shall consist of a Council and House of Representatives. The Council shall consist of thirteen members, having the qualifications of voters, as hereinafter prescribed, whose term of service shall continue two years. The House of Representatives shall, at its first session, consist of twenty-six members possessing the same qualifications as prescribed for members of the Council, and whose term of service shall continue one year. The number of representatives may be increased by the Legislative Assembly, from time to time, in proportion to the increase of qualified voters: *Provided,* That the whole number shall never exceed thirty-nine. An apportionment shall be made, as nearly equal as practicable, among the several counties or districts, for the election of the Council and Representatives, giving to each section of the Territory representation in the ratio of its qualified voters as nearly as may be. And the members of the Council and of the House of Representatives shall reside in, and be inhabitants of, the district or county, or counties, for which they may be elected, respectively. Previous to the first election, the Governor shall cause a census, or enumeration of the inhabitants and qualified voters of the several counties and districts of the Territory, to be taken by such persons and in such mode as the Governor shall designate and appoint; and the persons so appointed shall receive a reasonable compensation therefor. And the first election shall be held at such time and places, and be conducted in such manner, both as to the persons who shall superintend such election and the returns thereof, as the Governor shall appoint and direct; and he shall at the same time declare the number of members of the Council and House of Representatives to which each of the counties or districts shall be entitled under this act. The persons having the highest number of legal votes in each of said Council Districts for members of the Council, shall be declared by the Governor to be duly elected to the Council; and the persons having the highest number of legal votes for the House of Representatives, shall be declared by the Governor to be duly elected members of said house: *Provided,* That in case two or more persons voted for shall have an equal number of votes, and in case a vacancy shall otherwise occur in either branch of the Legislative Assembly, the Governor shall order a new election; and the persons thus elected to the Legislative Assembly shall meet at such place and on such day as the Governor shall appoint; but thereafter, the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the Council and House of Representatives, according to the number of qualified voters, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the Legislative Assembly: *Provided,* That no session in any one year shall exceed the term of forty days, except the first session, which may continue sixty days.

SEC. 23. *And be it further enacted,* That every free white male inhabitant above the age of twenty-one years, who shall be an actual resident of said Territory, and shall possess the qualifications hereinafter prescribed, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters, and of holding office, at all subsequent elections, shall be such as shall be prescribed by the Legislative Assembly: *Provided,* That the right of suffrage and of holding office shall be exercised only by citizens of the United States, and those who shall have declared, on oath, their intention to become such, and shall have taken an oath to support the Constitution of the United States and the provisions of this act: And, provided further, That no officer, soldier, seaman, or marine, or other person in the army or navy of the United States, or attached to troops in the service of the United States, shall be allowed to vote or hold office in said Territory by reason of being on service therein.

SEC. 24. *And be it further enacted,* That the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. Every bill which shall have passed the Council and House of

Representatives of the said Territory shall, before it become a law, be presented to the Governor of the Territory; if he approve, he shall sign it; but if not, he shall return it with his objections to the house in which it originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which, it shall likewise be reconsidered, and, if approved by two thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, to be entered on the journal of each house, respectively. If any bill shall not be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Assembly, by adjournment, prevent its return, in which case it shall not be a law.

SEC. 25. *And be it further enacted,* That all township, district, and; county officers, not herein otherwise provided for, shall be appointed or elected as the case may be, in such manner as shall be provided by the Governor and Legislative Assembly of the Territory of Kansas. The Governor shall nominate, and, by and with the advice and consent of the Legislative Council, appoint all officers not herein otherwise provided for; and, in the first instance, the Governor alone may appoint all said officers, who shall hold their offices until the end of the first session of the Legislative Assembly; and shall lay off the necessary districts for members of the Council and House of Representatives, and all other officers.

SEC. 26. *And be it further enacted,* That no member of the Legislative Assembly shall hold, or be appointed to, any office which shall have been created, or the salary or emoluments of which shall have been increased, while he was a member, during the term for which he was elected, and for one year after the expiration of such term; but this restriction shall not be applicable to members of the first Legislative Assembly; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the Legislative Assembly, or shall hold any office under the government of said Territory.

