

## 2. Southerners Threaten Secession (1849)

After the Mexican War officially brought rich territorial plums, the Northern anti-slaveryites became more persistent. They introduced measures in Congress for abolishing slavery in the District of Columbia and for organizing California and New Mexico as territories without slavery—that is, on the basis of the unpassed Wilmot Proviso. Outraged Southerners responded with cries of disunion. The following incendiary outbursts all occurred on the floor of the House on December 13, 1849. The most famous speaker was hale and hearty Robert Toombs of Georgia, a brilliant orator and one of the more moderate Southern planters. (He later became secretary of state for the Confederacy.) Why was the South so bitterly aroused over the question of slavery in the territories?

Mr. Meade [of Virginia]—But, sir, if the organization of this House is to be followed by the passage of these bills—if these outrages are to be committed upon my people—I trust in God, sir, that my eyes have rested upon the last Speaker of the House of Representatives. . . .

Mr. Toombs [of Georgia]—I do not, then, hesitate to avow before this House and the country, and in the presence of the living God, that if by your legislation you [Northerners] seek to drive us from the territories of California and New Mexico, purchased by the common blood and treasure of the whole people, and to abolish slavery in this District [of Columbia], thereby attempting to fix a national degradation upon half the states of this Confederacy, *I am for disunion*. And if my physical courage be equal to the maintenance of my convictions of right and duty, I will devote all I am and all I have on earth to its consummation.

From 1787 to this hour, the people of the South have asked nothing but justice—nothing but the maintenance of the principles and the spirit which controlled our fathers in the formation of the Constitution. Unless we are unworthy of our ancestors, we will never accept less as a condition of union. . . .

The Territories are the common property of the people of the United States, purchased by their common blood and treasure. You [the Congress] are their common agents. It is your duty, while they are in a territorial state, to remove all impediments to their free enjoyment by all sections and people of the Union, the slaveholder and the non-slaveholder. . . .

Mr. Colcock [of South Carolina]— . . . I here pledge myself that if any bill should be passed at this Congress abolishing slavery in the District of Columbia, or incorporating the Wilmot Proviso in any form, I will introduce a resolution in this House declaring, in terms, *that this Union ought to be dissolved*.

<sup>2</sup>Congressional Globe, 31st Congress, 1st session, part 1, pp. 26, 28, 29.

## B. The Compromise Debates of 1850

### I. John Calhoun Demands Southern Rights (1850)

Two burning questions brought the sectional controversy to a furious boil in 1850. The first was the failure of Northerners loyally to uphold both the Constitution and the Fugitive Slave Law of 1793 regarding runaway slaves. The second was the effort of California to win admission as a free state, thus establishing a precedent for the rest of the Mexican Cession territory. The subsequent debate over the compromise measures of 1850 featured a galaxy of forensic giants: Henry Clay, John C. Calhoun, Daniel Webster, Thomas H. Benton, William H. Seward, Stephen A. Douglas, Jefferson Davis, and many others. Highly revealing was the following swan-song speech of Senator Calhoun. On the verge of death from tuberculosis, he authorized a colleague to read it for him. What were his views on the Constitution, the Union, and secession? How successfully did he place the onus of insincerity and aggression on the North? How practicable were his remedies for preserving the Union?

. . . How can the Union be saved? To this I answer, there is but one way by which it can be, and that is by adopting such measures as will satisfy the states belonging to the Southern section that they can remain in the Union consistently with their honor and their safety. There is, again, only one way by which this can be effected, and that is by removing the causes by which this belief [that the South cannot honorably and safely remain in the Union] has been produced. Do that and discontent will cease, harmony and kind feelings between the sections be restored, and every apprehension of danger to the Union removed. The question, then, is, By what can this be done? But, before I undertake to answer this question, I propose to show by what the Union cannot be saved.

It cannot, then, be saved by eulogies on the Union, however splendid or numerous. The cry of "Union, Union, the glorious Union!" can no more prevent disunion than the cry of "Health, health, glorious health!" on the part of the physician can save a patient lying dangerously ill. So long as the Union, instead of being regarded as a protector, is regarded in the opposite character by not much less than a majority of the states, it will be in vain to attempt to conciliate them by pronouncing eulogies on it.

