

GEORGE EDMUND BADGER: THE SOUL OF NORTH CAROLINA UNIONISM

A thesis
by
Alex Wetherington

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Alex Wetherington
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APPROVED BY:

Judkin Browning, PhD.
Chairperson, Thesis Committee

Anthony Carey, PhD.
Thesis Committee

Karl Campbell, PhD.
Thesis Committee

James Goff, PhD.
Chairperson, Department of History

Michael McKenzie, PhD.
Dean, Cratis D. Williams School of Graduate Studies

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Abstract

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Alex Wetherington
B.A., Appalachian State University
M.A., Appalachian State University

Chairperson: Judkin Browning

The most transformative period of American history, the antebellum era, saw the rise and fall of numerous political parties, countless debates about the nature of the union, and the descent of the nation into Civil War. This thesis focuses on George Edmund Badger, a staunchly constructionist Whig Senator from New Bern, North Carolina – the final state to secede from the Union – who served from 1846 to 1855. Focusing on Badger allows this work to be both a biography and an examination of how Whig politics influenced the level of Unionism in North Carolina. Through the use of speeches delivered by Badger during his time in the Senate and newspaper articles published in North Carolina, this study delves into what Badger and his constituents in the Tar Heel state thought about the key pieces of legislation from the antebellum era. It also highlights the secession crisis in North Carolina, Badger's role in it, and what eventually influenced the Old North state to favor the Confederacy.

Dedication

To my Fiancée Courtney without whom I would be hopelessly lost

and

All of those whose continued support I can never fully repay: My mentor Judkin Browning,
my Dad Kliff Wetherington, my Stepmom Jenn Squires, my Grandmother Shelby Howard,

and my Grandfather Hardy Howard

Table of Contents

Abstract.....	iv
Dedication.....	v
Introduction.....	1
Chapter 1. Conception, 1795-1841.....	7
Chapter 2. Compromise, 1841-1850.....	26
Chapter 3. Catalyst, 1850-1861.....	50
Epilogue.....	71
Bibliography.....	81
Vita.....	87

Introduction

On May 20, 1861, North Carolina became the eleventh and final state to secede from the union. Despite being the last to secede, North Carolina had a larger ratio of slaves to whites than four of its Confederate brethren and a higher ratio of slaveowners to non-slaveowners than three of the other Confederate states.¹ With its high slave population and ownership, one might think the decision to secede an easy one for the Old North State, but this was not the case. An active state-level Whig Party contributed greatly to North Carolina's prolonged support of the Union. However, one of the most prominent and influential Whigs in antebellum North Carolina politics, George Edmund Badger, has, according to one historian, "almost been forgotten by the people of North Carolina," and the nation.²

Badger's political career mirrored that of North Carolina's Whig Party, from its rise to state dominance in the late 1830s to its continued existence following the death of the national Whig Party in 1852. An outspoken defender of the Constitution, Badger favored a strict constructionist interpretation, adhering to what he believed was its explicit intentions even when it went against his personal beliefs and interests. A competitive state-level Whig Party with a strong sense of unionism helped hold the Old North State in the Union until the very end. Badger's role as a leader and elder statesman of the North Carolina Whig Party cannot be overlooked when discussing antebellum politics in the state or the United States.

¹ For every white person that lived in North Carolina in 1860, there were .53 enslaved people, and for every non-slave owning household there were .28 slaveholding ones. Hudson Meadwell and Lawrence M. Anderson, "Sequence and Strategy in the Secession of the American South, *Theory and Society* 37, no. 3 (2008), 208.

² Lawrence Foushee London, "George Edmund Badger in the United States Senate, 1846-1849," *North Carolina Historical Review* 15, no. 1 (1938), 1.

As a senator from 1846-1855, Badger contributed to the debates surrounding several key pieces of legislation, including the Treaty of Guadalupe-Hidalgo, the Compromise of 1850, and the Kansas-Nebraska Act. Despite Badger's importance, no dedicated work has been published about him, and he only receives passing mention by the most extensive studies of the antebellum era and politics, namely Michael Holt's *The Rise and Fall of the American Whig Party*, William Freehling's two-volume work *The Road to Disunion*, and David Potter's *The Impending Crisis*.³ The person who wrote the most on Badger, historian Lawrence Foushee London, did so in three articles published in the *North Carolina Historical Review* in 1938. These articles focused solely on Badger's time as a senator, with very little additional information included, and were far from extensive.⁴ In his 1966 article, "For the Want of a Scribe," historian Glenn Tucker lamented that historians overlooked Badger's contributions to antebellum politics: "ten biographies have been written of Charles Sumner and nine of Thaddeus Stevens, while George E. Badger, an abler, more balanced, and certainly more attractive personality in many respects than either...has had none."⁵ Tucker's panegyric failed to rally any historian to write a biography of Badger.

Numerous scholarly works provide an in-depth analysis of the many important developments that occurred during the antebellum era, allowing for a fuller understanding of the world that Badger inhabited. A tremendous guide to the antebellum era, Daniel Walker

³ Michael Holt, *The Rise and Fall of the American Whig Party: Jacksonian Politics and the Onset of the Civil War* (New York: Oxford University Press, 2003); David Potter, *The Impending Crisis, 1848-1861* (New York: Harper and Row, 1976); William Freehling, *The Road to Disunion, Vol. 1: Secessionists at Bay, 1776-1854* (New York: Oxford University Press, 1991); William Freehling, *The Road to Disunion, Vol. 2: Secessionists Triumphant, 1854-1862* (New York: Oxford University Press, 2007).

⁴ London, "George Edmund Badger in the United States Senate, 1846-1849;" Lawrence Foushee London, "George Edmund Badger and the Compromise of 1850," *North Carolina Historical Review* 15, no. 2 (1938); Lawrence Foushee London, "George Edmund Badger, His Last Years in the United States Senate, 1851-1855," *North Carolina Historical Review* 15, no. 3 (1938).

⁵ Glenn Tucker, "For the Want of a Scribe," *North Carolina Historical Review* 43, no. 2 (1966), 175-6.

Howe's *What Hath God Wrought* (2007), details every major event that shaped America from 1815 to 1848. The sequel to Howe's book in the Oxford History of the United States series, James McPherson's *Battle Cry of Freedom* (1988), picks up where Howe left off and discusses how America became a house divided, as well as the terrible Civil War that came from that division. A brief but brilliant overview of America's descent into disunion, Michael Holt's *The Fate of Their Country* (2004) is an informative look at politics in the antebellum era.⁶

Several key works stand out about antebellum North Carolina politics. James Boykin's *North Carolina in 1861* (1961) discusses the causes and outcome of the secession movement in North Carolina and provides a good overview of why the leaders of the Old North State eventually favored secession. Perhaps still the two most important works on antebellum North Carolina politics, Marc Kruman's *Parties and Politics in North Carolina* (1983) and Thomas Jeffrey's *State Parties and National Politics* (1989), offer differing views on what influenced the Tarheel state's politics the most. Jeffrey argues that state and local governments impacted the lives of antebellum Americans more than did the national government, and therefore the issues important to those governments were more important to antebellum Americans than the issues plaguing the federal government. Kruman, on the other hand, focuses more on how national debates influenced those in North Carolina, though he also includes a fair amount of information on local and state issues. Lastly, Daniel Crofts

⁶ Daniel Walker Howe, *What Hath God Wrought: The Transformation of America, 1815-1848* (New York: Oxford University Press, 2007); James McPherson, *Battle Cry of Freedom: The Civil War Era* (New York: Oxford University Press, 1988); Michael Holt, *The Fate of Their Country: Politicians, Slavery Extension, and the Coming of the Civil War* (New York: Hill and Wang, 2004).

details, in *Reluctant Confederates* (1989), the unionist struggle and ultimate failure to keep the Upper South from seceding.⁷