SEC. 27. *And be it further enacted,* That the judicial power of said Territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The Supreme Court shall Consist of chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually; and they shall hold their offices during the period of four years, and until their successors shall be appointed and qualified. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the Supreme Court, at such times and places as may be prescribed by law; and the said judges shall, after their appointments, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of justices of the peace, shall be as limited by law: *Provided,* That justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said supreme and district courts, respectively, shall possess chancery as well as common law jurisdiction. Said District Court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exception, and appeals shall be allowed in all cases from the final decisions of said district courts to the Supreme Court, under such regulations as may be prescribed by law; but in no case removed to the Supreme Court shall trial by jury be allowed in said court. The Supreme Court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error, and appeals from the final decisions of said supreme court, shall be allowed, and may be taken to the Supreme Court of the United States, in the same manner and under the same regulations as from the Circuit Courts of the United States, where the value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; except only that in all cases involving title to slaves, the said writ of error or appeals shall be allowed and decided by said supreme court, without regard to the value of the matter, property, or title in controversy; and except also that a writ of error or appeal shall also be allowed to the Supreme Court of the United States, from the decision of the said supreme court created by this act, or of any judge thereof, or of the district courts created by this act, or of

any judge thereof, upon any writ of habeas corpus, involving the question of personal freedom: *Provided*, That nothing herein contained shall be construed to apply to or affect the provisions of the "act respecting fugitives from justice, and persons escaping from the service of their masters," approved February twelfth, - seventeen hundred and ninety-three, and the act to amend and supplementary to the aforesaid act," approved September eighteenth, eighteen hundred and fifty; and each of the said district courts shall have and exercise the same jurisdiction in all cases arising under the Constitution and laws of the United States as is vested in the Circuit and District Courts of the United States; and the said supreme and district courts of the said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are granted by the judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as may be necessary, shall be appropriated to the trial of causes arising under the said Constitution and laws, and writs of error and appeal in all such cases shall be made to the Supreme Court of said Territory, the same as in other cases. The said clerk shall receive the same fees in all such cases, which the clerks of the district courts of Utah Territory now receive for similar services.

SEC. 28. *And be it further enacted*, That the provisions of the act entitled "An act respecting fugitives from justice, and persons escaping from, the service of their masters," approved February twelfth, seventeen hundred and ninety-three, and the provisions of the act entitled "An act to amend, and supplementary to, the aforesaid act," approved September eighteenth, eighteen hundred and fifty, be, and the same are hereby, declared to extend to and be in full force within the limits of the said Territory of Kansas.

SEC. 29. *And be it further enacted*, That there shall be appointed an attorney for said Territory, who shall continue in office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President, and who shall receive the same fees and salary as the Attorney of the United States for the present Territory of Utah. There shall also be a marshal for the Territory appointed, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President, and who shall execute all processes issuing from the said courts where exercising their jurisdiction as Circuit and District Courts of the United States; he shall perform the duties, be subject to the same regulations and penalties, and be entitled to the same fees, as the Marshal of the District Court of the United States for the present Territory of Utah, and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.

SEC. 30. *And be it further enacted*, That the Governor, Secretary, Chief Justice, and Associate Justices, Attorney, and Marshal, shall be nominated, and, by and with the advice and consent of the Senate, appointed by the President of the United States. The Governor and Secretary to be appointed as aforesaid shall, before they act as such, respectively take an oath or affirmation before the district judge or some justice of the peace in the limits of said Territory, duly authorized to administer oaths and affirmations by the laws now in force therein, or before the Chief Justice or some Associate Justice of the Supreme Court of the United States, to support the Constitution of the United States, and faithfully to discharge the duties of their respective offices, which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken; and such certificates shall be received and recorded by the said secretary among the executive proceedings; and the Chief Justice and Associate Justices, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation before the said Governor or Secretary, or some Judge or Justice of the Peace of the Territory who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the Secretary, to be by him recorded as aforesaid; and, afterwards, the like oath or affirmation shall be taken, certified, and recorded, in such manner and form as may be prescribed by law. The Governor shall receive an annual salary of two thousand five hundred dollars. The Chief Justice and Associate Justices shall receive As an annual salary of two thousand dollars. The Secretary shall receive an annual salary of two thousand dollars. The said salaries shall be paid quarter-yearly, from the dates of the respective appointments, at the Treasury of the United States; but no such payment shall be made until said officers shall have entered upon the duties of their respective appointments. The members of the Legislative Assembly shall be entitled to receive three dollars each per day during their attendance at the sessions thereof, and three dollars each for every twenty miles' travel in going to and returning from the said