Besides, this cry of Union comes commonly from those whom we cannot believe to be sincere. It usually comes from our assailants. But we cannot believe them to be sincere; for, if they loved the Union, they would necessarily be devoted to the Constitution. It made the Union, and to destroy the Constitution would be to destroy the Union. But the only reliable and certain evidence of devotion to the Constitution is to abstain, on the one hand, from violating it, and to repel, on the other, all attempts to violate it. It is only by faithfully performing these high duties that the Constitution can be preserved, and with it the Union.

Having now shown what cannot save the Union, I return to the question with which I commenced, How can the Union be saved? There is but one way by which it can, with any certainty; and that is by a full and final settlement, on the principle of justice, of all the questions at issue between the two sections.

The South asks for justice, simple justice, and less she ought not to take. She has no compromise to offer but the Constitution; and no concession or surrender to make. She has already surrendered so much that she has little left to surrender. Such a settlement would go to the root of the evil, and remove all cause of discontent by satisfying the South she could remain honorably and safely in the Union, and thereby restore the harmony and fraternal feelings between the sections which existed anterior to the Missouri [Compromise] agitation [1820]. Nothing else can, with any certainty, finally and forever settle the questions at issue, terminate agitation, and save the Union.

But can this be done? Yes, easily; not by the weaker party [the South], for it can of itself do nothing—not even protect itself—but by the stronger. The North has only to will it to accomplish it—to do justice by conceding to the South an equal right in the acquired territory, and to do her duty by causing the stipulations relative to fugitive slaves to be faithfully fulfilled—to cease the agitation of the slave question, and to provide for the insertion of a provision in the Constitution, by an amendment, which will restore to the South, in substance, the power she possessed of protecting herself, before the equilibrium between the sections was destroyed by the action of this government. There will be no difficulty in devising such a provision\*—one that will protect the South, and which, at the same time, will improve and strengthen the government instead of impairing and weakening it.

But will the North agree to this? It is for her to answer the question. But, I will say, she cannot refuse if she has half the love of the Union which she professes to have, or without justly exposing herself to the charge that her love of power and aggrandizement is far greater than her love of the Union.

At all events, the responsibility of saving the Union rests on the North, and not the South. The South cannot save it by any act of hers, and the North may save it without any sacrifice whatever, unless to do justice, and to perform her duties under the Constitution, should be regarded by her as a sacrifice. . . .

If you, who represent the stronger portion, cannot agree to settle . . . [the question at issue] on the broad principle of justice and duty, say so; and let the states we both represent agree to separate and part in peace. If you are unwilling we should part in peace, tell us so; and we shall know what to do, when you reduce the question to submission or resistance.

If you remain silent, you will compel us to infer by your acts what you intend. In that case, California will become the test question. If you admit her, under all the difficulties that oppose her admission, you compel us to infer that you intend to exclude us from the whole of the acquired territories, with the intention of destroying, irretrievably, the equilibrium between the two sections. We would be blind not to perceive, in that case, that your real objects are power and aggrandizement, and infatuated not to act accordingly.

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## 2. Daniel Webster Urges Concessions (1850)

*On the anvil of congressional debate was forged the great Compromise of 1850. California was admitted as a free state; the fate of slavery in the rest of the Mexican Cession territory was left to the inhabitants. The major sop to the South was the enactment of a more stringent Fugitive Slave Law. As a concession to the North, slave trade was abolished in the District of Columbia; as a concession to the South, slavery in the District was retained. Texas received \$10 million for yielding a disputed chunk of its territory to New Mexico.*

*Senator Daniel Webster's Seventh of March speech during these congressional debates emphasized concession, compromise, moderation, and Union. He attacked the abolitionists (see earlier, p. 373) and deplored the agitation over the extension of slavery to the territories. A slave economy was geographically impossible there, he felt, and no legislative body should reenact the law of God. Finally, he took sharp issue with Calhoun's threat of secession. How good a prophet was Webster? Which of his arguments on the impracticability of peaceful secession probably carried the most weight in the North?*

Mr. President, I wish to speak today, not as a Massachusetts man, nor as a Northern man, but as an American, and a member of the Senate of the United States. . . . I speak today for the preservation of the Union. "Hear me for my cause." . . .