Additionally, there are several articles that help expand one's knowledge of the many events that occurred during the antebellum era in North Carolina. Max Williams' "The Foundations of the Whig Party in North Carolina" gives a brief introduction to how the Whig Party gained dominance in the state. Brian Walton's "Elections to the United States Senate in North Carolina, 1835-1861" is an excellent guide for examining why certain senatorial candidates either succeeded or failed in the Tarheel state. Thomas Jeffrey's articles, "National Issues, Local Interests, and the Transformation of Antebellum North Carolina Politics" and "'Thunder from the Mountains': Thomas Lanier Clingman and the end of Whig Supremacy in North Carolina," cover how the Whigs gained, and then subsequently lost, their position of dominance in the Old North State.⁸

In that same vein, James Morrill's "The Presidential Election of 1852," discusses how the Election of 1852 proved to be the end of the national Whig Party. Stephen Berry and James Hill Weldon III's "The Cane of His Existence" does a marvelous job of using the "Brooks-Sumner Affair"—in which South Carolina representative Preston Brooks beat Massachusetts Senator Charles Sumner with a cane in 1856 in response to a perceived

⁷ James H. Boykin, *North Carolina in 1861* (New York: Bookman Associates, 1961); Marc W. Kruman, *Parties and Politics in North Carolina, 1836-1865* (Baton Rouge, LA: Louisiana State University Press, 1983); Thomas E. Jeffrey, *State Parties and National Politics: North Carolina, 1815-1861* (Athens, GA: University of Georgia Press, 1989); Daniel Crofts, *Reluctant Confederates: Upper South Unionists in the Secession Crisis* (Chapel Hill, NC: University of North Carolina Press, 1989).

⁸ Max R. Williams, "The Foundations of the Whig Party in North Carolina: A Synthesis and a Modest Proposal," *North Carolina Historical Review* 47, no. 2 (1970), 115-129; Brian G. Walton, "Elections to the United States Senate in North Carolina, 1835-1861," *North Carolina Historical Review* 53, no. 2 (1976), 168-192; Thomas E. Jeffrey, "National Issues, Local Interests, and the Transformation of Antebellum North Carolina Politics," *Journal of Southern History* 50, no. 1 (1984), 43-74; Thomas E. Jeffrey, "'Thunder from the Mountains': Thomas Lanier Clingman and the End of Whig Supremacy in North Carolina," *North Carolina Historical Review* 56, no. 4 (1979), 366-395.

insult—to illustrate the level of animosity in pre-Civil War America. In “William Henry Seward and the Onset of the Secession Crisis,” Michael Robinson examines how some northerners, like Secretary of State Seward, tried to keep the South from seceding through appeasement. Lastly, Hudson Meadwell and Lawrence M. Anderson’s “Sequence and Strategy in the Secession of the American South” lays out the reasoning behind secession while also providing useful statistical data.⁹

This thesis places Badger’s life in the context of these major political events along the road to the Civil War and examines the role he played in trying to avert that catastrophe. In chapter one, I discuss the legal career of Badger and his rise in politics. In this chapter, I use both Badger’s shift from the Democratic Party to the Whigs and his accession to the position of Secretary of the Navy in the cabinet of William Henry Harrison as a way to examine the Whig Party’s rise to dominance in North Carolina. In chapter two, I delve into Badger’s time as a senator, focusing on his role during the debates surrounding the Treaty of Guadalupe-Hidalgo and the Compromise of 1850. Examining Badger’s key speeches in Congress and coverage in local newspapers, allows us to understand what North Carolinians thought about these pieces of legislation and how these bills affected the United States. In chapter three, I cover Badger’s time as a senator during the aftermath of the Compromise of 1850 and the debate surrounding the enormously influential Kansas-Nebraska Act of 1854. I also examine why Badger lost his Senate seat, how that mirrored the fall of the Whig Party in North Carolina and nationally, and the coming of the secession crisis. Lastly, in the epilogue, I

⁹ James R. Morrill, “The Presidential Election of 1852: Death Knell of the Whig Party of North Carolina,” *North Carolina Historical Review* 44, no. 4 (1967), 342-359; Stephen Berry and James Hill Welborn III, “The Cane of His Existence: Depression, Damage, and the Brooks-Sumner Affair,” *Southern Cultures* (2014), 1-21; Michael Robinson, “William Henry Seward and the Onset of the Secession Crisis,” *Civil War History* 59, no. 1 (2013), 32-66; Hudson Meadwell and Lawrence M. Anderson, “Sequence and Strategy in the Secession of the American South,” *Theory and Society* 37, no. 3 (2008), 199-227.

discuss the secession movement in North Carolina and Badger's role in it. I argue that Whig politics and a healthy two-party system allowed North Carolina to stay in the Union for as long as it did, though the Old North State, like Badger, eventually succumbed to secession.

At the time of his death in 1866, Badger was a highly respected and outspoken statesman in North Carolina, whose career rose and fell with that of the Tarheel state's Whig Party. Yet few North Carolinians remember him today. With his rigid constitutionalism and spirit of compromise, Badger attempted to put what he felt was good for the nation over his own personal or sectional interests. Examining Badger's career can help us better understand the Whig Party's rise to dominance in North Carolina, and its pivotal role in the secession crisis.¹⁰ This thesis is important for two reasons. Firstly, because studying Badger's career allows us to see that not all politicians in the antebellum era were driven by greed and personal interests. Secondly, Badger is an example of compromise and reason and is someone politicians in the United States today should strive to emulate.

¹⁰ London, "Badger in the United States Senate," 1.

Chapter One: Conception, 1795-1841

Upon reaching the age of adulthood, which in 1816 was twenty-one, George Edmund Badger of New Bern, North Carolina, did not have many options when it came time to choose a political party. The first party system was on its last leg that year, as the Federalist Party came to a crushing end at the hands of the Democratic-Republican presidential candidate James Monroe. Monroe's presidency kicked off the "Era of Good Feelings," and when it came time for him to stand for re-election in 1820, Monroe faced no opposition. Monroe's un-opposed rule came to an end following his second term, after he chose to heed precedent and step down. This caused a power vacuum to open within the Democratic-Republican Party, allowing four members of that party to run for President in 1824. This infighting to determine the party's future destroyed the Democratic-Republican Party.

The competition surrounding who would replace Monroe as the head of the only party in Washington gave Badger, as well as the rest of the nation, a choice between four candidates: John Quincy Adams of Massachusetts, Andrew Jackson of Tennessee, William H. Crawford of Georgia, and Henry Clay of Kentucky. Like most North Carolina voters, Badger favored Andrew Jackson, the war hero who had recently won the Battle of New Orleans during the War of 1812. Badger's support of Jackson only intensified after the House of Representatives gave the Presidency to Adams following what became known as "The Corrupt Bargain"--a supposed deal struck between the Speaker of the House Henry Clay and John Quincy Adams to have the House give Adams the Presidency in exchange for Clay being named his Secretary of State.¹¹

¹¹ Lawrence Foushee London, "George Edmund Badger in the United States Senate, 1846-1849," *North Carolina Historical Review* 15, no. 1 (1938), 1-3; The desire to have more than one Presidential nominee to choose from was obvious, since the voter turnout in 1824 almost tripled what it had been in 1820.

In 1828, when Jackson ran for President again, this time solely against Adams, Badger played a large role in him getting elected. According to biographer Lawrence Foushee London, Badger wrote “the two most important addresses issued by the executive committee of [Jackson’s] party.”¹² The committee for Jackson’s election from Wake County, which Badger chaired, stated: “We believe Andrew Jackson to be a man of the utmost honesty and singleness of purpose, gifted by nature with an excellent understanding...these qualities make him [able to] properly and honorably discharge...every duty.”¹³ North Carolina Democrats recommended Badger be appointed Attorney General for his efforts, but Jackson snubbed him. This rejection, along with Badger’s disagreement with Jackson over the virtues of internal improvements and the Second Bank of the United States, caused Badger to become a member of the newly formed Whig Party. Badger’s defection cost the North Carolina Democratic Party dearly. As London asserted, “once [Badger joined] the Whig Party, he became one of its staunchest members.”¹⁴

Born on April 17, 1795, in New Bern, North Carolina, to Thomas Badger and Lydia Cogdell Badger, George Edmund Badger came from a heritage of American patriots and pioneers. Badger’s maternal grandfather, Richard Cogdell, served as a colonel during the Revolutionary War, and Badger’s paternal ancestors arrived in New England soon after the pilgrims landed.¹⁵ Badger spent his formative years in New Bern, and though his family was well to do, tragedy found him as a child when his father died suddenly at the age of thirty-

¹² London, “Badger in the United States Senate,” 2.