sessions, estimated according to the nearest usually travelled route; and an additional allowance of three dollars shall be paid to the presiding officer of each house for each day he shall so preside. And a chief clerk, one assistant clerk, a sergeant at-arms, and door-keeper, may be chosen for each house; and the chief clerk shall receive four dollars per day, and the said other officers three dollars per day, during the session of the Legislative Assembly; but no to other officers shall be paid by the United States: Provided, That there shall be but one session of the Legislature annually, unless, on an extraordinary occasion, the Governor shall think proper to call the Legislature together. There shall be appropriated, annually, the usual sum, to be expended by the Governor, to defray the contingent expenses of the Territory, including the salary of a clerk of the Executive Department and there shall also be appropriated, annually, a sufficient sum, to be expended by the Secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the Legislative Assembly, the printing of the laws, and other incidental expenses; and the Governor and Secretary of the Territory shall, in the disbursement of all moneys intrusted to them, be governed solely by the instructions of the secretary of the Treasury of the United States, and shall, semi-annually, account to the said secretary for lit the manner in which the aforesaid moneys shall have been expended; and no expenditure shall be made by said Legislative Assembly for objects not specially authorized by the acts of Congress making the appropriations, nor beyond the sums thus appropriated for such objects.

SEC. 31. *And be it further enacted,* That the seat of government of said Territory is hereby located temporarily at Fort Leavenworth; and that such portions of the public buildings as may not be actually used and needed for military purposes, may be occupied and used, under the direction of the Governor and Legislative Assembly, for such public purposes as may be required under the provisions of this act.

SEC. 32. *And be it further enacted,* That a delegate to the House of Representatives of the United States, to serve for the term of two years, who shall be a citizen of the United States, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives, but the delegate first elected shall hold his seat only during the term of the Congress to which he shall be elected. The first election shall be held at such time and places, and be conducted in such manner, as the Governor shall appoint and direct; and at all subsequent elections, the times, places, and manner of holding the elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the Governor to be duly elected, and a certificate thereof shall be given accordingly. That the Constitution, and all laws of the United States which are not locally inapplicable, shall have the same force and effect within the said Territory of Kansas as elsewhere within the United States, except the eighth section of the act preparatory to the admission of Missouri into the Union, approved March sixth, eighteen hundred and twenty, which, being inconsistent with the principle of non-intervention by Congress with slavery in the States and Territories, as recognized by the legislation of eighteen hundred and fifty, commonly called the Compromise Measures, is hereby declared inoperative and void; it being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States: *Provided,* That nothing herein contained shall be construed to revive or put in force any law or regulation which may have existed prior to the act of sixth of March, eighteen hundred and twenty, either protecting, establishing, prohibiting, or abolishing slavery.

SEC. 33. *And be it further enacted;* That there shall hereafter be appropriated, as has been customary for the territorial governments, a sufficient amount, to be expended under the direction of the said Governor of the Territory of Kansas, not exceeding the sums heretofore appropriated for similar objects, for the erection of suitable public buildings at the seat of government, and for the purchase of a library, to be kept at the seat of government for the use of the Governor, Legislative Assembly, Judges of the Supreme Court, Secretary, Marshal, and Attorney of said Territory, and such other persons, and under such regulations, as shall be prescribed by law.

SEC. 34. *And be it further enacted,* That when the lands in the said Territory shall be surveyed under the direction of the government of the United States, preparatory to bringing the same into market, sections

numbered sixteen and thirty-six in each township in said Territory shall be, and the same are hereby, reserved for the purpose of being applied to schools in said Territory, and in the States and Territories hereafter to be erected out of the same.