Mr. President, I should much prefer to have heard, from every member on this floor, declarations of opinion that this Union should never be dissolved, than the declaration of opinion that in any case, under the pressure of circumstances, such a dissolution was possible. I hear with pain, and anguish, and distress, the word *secession*, especially when it falls from the lips of those who are eminently patriotic, and known to the country, and known all over the world, for their political services.

Secession! Peaceable secession! Sir, your eyes and mine are never destined to see that miracle. The dismemberment of this vast country without convulsion! The breaking up of the fountains of the great deep without ruffling the surface! Who is so foolish—I beg everybody's pardon—as to expect to see any such thing? . . .

There can be no such thing as a peaceable secession. Peaceable secession is an utter impossibility. Is the great Constitution under which we live here—covering this whole country—is it to be thawed and melted away by secession, as the snows on the mountain melt under the influence of a vernal sun—disappear almost unobserved, and die off? No, sir! No, sir! No, sir! I will not state what might produce the disruption of the states; but, sir, I see it as plainly as I see the sun in heaven—I see that disruption must produce such a war as I will not describe, in its twofold characters.

Peaceable secession! Peaceable secession! The concurrent agreement of all the members of this great Republic to separate! A voluntary separation, with alimony on one side and on the other! Why, what would be the result? Where is the line to be drawn? What states are to secede?—What is to remain American? What . . .

an American no longer? Where is the flag of the Republic to remain? Where is the eagle still to tower? or is he to cower, and shrink, and fall to the ground? . . .

What is to become of the army? What is to become of the navy? What is to become of the public lands? How is each of the thirty states to defend itself? I know, although the idea has not been stated distinctly, there is to be a Southern Confederacy. I do not mean, when I allude to this statement, that anyone seriously contemplates such a state of things. I do not mean to say that it is true, but I have heard it suggested elsewhere, that that idea has originated in a design to separate. I am sorry, sir, that it has ever been thought of, talked of, or dreamed of, in the wildest flights of human imagination. But the idea must be of a separation, including the slave states upon one side and the free states on the other.

Sir, there is not—I may express myself too strongly perhaps—but some things, some moral things, are almost as impossible as other natural or physical things. And I hold the idea of a separation of these states—those that are free to form one government, and those that are slaveholding to form another—as a moral impossibility.

We could not separate the states by any such line, if we were to draw it. We could not sit down here today and draw a line of separation that would satisfy any five men in the country. There are natural causes that would keep and tie us together, and there are social and domestic relations which we could not break if we would, and which we should not if we could. . . .

And now, Mr. President, instead of speaking of the possibility of utility of secession . . . let our comprehension be as broad as the country for which we act, our aspirations as high as its certain destiny. Let us not be pigmies in a case that calls for men.

Never did there devolve on any generation of men higher trusts than now devolve upon us for the preservation of this Constitution and the harmony and peace of all who are destined to live under it. Let us make our generation one of the strongest and brightest links in that golden chain which is destined, I fully believe, to grapple the people of all the states to this Constitution for ages to come.

### 3. Free-Soilers Denounce Webster (1850)

*The new and more merciless Fugitive Slave Act of 1850 was the keystone of the Compromise of 1850, and Senator Webster's eloquent support of it scandalized the abolitionists. "The fame of Webster ends in this nasty law," wrote Ralph Waldo Emerson. But conservative-minded Northerners were well aware, as Emerson himself had recorded, that "cotton thread holds the Union together." Bankers, shippers, and manufacturers—holding Southern mortgages, transporting cotton, or using it in their factories—praised Webster's course as statesmanlike. Indeed, the abolitionists cried, the "Lords of the Loom" were joining hands with the "Lords of the Lash." A New Hampshire newspaper editor here assails the New England "cotton lords." Judging from this criticism, what were the political reactions to Webster's stand?*