¹³ *New Bern Sentinel*, January 12, 1828.

¹⁴ London, “Badger in the United States Senate,” 3.

¹⁵ London, “Badger in the United States Senate,” 1-2; Genealogical data on Badger’s family, including grave indexes, birth certificates, death certificates, wedding certificates, and census data were all found on Ancestry.com.

three on October 15, 1799.¹⁶ Badger's life may have turned out much differently had his mother not been independently wealthy before her marriage, already experienced with being in charge of a household, and strong-willed. This experience came from her time managing her five slaves and taking care of her little sister following the death of her father in 1787.¹⁷

Badger grew up in New Bern, completing his provisional schooling and playing with his siblings all under the watchful gaze of his mother.¹⁸ Badger's first excursion from home came in 1810 when he started training to become a lawyer at Yale. He had to return to New Bern two years later due to a lack of funds but was able to continue studying law under his maternal cousin John Stanley. Badger's determination to complete his legal training paid off, when in 1815 the Supreme Court of North Carolina awarded him a license to practice law in the state, despite Badger being underage. The Court decided that Badger should be allowed to practice law while he was not legally an adult because his mother and sisters were reliant on him financially. Badger's initial practice as a private attorney was short-lived after he was elected to the North Carolina House of Commons in 1816.¹⁹

Badger openly campaigned for election.²⁰ Badger wrote in a letter "to the freeholders and freemen of the town of New Bern," published in the *Carolina Federal Republican*, a newspaper from New Bern: "with no other claim on your attention than a sincere desire to be useful, I offer myself for your consideration as one who is willing to represent you in the next General Assembly." In an attempt to further entice his constituents, Badger added, "should

¹⁶ Grave Index of Thomas Badger found on Ancestry.com; I searched for an obituary for Thomas Badger, but one does not seem to exist.

¹⁷ US Census Data for 1790, ancestry.com; Grave Index for Richard Cogdell, ancestry.com.

¹⁸ London, "Badger in the United States Senate," 1-2; According to records found on ancestry.com it seems like Badger had two younger sisters, one named Elizabeth and one named Lucretia.

¹⁹ London, "Badger in the United States Senate," 1-2.

²⁰ *Raleigh Register* quoted in, London, "Badger in the United States Senate," 4.

you think that your interests can be safely entrusted to my care, I shall endeavor by every service...to evince how highly I value your confidence and how anxious I am to deserve it.”²¹ Badger proved successful in his election and was a member of the General Assembly for two years until Thomas Ruffin asked Badger in 1818 to take over his law practice while Ruffin served as a General Assembly judge.²²

The political climate that Badger entered was one in constant flux. America’s First Party System emerged in the years following the ratification of the United States Constitution in 1788. The two parties, Federalists led by Alexander Hamilton and the Democratic-Republicans led by Thomas Jefferson, disagreed over the size of the federal government, and how involved it should be; Federalists wanted a larger, more powerful central government and Democratic-Republicans preferred a smaller one that delegated more powers to the states. Unsurprisingly, given North Carolina’s propensity for a smaller government and fewer taxes, the state largely favored the Democratic-Republican Party, even voting for Thomas Jefferson during his unsuccessful bid for president in 1796.²³

By the time Badger entered the political arena in 1816, the Federalist Party had ceased to exist. John Adams’ uninspiring presidency and his ugly falling out with Alexander Hamilton contributed greatly to the party’s downfall. Perceived anti-patriotic actions following Federalist criticism of the War of 1812 assured the party’s death. After the demise

²¹ *Carolina Federal Republican* (New Bern, North Carolina), August 3, 1816.

²² London, “Badger in the United States Senate,” 1-2; During this time, Badger also began serving as a trustee of the University of North Carolina in Chapel Hill. A position that he held from 1818 to 1844; Lawrence London, “Badger, George Edmund,” <http://bioguide.congress.gov/scripts/biodisplay.p1?index=b000022>, accessed August 13, 2020.

²³ William S. Powell, *North Carolina: A History* (Chapel Hill, NC: University of North Carolina Press, 1977) 90-1, 98-9.

of the Federalist Party, the Democratic-Republicans were the only players in town, but after James Monroe's two consecutive un-contested runs for President, the Democratic-Republicans fractured as well, bringing about the rise of two new political parties—the Democrats and the Whigs. Several other parties came and went during the antebellum era, mirroring the massive changes that occurred in the United States during that time, and Badger had a hand in several of the key events of that period.²⁴

Badger took over Ruffin's practice until 1820 when he was elected as a judge on the North Carolina Superior Court, a position that he held for five years until he resigned to take a more lucrative job as a practicing lawyer in Raleigh.²⁵ Badger's election to the Superior Court did not go smoothly, as he won by a majority of one vote on the ninth ballot.²⁶ Once in office, Badger rode his circuit and heard cases, none of which were out of the ordinary. The most notable case that Badger presided over during his time as a Superior Court judge was that of two African American men - Peter and Fred - who were charged with stealing bacon and lard from the storehouse of a Mr. James Coffield. According to a report in the *Weekly Raleigh Register*, the two men "were convicted and sentenced to be executed," punishment that far exceeded the crime but one that was far too often the case in the antebellum South.²⁷

During Badger's time as a member of the House of Commons and a Superior Court judge, the national debate over slavery began in earnest. Historian Michael Holt argues in *The Fate of Their County*, "the slavery extension issue first emerged because of decisions by

²⁴ Powell, *North Carolina*, 90-1, 98-9.

²⁵ London, "Badger in the United States Senate," 1-2.

²⁶ *Weekly Raleigh Register*, December 15, 1820.

²⁷ *Weekly Raleigh Register*, April 30, 1824; This level of punishment may reflect Badger's own views on how slaves should be punished, giving one insight into how Badger's own slaves could have been treated.

elected officeholders...not because of a groundswell of public pressure...that point is crucial.”²⁸ The first substantial moment when the issue of slavery extension found its way upon the floor of Congress was in 1819 with the debate surrounding the admission of Missouri as a slave state. Northerners, already upset by the over-representation of southerners in the House of Representatives and the Electoral College (thanks to the Constitution’s three-fifths compromise), were concerned about the two additional Senate seats the admittance of Missouri would give the South. White southerners, on the other hand, firmly believed that if Congress forced Missouri to free its slaves as the cost of statehood, then Congress could abolish slavery in every new state that entered the Union.²⁹

To settle the debate over slavery’s expansion, Congress passed the Missouri Compromise in 1820, against the objections of many northerners. The legislation admitted Missouri as a slave state and Maine as a free state to keep the number of Senate seats even between North and South. The compromise also “forever prohibited slavery in the unorganized area of the Louisiana Purchase territory north of the parallel thirty-six degrees thirty minutes.”³⁰ Though most northern members of Congress opposed the Missouri Compromise, the vast majority of southern congressmen supported it, allowing the bill to pass. At least one notable public figure from the South at that time, Thomas Jefferson, did not share his neighbors’ enthusiasm. Jefferson wrote, “this momentous question [slavery expansion], like a fire bell in the night, awakened and filled me with terror. I considered it at

²⁸ Michael Holt, *The Fate of Their Country: Politicians, Slavery Extension, and the Coming of the Civil War* (New York: Hill and Wang, 2004), 4.

²⁹ Holt, *Fate of Their Country*, 5-6; Northerners felt that southerners were over-represented because of the three-fifths compromise in the Constitution which counted each slave as three-fifths of a person when it came time to determine a state’s population, despite the fact that slaves were not considered citizens, and often not even considered people.