SEC. 35. *And be it further enacted,* That, until otherwise provided by law, the Governor of said Territory may define the Judicial Districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts; and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts by proclamation, to be issued by him; but the Legislative Assembly, at their first or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts as to them shall seem proper and convenient.

SEC. 36. *And be it further enacted,* That all officers to be appointed by the President, by and with the advice and consent of the Senate, for the Territory of Kansas, who, by virtue of the provisions of any law now existing, or which may be enacted during the present Congress, are required to give security for moneys that may be intrusted with them for disbursement, shall give such security, at such time and place, and in such manner as the Secretary of the Treasury may prescribe.

SEC. 37. *And be it further enacted,* That all treaties, laws, and other, engagements made by the government of the United States with the Indian tribes inhabiting the territories embraced within this act, shall be faithfully and rigidly observed, notwithstanding any thing contained in this act; and that the existing agencies and superintendencies of said Indians be continued with the same powers and duties which are now prescribed by law, except that the President of the United States may, at his discretion, change the location of the office of superintendent.

Approved, May 30, 1854.

Transcription courtesy of [the Avalon Project](#) at Yale Law School.

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Transcript of Missouri Compromise (1820)

An Act to authorize the people of the Missouri territory to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and to prohibit slavery in certain territories.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the inhabitants of that portion of the Missouri territory included within the boundaries herein after designated, be, and they are hereby, authorized to form for themselves a constitution and state government, and to assume such name as they shall deem proper; and the said state, when formed, shall be admitted into the Union, upon an equal footing with the original states, in all respects whatsoever.

SEC.2. And be it further enacted, That the said state shall consist of all the territory included within the following boundaries, to wit: Beginning in the middle of the Mississippi river, on the parallel of thirty-six degrees of north latitude; thence west, along that parallel of latitude, to the St. Francois river; thence up, and following the course of that river, in the middle of the main channel thereof, to the parallel of latitude of thirty-six degrees and thirty minutes; thence west, along the same, to a point where the said parallel is intersected by a meridian line passing through the middle of the mouth of the Kansas river, where the same empties into the Missouri river, thence, from the point aforesaid north, along the said meridian line, to the intersection of the parallel of latitude which passes through the rapids of the river Des Moines, making the said line to correspond with the Indian boundary line; thence east, from the point of intersection last aforesaid, along the said parallel of latitude, to the middle of the channel of the main fork of the said river Des Moines; thence down and along the middle of the main channel of the said river Des Moines, to the mouth of the same, where it empties into the Mississippi river; thence, due east, to the middle of the main channel of the Mississippi river; thence down, and following the course of the Mississippi river, in the middle of the main channel thereof, to the place of beginning: Provided, The said state shall ratify the boundaries aforesaid. And provided also, That the said state shall have concurrent jurisdiction on the river Mississippi, and every other river bordering on the said state so far as the said rivers shall form a common boundary to the said state; and any other state or states, now or hereafter to be formed and bounded by the same, such rivers to be common to both; and that the river Mississippi, and the navigable rivers and waters leading into the same, shall be common highways, and for ever free, as well to the inhabitants of the said state as to other citizens of the United States, without any tax, duty impost, or toll, therefor, imposed by the said state.

SEC. 3. And be it further enacted, That all free white male citizens of the United States, who shall have arrived at the age of twenty-one years, and have resided in said territory: three months previous to the day of election, and all other persons qualified to vote for representatives to the general assembly of the said territory, shall be qualified to be elected and they are hereby qualified and authorized to vote, and choose representatives to form a convention, who shall be apportioned amongst the several counties as follows: From the county of Howard, five representatives. From the county of Cooper, three representatives. From the county of Montgomery, two representatives. From the county of Pike, one representative. From the county of Lincoln, one representative. From the county of St. Charles, three representatives. From the county of Franklin, one representative. From the county of St. Louis, eight representatives. From the county of Jefferson, one representative. From the county of Washington, three representatives. From the county of St. Genevieve, four representatives. From the county of Madison, one representative. From the county of Cape Girardeau, five representatives. From the county of New Madrid, two representatives. From the county of Wayne, and that portion of the county of Lawrence which falls within the boundaries herein designated, one representative.