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### Thought Provokers

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1. If the Wilmot Proviso issue had not come up during the Mexican War, was it probable that the question of slavery in the territories would have been raised in an acute form?
2. It has been said that by the 1850s each side distrusted the other so greatly that disunion was inevitable: the North because of Southern grasping for more slave territory; the South because of Northern nullification of the Constitution and federal laws. Comment critically. Webster in 1850 was condemned as an appeaser or compromiser and hence not a statesman. Is compromise essential to statecraft?
3. Are a people ever justified in openly violating laws (like the Fugitive Slave Act) that they disapprove of and think immoral? What has been the fate of such laws in U.S. history? Should the majority always rule?
4. Was it immoral, as abolitionists alleged, for Congress to repeal the Missouri Compromise line of 1820? Why was further compromise between North and South impossible after 1854? Was the North or the South the aggressor in the 1850s with regard to the slavery issue? Which side was constitutionally right?

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# 19

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## Drifting Toward Disunion, 1854–1861

It is an irrepressible conflict between opposing and enduring forces.

*William H. Seward, 1858*

**Prologue:** Popular sovereignty in Kansas degenerated into unpopular savagery. Embattled free-soilers fought embittered proslaveryites, as the complaisant pro-Southern administrations of Presidents Franklin Pierce and James Buchanan continued to drift. Irate Northerners, resenting the Kansas-Nebraska grab, increasingly turned the Fugitive Slave Act into a dead letter. At the same time the newly born Republican party, sired by the same Kansas-Nebraska Act, gathered such amazing momentum in the North as to give the Democrats a real scare in the presidential election of 1856. The sectional tension was heightened by a series of inflammatory incidents, including Representative Preston Brooks's brutal beating of Senator Charles Sumner, the proslavery Dred Scott decision, and John Brown's fantastic raid at Harpers Ferry. Southerners also reacted angrily against the overwhelming approval in the North of such antislavery propaganda as *Uncle Tom's Cabin* and Helper's *Impending Crisis of the South* (see p. 376). And the imminent election of the Republican Lincoln in 1860 foreshadowed both secession and shooting.

### A. The Impact of Uncle Tom's Cabin

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#### 1. Tom Defies Simon Legree (1852)

Harriet Beecher Stowe, a busy mother and housewife then living in Maine, was aroused by the recent gains of slavery to write—partly on old wrapping paper—her heart-tugging novel *Uncle Tom's Cabin*. Reared in New England as the daughter of famed preacher Lyman Beecher, and having lived for seventeen years in Ohio on the route of the Underground Railroad, she had developed an abhorrence of the “peculiar institution.” Oddly enough, her firsthand observations of slavery were limited to a brief visit to Kentucky. In her best-selling book, she described the life of a

by featuring the whimsical Topsy and the angelic little Eva (who died); and by portraying the monster Simon Legree, who finally ordered Uncle Tom beaten to death, as a Yankee from Vermont. In the following scene, the cotton-picking slaves have just returned from the fields, and Legree orders Tom to flog one of the sickly women for not having picked enough. What details of this episode would most offend the anti-slavery North? the proslavery South?

"And now," said Legree, "come here, you Tom. You see, I telled ye I didn't buy ye jest for the common work. I mean to promote ye, and make a driver of ye; and tonight ye may jest as well begin to get yer hand in. Now, ye jest take this yer gal and flog her; ye've seen enough on't [of it] to know how."

"I beg Mas'r's pardon," said Tom; "hopes Mas'r won't set me at that. It's what I an't used to—never did—and can't do, no way possible."

"Ye'll larn a pretty smart chance of things ye never did know, before I've done with ye!" said Legree, taking up a cowhide and striking Tom a heavy blow across the cheek, and following up the infliction by a shower of blows.

"There!" he said, as he stopped to rest; "now, will ye tell me ye can't do it?"

"Yes, Mas'r," said Tom, putting up his hand, to wipe the blood that trickled down his face. "I'm willin' to work, night and day, and work while there's life and breath in me. But this yer thing I can't feel it right to do; and, Mas'r, I never shall do it—*never!*"

Tom had a remarkably smooth, soft voice, and a habitually respectful manner that had given Legree an idea that he would be cowardly and easily subdued. When he spoke these last words, a thrill of amazement went through everyone. The poor woman clasped her hands and said, "O Lord!" and everyone involuntarily looked at each other and drew in their breath, as if to prepare for the storm that was about to burst.