³⁰ Holt, *Fate of Their Country*, 6.

once as the death knell of the Union. It is hushed indeed for the moment, but this is a reprieve only, not a final sentence.”³¹

Because the Democratic-Republicans were the only political party in Washington during 1820, the debate surrounding the Missouri Compromise devolved strictly along sectional lines.³² North Carolinians, like most of their southern brethren, no doubt initially supported the Missouri Compromise when it passed in 1820. Southerners viewed the compromise as a positive thing that opened a wide swath of the country to slavery without further debate. As the decades passed, however, southern sentiment regarding the compromise began to sour; more and more people saw it as less of a positive tool for slavery’s expansion and more of a negative restriction on the institution’s future. Badger echoed this southern lament several times during his many speeches on the Senate floor.³³

Perhaps all the turmoil and vitriol surrounding the passage of the Missouri Compromise helped Badger initially to choose to forego life as a public figure and return to his private law practice. Regardless of what Badger’s deciding factor was, his decision to leave politics proved quite prosperous for him, not only monetarily, but also reputationally. Badger argued one-third of all the cases heard before the North Carolina Supreme Court from 1825 to 1846. He also argued forty-four cases before the Supreme Court of the United

³¹ Thomas Jefferson to John Holmes, April 22, 1820, <https://www.loc.gov/exhibits/jefferson/159.html>, accessed August 18, 2020.

³² Holt, *Fate of Their Country*, 7.

³³ Holt, *Fate of Their Country*, 6; George Edmund Badger, “Speech of Mr. Badger, of North Carolina, on the Territorial Question, and Against Secession, Disunion, and Forcible Resistance on Account of the Wilmot Proviso – and for the Union and the Constitution, and for Constitutional Remedies in the Union,” in the Senate of the United States, August 2, 1850; George Edmund Badger, “Speech of the Honorable George E. Badger, of North Carolina, on the Nebraska Bill,” in the United States Senate, February 16, 1854; George Edmund Badger, “Speech of Mr. Badger, of North Carolina, on the Slavery Question,” in Senate, March 18 and 19, 1850.

States.³⁴ Badger's legal skills were in high demand throughout his career as a lawyer. He even argued many cases before the Supreme Court of the United States while he was serving as a U.S. Senator in the 1840s and 1850s.³⁵ These cases undoubtedly helped Badger hone the oratory and argumentative skills that he would put to good use on the floor of the Senate.

Despite focusing on his legal practice, Badger still maintained an interest in politics. While Badger made a name for himself as a lawyer, the Whig Party gained dominance in the state of North Carolina. The foundations of the Whig Party were laid during the presidential election of 1824, twelve years before the Whig Party appeared on the national stage. During that election, North Carolina's vote split between Andrew Jackson, the hero of the Battle of New Orleans during the War of 1812, and William Harris Crawford, the Treasury Secretary of the United States. Jackson won the state of North Carolina by eight percent of the vote, garnering a lot of support in the western and coastal counties, compared to Crawford who was popular amongst plantation owners, rice farmers, and Quakers.³⁶

To the dismay of North Carolinians, neither candidate won the presidency. Since none of the four candidates – Andrew Jackson, William Crawford, John Quincy Adams, and Henry Clay – received the required 131 electoral votes to be elected President, the House of Representatives chose who would win the election. Since the House considered only the top

³⁴ Thomas Rodgers Hunter, "George Edmund Badger 1795-1866: A North Carolinians Life in Politics and Law," Master's Thesis, (University of Virginia, 1986), 362, 366-8; *United States v. Daniel et al.*, 47 US 11 (1848), loc.gov, accessed August 15, 2020; *Gilmer v. Poindexter*, 51 US 257 (1850), loc.gov, accessed August 15, 2020; *Montault et al. v. United States*, 53 US 47 (1851), loc.gov, accessed August 15, 2020; *United States v. Fossat*, 61 US 413 (1857), loc.gov, accessed August 15, 2020.

³⁵ Badger argued twenty-seven of the forty-four of his cases before the Supreme Court while he was serving as a Senator and argued the remaining seventeen after he retired. Though it appears that he argued only a couple of cases before the North Carolina Supreme Court the year he became a Senator, and then never argued a case before that court again. That may be due to some type of conflict of interest, or perhaps he felt like North Carolina Supreme Court cases were no longer worth his time once he became a Senator. Hunter, "George Edmund Badger," 362, 366-8.

³⁶ Max R. Williams, "The Foundations of the Whig Party in North Carolina: A Synthesis and a Modest Proposal," *The North Carolina Historical Review* 47, no. 2 (1970), 116.

three vote earners, Henry Clay departed the contest. Though, serendipitously for him, he was the Speaker of the House, a position that allowed him to have a sizeable amount of influence and power over who the House selected as president.³⁷

When the dust settled, the House of Representatives selected John Quincy Adams as the sixth President of the United States. Rumors quickly spread amongst Jackson supporters that a “corrupt bargain” had been struck between Adams and Clay to steal the election away from Jackson. To many, these rumors appeared to become truths when Adams named Clay his Secretary of State. Commenting on the election of Adams, the *Raleigh Register* stated, “for some time past, the friends of Mr. Clay have hinted that they, like the Swiss, would fight for those who pay best.” When Adams offered Clay the position of Secretary of State if Clay helped him win the election in the House, “friends of Clay gave this information to the friends of Jackson, and hinted that if the friends of Jackson would offer the same price they would close for them. But none of the friends of Jackson would descend to such mean barter and sale.”³⁸

John Quincy Adams’ lackluster presidency, along with Jackson’s exponentially growing support throughout the country, ushered Jackson into the White House by a landslide in 1828. Jackson’s victory was particularly overwhelming in North Carolina, with Adams carrying only nine of the state’s sixty-four counties. However, it was Jackson’s bid for re-election in 1832 that proved him unstoppable. Running against Henry Clay, who at that time was a National Republican, Jackson won sixty-three of North Carolina’s sixty-four counties, and eighty-five percent of the state’s popular vote. When the votes came in from the country at large, Jackson won 219 electoral votes to Clay’s 49, outperforming his

³⁷ Williams, “Foundations of the Whig Party,” 116-7.

³⁸ *Raleigh Register*, February 8, 1825.

impressive 1828 numbers. Jackson's actions as president led to the founding of the Whig Party, whose sole initial purpose was to oppose all things Jacksonian.³⁹

Three key events pushed some of Jackson supporters away from him, and out of the Democratic Party forever: the Nullification Crisis of 1832, the Compromise Tariff of 1833, and Jackson's war against the Second Bank of the United States.⁴⁰ The Nullification Crisis began when South Carolinians, under the guidance of Jackson's former vice president, John C. Calhoun, argued that a state could nullify a federal tariff if they thought it oppressive. South Carolinians found the "Tariff of Abominations" tyrannical. Passed in 1828, the "Tariff of Abominations" goal was to protect the manufacturing industry in the northern states by placing a tariff of up to forty-five percent on imported goods from Europe. This incensed southerners who had come to enjoy being able to consume imported manufactured goods without needing to be wealthy.⁴¹

Calhoun emerged as the leader of the opposition to the "Tariff of Abominations" mostly due to his stance as a leader in South Carolina politics. South Carolina had yet to recover from the economic Panic of 1819, and cotton farmers there blamed the tariff of 1828 for taking forty percent of their profits.⁴² Many people in South Carolina had become tired of the tariff's negative impact on their economy, with several proposing secession. Calhoun's goal was to argue that the tariff should be done away with while also arguing that South

³⁹ Williams, "Foundations of the Whig Party," 117-8.

⁴⁰ Thomas Jeffrey, "National Issues, Local Interests, and the Transformation of Antebellum North Carolina Politics," *Journal of Southern History* 50, no. 1 (1984), 45; Williams, "Foundations of the Whig Party," 117-8.

⁴¹ Daniel Walker Howe, *What Hath God Wrought: The Transformation of America, 1815-1848* (New York: Oxford University Press, 2007) 395; John McCardell, *The Idea of a Southern Nation: Southern Nationalists and Southern Nationalism* (New York: Norton, 1979).