And the election for the representatives aforesaid shall be holden on the first Monday, and two succeeding

days of May next, throughout the several counties aforesaid in the said territory, and shall be, in every respect, held and conducted in the same manner, and under the same regulations as is prescribed by the laws of the said territory regulating elections therein for members of the general assembly, except that the returns of the election in that portion of Lawrence county included in the boundaries aforesaid, shall be made to the county of Wayne, as is provided in other cases under the laws of said territory.

SEC. 4. And be it further enacted, That the members of the convention thus duly elected, shall be, and they are hereby authorized to meet at the seat of government of said territory on the second Monday of the month of June next; and the said convention, when so assembled, shall have power and authority to adjourn to any other place in the said territory, which to them shall seem best for the convenient transaction of their business; and which convention, when so met, shall first determine by a majority of the whole number elected, whether it be, or be not, expedient at that time to form a constitution and state government for the people within the said territory, as included within the boundaries above designated; and if it be deemed expedient, the convention shall be, and hereby is, authorized to form a constitution and state government; or, if it be deemed more expedient, the said convention shall provide by ordinance for electing representatives to form a constitution or frame of government; which said representatives shall be chosen in such manner, and in such proportion as they shall designate; and shall meet at such time and place as shall be prescribed by the said ordinance; and shall then form for the people of said territory, within the boundaries aforesaid, a constitution and state government: Provided, That the same, whenever formed, shall be republican, and not repugnant to the constitution of the United States; and that the legislature of said state shall never interfere with the primary disposal of the soil by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers; and that no tax shall be imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents.

SEC. 5. And be it further enacted, That until the next general census shall be taken, the said state shall be entitled to one representative in the House of Representatives of the United States.

SEC. 6. And be it further enacted, That the following propositions be, and the same are hereby, offered to the convention of the said territory of Missouri, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States:

First. That section numbered sixteen in every township, and when such section has been sold, or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the state for the use of the inhabitants of such township, for the use of schools.

Second. That all salt springs, not exceeding twelve in number, with six sections of land adjoining to each, shall be granted to the said state for the use of said state, the same to be selected by the legislature of the said state, on or before the first day of January, in the year one thousand eight hundred and twenty-five; and the same, when so selected, to be used under such terms, conditions, and regulations, as the legislature of said state shall direct: Provided, That no salt spring, the right whereof now is, or hereafter shall be, confirmed or adjudged to any individual or individuals, shall, by this section, be granted to the said state: And provided also, That the legislature shall never sell or lease the same, at anyone time, for a longer period than ten years, without the consent of Congress.

Third. That five per cent. of the net proceeds of the sale of lands lying within the said territory or state, and which shall be sold by Congress, from and after the first day of January next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals, of which three fifths shall be applied to those objects within the state, under the direction of the legislature thereof; and the other two fifths in defraying, under the direction of Congress, the expenses to be incurred in making of a road or roads, canal or canals, leading to the said state.

Fourth. That four entire sections of land be, and the same are hereby, granted to the said state, for the purpose of fixing their seat of government thereon; which said sections shall, under the direction of the legislature of said state, be located, as near as may be, in one body, at any time, in such townships and ranges as the legislature aforesaid may select, on any of the public lands of the United States: Provided, That such locations shall be made prior to the public sale of the lands of the United States surrounding such location.

Fifth. That thirty-six sections, or one entire township, which shall be designated by the President of the United States, together with the other lands heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the legislature of said state, to be appropriated solely to the use of such seminary by the said legislature: Provided, That the five foregoing propositions herein offered, are on the condition that the convention of the said state shall provide, by an ordinance, irrevocable without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of January next, shall remain exempt from any tax laid by order or under the authority of the state, whether for state, county, or township, or any other purpose whatever, for the term of five years from and after the day of sale; And further, That the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees, or their heirs remain exempt as aforesaid from taxation for the term of three year; from and after the date of the patents respectively.

SEC. 7. And be it further enacted, That in case a constitution and state government shall be formed for the people of the said territory of Missouri, the said convention or representatives, as soon thereafter as may be, shall cause a true and attested copy of such constitution or frame of state government, as shall be formed or provided, to be transmitted to Congress.