Legree looked stupefied and confounded; but at last burst forth:

"What! ye blasted black beast! tell *me* ye don't think it *right* to do what I tell ye! What have any of you cussed cattle to do with thinking what's right? I'll put a stop to it! Why, what do ye think ye are? May be ye think ye're a gentleman, master Tom, to be a telling your master what's right, and what an't! So you pretend it's wrong to flog the gal!"

"I think so, Mas'r," said Tom; "the poor crittur's sick and feeble; 'twould be downright cruel, and it's what I never will do, nor begin to. Mas'r, if you mean to kill me, kill me; but, as to my raising my hand agin any one here, I never shall—I'll die first!"

Tom spoke in a mild voice, but with a decision that could not be mistaken. Legree shook with anger; his greenish eyes glared fiercely, and his very whiskers seemed to curl with passion. But, like some ferocious beast, that plays with its victim before he devours it, he kept back his strong impulse to proceed to immediate violence, and broke out into bitter raillery.

"Well, here's a pious dog, at least, let down among us sinners!—a saint, a gentleman, and no less, to talk to us sinners about our sins! Powerful holy crittur, he must be! Here, you rascal, you make believe to be so pious—didn't you never hear, out of yer Bible, 'Servants, obey yer masters'? An't I yer master? Didn't I pay down

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twelve hundred dollars, cash, for all there is inside yer old cussed black shell? An't yer mine, now, body and soul?" he said, giving Tom a violent kick with his heavy boot; "tell me!"

In the very depth of physical suffering, bowed by brutal oppression, this question shot a gleam of joy and triumph through Tom's soul. He suddenly stretched himself up, and, looking earnestly to heaven, while the tears and blood that flowed down his face mingled, he exclaimed,

"No! no! no! my soul an't yours, Mas'r! You haven't bought it—ye can't buy it! It's been bought and paid for by One that is able to keep it. No matter, no matter, you can't harm me!"

"I can't!" said Legree, with a sneer; "we'll see—we'll see! Here, Sambo, Quimbo, give this dog such a breakin' in as he won't get over this month!"

The two gigantic Negroes that now laid hold of Tom, with fiendish exultation in their faces, might have formed no unapt personification of powers and darkness. The poor woman screamed with apprehension, and all rose, as by a general impulse, while they dragged him unresisting from the place.

## 2. The South Scorns Mrs. Stowe (1852)

*Northern abolitionists naturally applauded Mrs. Stowe's powerful tale; the poet John Greenleaf Whittier now thanked God for the Fugitive Slave Act, which had inspired the book. The few Northern journals that voiced criticism were drowned out by the clatter of the printing presses running off tens of thousands of new copies. Southern critics cried that this "wild and unreal picture" would merely arouse the "fanaticism" of the North while exciting the "indignation" of the South. They insisted that the slave beatings were libelously overemphasized; that the worst slave drivers were imported Northerners (like Legree); that the Southern black slave was better off than the Northern wage slave; and that relatively few families were broken up—fewer, in fact, than among soldiers on duty, Irish immigrants coming to America, sailors going to sea, or pioneers venturing West. Why did the Southern Literary Messenger of Richmond find it important to refute Mrs. Stowe's "slanders" as follows?*

There are some who will think we have taken upon ourselves an unnecessary trouble in exposing the inconsistencies and false assertions of *Uncle Tom's Cabin*. It is urged by such persons that in devoting so much attention to abolition attacks we give them an importance to which they are not entitled. This may be true in general. But let it be borne in mind that this slanderous work has found its way to every section of our country, and has crossed the water to Great Britain, filling the minds of all who know nothing of slavery with hatred for that institution and those who uphold it. Justice to ourselves would seem to demand that it should not be suffered to circulate longer without the brand of falsehood upon it.

<sup>2</sup>*Southern Literary Messenger* 18 (1852): 638, 731.