⁴² Modern economists have noted that this number was more likely closer to twenty percent, but at the time the forty percent argument garnered a lot of support from struggling South Carolinians; Howe, *What Hath God Wrought*, 396.

Carolina should not secede. In the Fall of 1828, Calhoun did just that, releasing a treatise entitled *The South Carolina Exposition*. In it, Calhoun argued that protective tariffs, like the “Tariff of Abominations,” were unconstitutional and that if a state did not approve of the federal law then they could hold a convention and vote on whether the law would become null and void in the state. Though Calhoun did not go as far as saying it at the time, the idea of nullification opened the door for a state to secede if the federal government attempted to coerce a state into obeying a law that the state thought unconstitutional. On November 12, 1832, South Carolina put Calhoun’s theory of nullification to the test and held a convention that overwhelmingly voted in favor of nullifying the “Tariff of Abominations.”⁴³

Enraged by South Carolina’s affront to his power, Jackson issued a proclamation that threatened to use force to coerce the state to comply with the tariff. Jackson’s actions during the crisis earned him the approval of some North Carolinians for his unionism, though others worried about his willingness to use the power of the federal government to coerce a state. Lack of support from other southern states led South Carolina to quiet its desire to secede in 1832. The Compromise Tariff of 1833, which lowered the tax rate of the “Tariff of Abominations,” did little to ease the fears of those concerned by Jackson’s actions, and his war against the Second Bank of the United States proved divisive enough to spawn an entirely new political party in opposition to him.⁴⁴

Jackson’s war on the Second Bank of the United States proved a major political blunder for the once seemingly infallible General. This mistake cost Jackson and the

⁴³ It is worth noting that South Carolina politics were very different than those in other states at the time. Since South Carolina did not democratize its elections in the early 1800s like many other states. Howe, *What Hath God Wrought*, 396-8, 401-2.

⁴⁴ It is some interest to note that “North Carolina was the only southern state whose congressional delegation had uniformly opposed every tariff measure since the War of 1812, Williams, “Foundations of the Whig Party,” 117-8.

Democratic Party the support of about half of all Americans, including Badger, and the economic ramifications tainted Jackson's successor Martin Van Buren's presidency, putting Jackson's political legacy in jeopardy. Propagated by Jackson's distrust of banks, his dismantling of the Second Bank came three years before its charter was set to expire. Jackson accomplished the destruction of the Second Bank by removing all funds from it and transferring them to hand-picked state banks. This action gave Jackson's opponents a unifying cause to rally behind, an opportunity that they did not squander.⁴⁵

The outcry against Jackson's removal of funds from the Second Bank of the United States came swiftly and harshly in North Carolina. Commenting on Jackson's willful ignorance towards the laws of the United States, the *Charlotte Journal*, echoed the cries of most other North Carolinians, stating, "it is the avowed disregard of all law but the law of his own will, the tone of arrogance and contempt of the Legislative Authority of the Country, which pervades it, and which must make every independent mind [full of] indignation and alarm." The newspaper continued for several more sentences before ending its expression of discontent towards Jackson on a question that many people of the era would have found alarming, "are we to see a Cromwell in our day?"⁴⁶

Vice President Martin Van Buren was Jackson's heir apparent, following Jackson's two terms in office. The Whig Party saw this transition as an opportunity to strike and stop a possible Jacksonian dynasty, though their strategy to do so proved quite contrived.

⁴⁵ Williams, "Foundations of the Whig Party," 118-20.

⁴⁶ *Charlotte Journal*, October 5, 1833; Cromwell refers to Oliver Cromwell, the tyrant that gained control over England following its Civil War in the mid-1600s; Several other North Carolina newspapers that published scathing denunciations of Jackson's destruction of the Second Bank: *Raleigh Register*, October 1, 1833, February 18, 25, March 18, 1834; *North Carolina Star* (Raleigh), September 27, 1833; *Hillsborough Recorder*, June 4, 1834; *Fayetteville Observer*, October 15, 1833, January 28, 1834; *Western Carolinian* (Salisbury), March 22, 1834; Williams, "Foundations of the Whig Party," 120.

Undoubtedly influenced by John Quincy Adams' victory over Jackson in 1824, the Whig strategy during the election of 1836 – the first in which a Whig candidate ran for President – was to split the electoral college up amongst five candidates, four of them Whigs. The success of this plan rested on Van Buren's inability to reach the required 148 electoral votes to become President, allowing the House of Representatives to pick the new Commander and Chief. The Whigs proved unsuccessful in their attempt, however, as Van Buren received 170 electoral votes. The four Whig candidates—William Henry Harrison, Daniel Webster, Willie Mangum, and Hugh L. White—earned seventy-three, fourteen, eleven, and twenty-seven electoral votes each, respectively.⁴⁷

In North Carolina, the race was primarily between Van Buren and White. During the election, several North Carolinian newspapers voiced their disgust with Van Buren. The *Fayetteville Observer* claimed, "Van Buren is the candidate of the abolitionists," no doubt attempting to differentiate Van Buren from his slave-owning predecessor Jackson.⁴⁸ Objecting to the criticism that a vote for White was the same as throwing one's vote away, one North Carolinian stated in the *Greensboro Patriot*, "No! Even if our votes were thrown away it would be done with a clearer conscience than in giving them to a man whom we should not believe deserved them."⁴⁹ Despite these outcries, Van Buren carried the state by six percentage points.

While the national Whig Party worked hard to gain support during the 1836 Presidential election, the North Carolina Whig Party made in-roads of its own. Tarheel state Whigs coalesced over the improvement of the state's socio-economic issues using positive

⁴⁷ Marc Kruman, *Parties and Politics in North Carolina, 1836-1865* (Baton Rouge, LA: Louisiana State University Press, 1983); Jeffery, "National Issues."

⁴⁸ *Fayetteville Observer*, November 10, 1836.

⁴⁹ *Greensboro Patriot*, November 9, 1836.

action. Poor roads, less than ideal harbors, and a lack of educational facilities led to a high rate of poverty along with social and economic stagnation in North Carolina. The Whig Party saw this as an opportunity to oppose the Democratic Party, which did not support the use of government funds to promote education and internal improvements. The Whig Party's policies made them immensely popular in the western and coastal sound regions of North Carolina, but a major problem stood in their way: the political dominance of eastern counties in state politics. This dominance was baked into North Carolina's original state Constitution of 1776, which gave eastern counties more representation in the state's House of Representatives. By 1830, western North Carolinians outnumbered easterners by over 50,000, but only had eighty representatives compared to the east's one-hundred and nineteen.⁵⁰

Defections from key counties around North Carolina's sounds due to their want of internal improvements to upgrade their harbors and increase trade gave the west enough votes to hold a state Constitutional Convention in 1835.⁵¹ The convention made six important changes to the North Carolina State Constitution. First, the state Senate now contained fifty members from equally drawn districts based on the amount of taxes they paid. Second, one-hundred and twenty members apportioned by the federal population now made up the House of Commons with each county getting at least one representative. Third, the General Assembly now met every two years instead of one. Fourth, it eliminated borough representation and religious tests for officeholding. Fifth, the citizens of North Carolina elected the governor by popular vote and he now held office for two years. Sixth, to appease

⁵⁰ Williams, "Foundations of the Whig Party," 121-2, 123; Badger, who became known as one of the most "Federal Whigs," clearly favored the idea of using taxation and government policy to improve the country.