SEC. 8. And be it further enacted. That in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of thirty-six degrees and thirty minutes north latitude, not included within the limits of the state, contemplated by this act, slavery and involuntary servitude, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted, shall be, and is hereby, forever prohibited: Provided always, That any person escaping into the same, from whom labour or 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 labour or service as aforesaid.

APPROVED, March 6, 1820.

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[Politics and Poetry: Whitman's Leaves of Grass and the Social Crisis of the 1850s](#)

Poet Walt Whitman was an anti-extensionist who publicly supported the Wilmot Proviso, and he was a delegate to the Free Soil Convention in Buffalo, New York, in 1848. This essay by Whitman biographer David Reynolds looks at Whitman's responses in writing and in action to the social issues of the mid-1800s. mid

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[The Wilmot Proviso, 1846](#)

The text of the Wilmot Proviso is provided in full (all 71 words) at this webpage from Mt. Holyoke College.

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[David Wilmot Argues for a Free California](#)

David Wilmot was a walking paradox — a slavery advocate who believed the new lands won by America should be free. While understanding this philosophy is difficult, it becomes easier when the man's explanation is read. This website provides the transcript of Wilmot's argument as

a. Wilmot's Proviso



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30a. Wilmot's Proviso



David Wilmot proposal divided both parties along sectional lines.

By the standards of his day, **DAVID WILMOT** could be considered a racist.

Yet the Pennsylvania representative was so adamantly against the extension of slavery to lands ceded by Mexico, he made a proposition that would divide the Congress. On August 8, 1846, Wilmot introduced legislation in the House that boldly declared, "neither slavery nor involuntary servitude shall ever exist" in lands won in the Mexican-American War. If he was not opposed to slavery, why would Wilmot propose such an action? Why would the north, which only contained a small, but growing minority, of abolitionists, agree?

“ Provided, That, as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States, by virtue of any treaty which may be negotiated between them, and to the use by the Executive of the moneys herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime, whereof the party shall first be duly convicted.”

– **The Wilmot Proviso, 1846**



The status of the territories regarding slavery had not been decided by the beginning of the Mexican War. Even before the war ended the issue of slavery in the region of the Mexican Cession was a hot-button political issue.

Wilmot and other northerners were angered by President Polk. They felt that the entire Cabinet and national agenda were dominated by southern minds

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he defends his desire to make California free territory.

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As a part of Mexico, which abolished slavery in 1829, California had no slave tradition, and its citizens saw no reason to import one. But there were many other reasons that 4 out of 5 Californians insisted on admission as a free state. [Learn More...](#)

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Former President Martin Van Buren split from the Democratic Party over the slavery issue and ran for President as the Free Soil candidate in 1848. [Learn More...](#)

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and southern principles. Polk was willing to fight for southern territory, but proved willing to compromise when it came to the north. Polk had lowered the tariff and denied funds for internal improvements, both to the dismay of northerners. Now they felt a war was being fought to extend the southern way of life. The term "**SLAVE POWER**" jumped off the lips of northern lawmakers when they angrily referred to their southern colleagues. It was time for northerners to be heard.



Salmon P. Chase, commemorated on the \$10,000 bill, founded the Free Soil Party in 1848. This party advocated an end to the spread of American slavery and elected 14 representatives and two senators to the federal government.

Though Wilmot's heart did not bleed for the slave, he envisioned California as a place where free white Pennsylvanians could work without the competition of slave labor. Since the north was more populous and had more Representatives in the House, the Wilmot Proviso passed. Laws require the approval of both houses of Congress, however. The Senate, equally divided between free states and slave states could not muster the majority necessary for approval. Angrily the House passed **WILMOT'S PROVISIO** several times, all to no avail. It would never become law.

For years, the arguments for and against slavery were debated in the churches and in the newspapers. The House of Representatives had passed a gag rule forbidding the discussion of slavery for much of the previous decade. The issue could no longer be avoided. Lawmakers in the House and Senate, north and south, would have to stand up and be counted.

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