⁵¹ *Hillsborough Recorder*, April 17, 1835, quoted in Williams, "Foundations of the Whig Party," 123.

slaveholders who largely hailed from the eastern counties, free people of color lost the right to vote. North Carolina adopted the new state Constitution of 1835 by a vote of 26,771 to 21,606.⁵²

The increased voting power given to western North Carolina, along with the support of key counties around North Carolina's coast, allowed the Whig Party to quickly dominate the state. The western and sound counties supported the Whig Party because of their desire for internal improvements, though like most North Carolinians, they shuddered at the thought of increased taxes. Henry Clay relieved these concerns with his distribution bill, which proposed to divide the money generated by public land sales amongst the states, therefore, giving North Carolina Whigs the money, they needed for internal improvements without them having to raise taxes. Thanks to these policies, made possible by the more equal sectional voting power enshrined in the 1835 North Carolina State Constitution, the Whig Party gained control of North Carolina politics in 1836 and maintained control until 1850.⁵³

With the North Carolina and National Whig parties in a good position to strike, the 1840 Presidential election appeared like their chance to defeat Jacksonian policies by ousting Van Buren from the White House. The National Whig Party gained a large, loyal, and passionate following during the years between the party's founding and the election of 1840. This rise in popularity can be attributed to the party's push for positive governmental action

⁵² *Raleigh Register*, December 29, 1835, quoted in Williams, "Foundations of the Whig Party," 123; Williams, "Foundations of the Whig Party," 123-4; If extrapolated from data gathered from the 1860 Census, free people of color made up about eight percent of North Carolina's population, meaning that about 55,000 free people of color lost their right to vote because of the 1835 North Carolina state Constitution; Kruman, *Parties and Politics*.

⁵³ Williams, "Foundations of the Whig Party," 124, 126-7; The Whig Party held the Governor's house in North Carolina from 1836 to 1850. Four of the seven state legislatures were controlled by Whigs during that time, and a fifth one was evenly split between the Whig and Democratic Party. Whig Senators from North Carolina served in the United States Senate for sixty-one percent of the time between 1836 and 1850, and North Carolina voted for the Whig Presidential candidate in 1840, 1844, and 1848.

for internal improvements and economic expansion. The popularity of the Whig Party, their choice of William Henry Harrison, a popular general, as their presidential candidate, and some increased effort by the Democrats to stop them, led to a voter turnout of over eighty percent in 1840, an increase of more than twenty-three percent from the previous election.⁵⁴

In North Carolina, the rise of the state's Whig Party, along with Van Buren's unpopularity, turned what once was a solidly Democratic state during Jackson's two turns, into a hotbed of Whig support in 1840. The *Fayetteville Observer*, a Whig paper, succinctly summarized the level of fervent Whig sentiment in the state:

We beg every friend of Harrison and Reform...faithfully to do his duty [and]...save the good old North State from everlasting disgrace...let every Whig be able to say that his vote aided to bring back the government to a state of purity, and the country to a condition of prosperity, which we may confidently look for as the result of the election of Harrison and Tyler.⁵⁵

The writers of the *Fayetteville Observer* were pleased to know that their faith in the voters of North Carolina had not been misplaced when the results of the 1840 election came back. Harrison carried North Carolina by sixteen percent. The national election mirrored this dramatic shift towards Harrison and the Whig Party, with Harrison receiving 234 electoral votes to Van Buren's 60, enough to easily put the first member of the Whig Party in the White House.⁵⁶

Badger played a significant role in the ascension of the Whig Party to the presidency, and the party's rise to power catapulted Badger onto the stage of national politics. Badger's moment came when he gave a speech in favor of Harrison and the Whig Party in Granville

⁵⁴ Holt, *Fate of Their Country*, 8-9; Tippecanoe was a battle that occurred on November 7, 1811 and was fought between American and Native American forces. The battle was an American victory. Harrison's reputation as the hero of Tippecanoe led to his campaign slogan of "Tippecanoe and Tyler Too." A slogan that made Harrison's running mate John Tyler an afterthought.

⁵⁵ *Fayetteville Observer*, November 11, 1840.

⁵⁶ Holt, *Fate of Their Country*, 8-9; Jeffrey, "National Issues," 51.

County on March 3, 1840.⁵⁷ Reporting on the speech, the *Carolina Watchman*, a newspaper out of Salisbury, North Carolina, noted: “Mr. Badger rose by request and addressed the meeting for nearly two hours. He portrayed the abnormalities of the [current] administration...whose sole aim seems to be to...cripple the resources of this country.” Badger’s speech was well received by the audience, with Badger being forced to stop speaking several times due to deafening applause. All those who spoke after Badger, “paid a glowing compliment to Badger’s zeal and eloquence.” Giving their own opinion of the speech, the paper stated, “we are rejoiced to learn that the immense powers of Mr. Badger are so actually employed in ridding the country of the curse of misgovernment.” The paper argued that Badger “never advocated a cause when more was at stake, nor did he ever have a better opportunity of entitling himself to the gratitude of posterity.”⁵⁸ The *Raleigh Register* also noted that Badger’s speech could “safely be referred to as the text-book of the [Whig] party.”⁵⁹

The respect and admiration that Badger earned from his March 3rd speech, convinced the North Carolina Whig Party to recommend him for the position of Attorney General in Harrison’s cabinet, a position that state Whigs felt Badger was well suited for due to his experience as a judge and lawyer. Harrison took this recommendation to heart, but having already appointed John J. Crittenden as Attorney General, Harrison appointed Badger as Secretary of the Navy instead.⁶⁰ Coincidentally, being from North Carolina, Badger fit the role of Secretary of the Navy just as well as he would have fit the role of Attorney General.

⁵⁷ London, “Badger in the United States Senate,” 3.

⁵⁸ *Carolina Watchman* (Salisbury, NC), April 10, 1840; I was sadly unable to find any full transcripts of Badger’s speech.

⁵⁹ *Raleigh Register*, April 17, 1840, quoted in London, “Badger in the United States Senate,” 3.

⁶⁰ London, “Badger in the United States Senate,” 3.

This was because North Carolina dominated the production of American naval stores, producing up to ninety-seven percent of the turpentine used by the Navy, giving Badger a home-field advantage when it came to procuring goods for the improvement of the Navy.⁶¹

During his tenure as Secretary of the Navy, Badger implemented several changes and improvements. Firstly, he recommended establishing a fleet to defend the nation's coastline, an action that Congress took, establishing the origins of the Atlantic fleet. Secondly, he introduced a new haircut in the Navy which was affectionately called "the Badger" for decades after his departure. Perhaps the most glowing praise of his time as the Secretary of the Navy came from the *Philadelphia Inquirer and Daily Courier*, which wrote, "we have been called upon by a number of officers of the Navy [who have stated]...that never was the Department characterized by more efficiency, vigor, and ability than during the brief but brilliant administration of the Honorable George Edmund Badger."⁶²

Unfortunately for Badger, and perhaps even more so the country as a whole, "brilliant but brief" may be the best description for both his time as Secretary of the Navy and the initial success of the National Whig Party. The sudden death of President William Henry Harrison one month into his first term caused a fracture in the Whig Party which had just found success. John Tyler, or "His Accidency" as his detractors liked to call him, succeeded to the Presidency and confounded Whig plans to reform the government and the nation. Upon taking office, Tyler immediately vetoed several of the economic bills, including the recharter of the Second Bank, that congressional Whigs had recently passed with the

⁶¹ Robert B. Outland III, "Suicidal Harvest: The Self-Destruction of North Carolina's Naval Stores Industry," *North Carolina Historical Review* 78, no. 3 (2001), 309, 312; This article is very insightful for any of those who wish to examine how the exploitation of North Carolina's Longleaf Pine to produce turpentine and pine gum led to environmental ruin.

⁶² *Philadelphia Inquirer and Daily Courier*, quoted in London, "Badger, George Edmund."

assurance that Harrison would sign them. This created an uncrossable divide between the Whig Party and Tyler.⁶³

Tyler, trying to save his political career, made the expansion of slavery one of his key issues, with the annexation of Texas as his goal. Tyler's actions as president led him to be read out of the Whig Party by congressional Whigs, and his unpopularity caused the Democratic Party to overlook him as a candidate for the 1844 Presidential election. The Whig Party's break with Tyler caused all his cabinet, save Daniel Webster, to resign, leaving Badger uncertain whether he would ever return to the stage of national politics. Tyler's final and most damaging act as president, his annexation of Texas two days before he left office, initiated an era of turmoil for the United States that did not end until three-quarters of a million Americans lay dead after a bloody civil war.⁶⁴

⁶³ Holt, *Fate of Their Country*, 6-7, 10.

⁶⁴ Holt, *Fate of Their Country*, 10-2.

Chapter Two: Compromise, 1841-1850

The tension amongst the citizens of the United States reached the highest level it had ever been in 1850. On January 29, 1850, Henry Clay proposed his compromise plan to deal with the land ceded to the United States by Mexico after the Mexican American War, as well as several other key issues of the time. What became known as the Compromise of 1850 included legislation to admit California into the Union as a free state, organize the territories of Utah and New Mexico without reference to slavery, settle the Texas-New Mexico border dispute, abolish the slave trade in the District of Columbia, and create a new and more stringent Fugitive Slave Law.⁶⁵ Congressional members from both sides of the aisle found reasons to become enraged at some aspect of these proposals. Hoping to be a voice of reason and a beacon of compromise, North Carolina's George Edmund Badger took the Senate floor on March 18 and 19, 1850, to deliver a speech on the slavery question.⁶⁶

A seasoned lawyer and skilled orator, Badger addressed the Senate with authority, being "recognized as one of the ablest constitutional lawyers in the country, and when speaking on constitutional questions was...listened to with respect by the Senate."⁶⁷ After Badger discussed how he had opposed the taking of land from Mexico and his distaste for the current fervor surrounding secession, he got to the heart of his argument: compromise and the Constitution. Opposing Senator William Henry Seward of New York who had argued that the Fugitive Slave Act was immoral and should not be passed even if it was constitutional, Badger stated:

He who obeys the Constitution only in what he thinks right, does not obey the Constitution at all – he but follows his own inclination; and he who, having

⁶⁵ Michael Birkner, "Daniel Webster and the Crisis of Union, 1850," *Historical New Hampshire* 37, (1982), 151-173.

⁶⁶ London, "Comp. of 1850," 102; Badger, "On the Slavery Question."

⁶⁷ London, "1846-49," 9.

taken an oath to support the Constitution, refuses to obey it because he thinks there is some “law above the Constitution” which forbids slavery, places himself in the same position – taking for his guide his own individual judgment and opinion, above and against the Constitution, which he can rightfully do only after surrendering the office he holds...⁶⁸

Badger practiced what he preached by arguing against his section – the South – and his own personal interests. When discussing the application of the Wilmot Proviso, an amendment that would have barred slavery from any of the territories gained by way of the Treaty of Guadalupe-Hidalgo, which ended the Mexican War in 1848, Badger stated, “I say again, that Congress has the constitutional power to apply the Wilmot proviso to this Territory, and to all Territories that belong to the United States.” Continuing his speech in favor of federal power, Badger declared, “I believe that Congress has entire power and jurisdiction over the Territories; that we are the supreme lawgivers over them; may dispose of their institutions as we think right, and let in and shut out just whom and just what we please.”⁶⁹

Badger’s statements and actions during his speech, “On the Slavery Question,” are consistent with those that he put forth during debates both before and after the Compromise of 1850. Badger’s rigid constitutionalism remained consistent throughout his career, even carrying over into the debates that he participated in as one of Wake County’s representatives to North Carolina’s secession conventions in February and May of 1861. During a time when the United States was a ship sailing straight into the rocks while the majority of the crew were too preoccupied with advancing their sectional and personal causes to correct its course, Badger grounded his rhetoric in the Constitution and the spirit of compromise. If more politicians followed Badger’s lead and placed the interests of the nation over their own

⁶⁸ Badger, “On the Slavery Question,” 10.

⁶⁹ Badger, “On the Slavery Question,” 13.

personal interests, then perhaps compromise would have prevailed and avoided the Civil War.

One of the most transformative and consequential decades in the history of the United States, 1840 to 1850, saw several events that shaped the nation. The annexation of Texas in 1845, the outbreak of the Mexican-American War in 1846, and the Compromise of 1850, all led to the Kansas-Nebraska Act that passed in 1854, the catalysts for the Civil War.⁷⁰ Being one of only four senators to continuously serve from the first year of the Mexican American War until the passage of the Kansas-Nebraska Act, and to have recorded a vote on both the Treaty of Guadalupe-Hidalgo and the Kansas-Nebraska Act, George Edmund Badger contributed heavily to the debates and discussions surrounding the most crucial pieces of legislation in American history.⁷¹

After Badger's brief tenure as Secretary of the Navy, he returned to his home in Raleigh and continued practicing law. During that time, Badger continued making a name for himself, arguing in over twenty-five percent of the cases heard before the North Carolina

⁷⁰ The best brief overview of this period is Michael Holt, *Fate of Their Country: Politicians, Slavery Extension, and the Coming of the Civil War* (New York: Hill and Wang, 2004). Other, more extensive treatments of the subject include David Potter, *The Impending Crisis, 1848 – 1861* (New York: Harper and Row, Publishers, 1976); and William H. Freehling, *The Road to Disunion: Secessionists at Bat, 1776-1854* (New York: Oxford University Press), 1990.

⁷¹ The other three senators that met the same qualifications as Badger were David Rice Atchison, Andrew Butler, and Thomas Jefferson Rusk. Notably, Atchison was the only senator to have served continuously before the Mexican American War until after the passage of the Kansas-Nebraska Act and recorded a vote for both the Treaty of Guadalupe-Hidalgo and the Kansas-Nebraska Act; U.S. *Senate Journal*, 30th Cong., 1st sess., 10 March 1848; U.S. *Senate Journal*, 31st Cong., 1st sess., 9 August 1850; U.S. *Senate Journal*, 31st Cong., 1st sess., 13 August 1850; U.S. *Senate Journal*, 31st Cong., 1st sess., 15 August 1850; U.S. *Senate Journal*, 31st Cong., 1st sess., 23 August 1850; U.S. *Senate Journal*, 31st Cong., 1st sess., 16 September 1850; U.S. *Senate Journal*, 33rd Cong., 1st sess., 25 March 1854; *Cong. Globe*, 29th Cong., 1st Sess. 1 (1845); *Cong. Globe*, 30th Cong., 1st Sess. 1 (1847); *Cong. Globe*, 30th Cong., 1st Sess. 340 (1848); *Cong. Globe*, 31st Cong., 1st Sess. 1 (1849); *Cong. Globe*, 32nd Cong., 1st Sess. 1 (1851); *Cong. Globe*, 33rd Cong., 1st Sess. 1 (1853); *Cong. Globe*, 33rd Cong., 1st Sess. 1321 (1854).

Supreme Court between 1841 and 1846.⁷² Along with his continued advancement as a lawyer, Badger increased his wealth and social standing as well during the antebellum era. In 1840, Badger owned eighteen slaves, putting him on the fringes of the planter class and leading to a sizeable amount of wealth.⁷³ By 1850, however, his real estate wealth was listed as \$6,000⁷⁴, but his slaveholdings had decreased to five, perhaps due to him selling off many of his slaves during his tenure in the Senate.⁷⁵ After his time in the Senate, Badger continued to increase his slaveholdings and wealth, and by 1860 was worth a reported \$145,000⁷⁶ and owned twenty slaves, making him one of the wealthiest men in North Carolina and the fifth wealthiest person in Raleigh.⁷⁷ Badger's standing in the planter class, and the wealth that he accumulated as a result, make his decisions in Congress all that more interesting. Unlike the typical antebellum politicians, vilified by historian Michael F. Holt, who only voted for what best benefited them personally and politically, Badger always voted for what he viewed as the constitutional, and usually compromise, choice.⁷⁸

By 1841, the Whig Party in North Carolina was still in the early phase of its state dominance, which lasted from 1836 to 1851.⁷⁹ But at the national level, the Whig Party was

⁷² Thomas Rodgers Hunter, Thesis, 1986, UVA, 362.

⁷³ 1840 U.S. Census, Wake County, Population and Slave Schedules (all census data found at [ancestry.com](https://www.ancestry.com)); Interestingly, along with the eighteen slaves that Badger owned in 1840, there was one free female person of color between the ages of 24 and 35 listed as living in Badger's residence.

⁷⁴ This was a substantial sum, the equivalent of nearly \$200,000 today. See <https://www.officialdata.org/us/inflation/1850?amount=6000>.

⁷⁵ 1850 U.S. Census, Wake County, North Carolina, Population and Slave Schedules

⁷⁶ Which is \$4.5 million in today's money. <https://www.officialdata.org/us/inflation/1860?amount=145000>.

⁷⁷ 1860 U.S. Census, Wake County, North Carolina, Population and Slave Schedules; The four people who had more wealth than Badger in the 1860 Census were: A 61 year old woman named M. Tucker worth \$148,000, William Peace, an 84 year old farmer who was worth \$167,000, B.F. Moore, a 58 year old lawyer worth \$188,000, and Penelope Smith, a 73 year old woman worth \$273,000.

⁷⁸ Holt, *Fate of Their Country*, 4-5.

⁷⁹ This dominance can be seen in the control of the Governor's mansion, state legislature, US Senate seats, and US House of Representatives seats that the Whigs enjoyed during the years of 1836 to 1851; The best overview of antebellum North Carolina politics, Marc W. Kruman, *Parties and Politics in North Carolina, 1836-1865* (Baton Rouge, Louisiana: Louisiana State University Press, 1983).

in turmoil because of the actions of President John Tyler. Many North Carolinians disagreed with Tyler. *The Wilmington Chronicle*, a Whig newspaper, stated, “Although not surprised, we are mortified and disappointed at” the veto of the national bank legislation. The editor stated that Tyler’s scruples “seem to be of that shadowy character which prevents their being met by practical purposes.”⁸⁰ Not to be outdone in their outrage, the Whig *Oxford Mercury*, denounced the president: “How closely [Tyler] follows in the footsteps of General Jackson!... How [had the presidential office] increased his arrogance! How alas! Has it inspired him with a dictatorial consequence!”⁸¹ The editors asserted, “we [feel] mortified, abused, that such should be our President, and we would that the curtain of oblivion might forever hide his disgusting conduct.”⁸²

Though some Democratic newspapers defended Tyler, their voices were few and far between because twenty-nine of North Carolina’s thirty-nine newspapers were Whig affiliated.⁸³ Along with condemning Tyler’s actions, the citizens of North Carolina praised those that resigned from his cabinet and held out hope that the Whigs in Congress would be able to overcome Tyler’s intransigence. *The Wilmington Chronicle*, a Whig paper, wrote, “We must hope for the best. Another session of Congress will come on in less than three months, and all the other great measures of the Whig Party having been perfected this session, ample time will then be afforded to” the creation of a new fiscal plan.⁸⁴

⁸⁰ *Wilmington Chronicle*, September 15, 1841.

⁸¹ *Oxford Mercury* (Oxford, North Carolina), September 16, 1841.

⁸² *Oxford Mercury*, September 16, 1841.

⁸³ Kruman, *Parties and Politics*, 49; The great majority of newspapers in North Carolina being affiliated with the Whig Party is a sign of a large readership, since only newspapers that are brought and read at a sustainable level continue to operate.

⁸⁴ *Wilmington Chronicle*, September 15, 1841.

The people of North Carolina were ready to show their displeasure for the Tyler administration at the polls during the midterm elections in 1842, but the midterm elections happened later in North Carolina than they did in many states, occurring on August 3, 1843. Likely, the prolonged cooling-off period between Tyler's veto of the Second Bank of the United States and the midterm elections saved Tyler and his new bedfellows, the Democratic Party, from losing votes in North Carolina. In the previous Congress, North Carolina Whigs held eight of the state's thirteen seats in the House of Representatives, but during the midterms of 1842, North Carolina lost four seats due to reapportionment based on the 1850 census, leaving it with only nine in the House. Unfortunately for the Whigs, all four of North Carolina's lost seats were from Whig districts, leaving the Whigs with four seats in the House of Representatives, and Democrats with five.⁸⁵

Despite what appeared to be a drastic defeat during the midterms, North Carolina Whigs were full of hope. Tyler's attempt to rejoin the Democratic Party failed after the Democrats refused to accept him, and after his removal, the Whig Party began to excel once more. The *North State Whig* echoed this sentiment in a column released on the day of the North Carolina midterms, "His defection has powerfully aided our adversaries and given them a temporary predominance, but now, and hereafter, they are to be sufferers from his association with them..."⁸⁶ This sentiment proved to be prophetic, as the Democratic Party chose to ignore Tyler's desire for re-election and instead nominated the dark horse candidate, James K. Polk of Tennessee, to run in 1844.

The *North State Whig*'s statement proved partially correct, with the Whig candidate Henry Clay carrying North Carolina in 1844. However, Polk narrowly won the national

⁸⁵ *Cong. Globe*, 28th Cong., 1st Sess. 1-2 (1843).

⁸⁶ *North State Whig* (Washington, North Carolina), August 3, 1843.

election. Polk's presidency reinvigorated the Whig Party in both North Carolina, and the United States as a whole. Much of the 1844 election in the South revolved around which candidate was the friendliest to slavery. The Whig *North Carolina Star* claimed, "The Richmond Enquirer [was] sedulously endeavoring to create the impression that if Mr. Clay is elected, he will owe his election to a 'coalition' between the Whigs and the Abolitionists."⁸⁷ The *Star* combated this view by stating "we perceive that...the Abolitionist or Liberty candidate has openly avowed his preference to Mr. Polk over Mr. Clay. Is not the democratic party opposed, as a mass, to human slavery!"⁸⁸ This distaste for Polk continued after his election, with the *Asheville Messenger* stating, "There will be, doubtless, great rejoicing in Europe when the news of Mr. Polk's election reaches that country. He was regarded by the Europeans as the anti-American candidate, being opposed to the encouragement of American industry." The editor wrote, "After four years of misery and suffering, we shall be able to elect an *American* president."⁸⁹

Once Polk became president, he set about expanding the United States under the banner of manifest destiny. The biggest swath of land that Polk desired, California, belonged to Mexico, and Polk's plan to obtain it led to the United States instigating a conflict to get it.⁹⁰ Despite Polk's role in starting the Mexican American War, it was his predecessor, John Tyler, that agreed to annex Texas on his final day in office.⁹¹ Under an annexation bill placed before Congress by Tennessee Whig Milton Brown, Texas would enter the Union as a slave

⁸⁷ *North Carolina Star* (Raleigh, North Carolina), October 30, 1844.

⁸⁸ *North Carolina Star*, October 30, 1844.

⁸⁹ *Asheville Messenger*, December 6, 1844, emphasis in original source.

⁹⁰ The territory of California that the United States acquired from Mexico contained much what became the modern-day states of California, New Mexico, Utah, Colorado, and Arizona.

⁹¹ Holt, *Fate of Their Country*, 15.

state and could be broken into five separate slave states by future Congresses.⁹² Polk, breaking a promise he had made to Van Burenite Democrats in New York, allowed Tyler's offer to Texas to stand, and in December 1845, Texas was admitted into the United States as a slave state, with its border with Mexico recognized, by the United States, as the Rio Grande.⁹³

Texas' border with Mexico became a heated issue, with Mexico recognizing the border as the Nueces River and the United States recognizing the border as the Rio Grande. Polk, seeing this as an opportunity to gain the land he wanted from Mexico, sent General Zachary Taylor, along with a group of soldiers, to the Rio Grande. Mexican troops, seeing these soldiers as invaders, opened fire on them. This altercation allowed President Polk to ask Congress for a declaration of war against Mexico, and on May 14, 1846, Congress gave Polk what he wanted. Despite their discontent with Polk's justification for the conflict, the vast majority of Whigs voted in favor of the war, quite possibly because Polk's framing of the initial skirmish as Mexican troops spilling "American Blood on American Soil" made it difficult for Whigs to justify what seemed to be an un-patriotic vote against war.⁹⁴

Americans put their partisan views aside to come together and fight, regardless of whether they felt the war had been instigated by dubious means. The Whig *Raleigh Register* argued, "we are glad to see that, everywhere, the American spirit is fully up, and that every citizen, without reference to the blunders of the Administration, seems determined to do his

⁹² Holt, *Fate of Their Country*, 13.

⁹³ Holt, *Fate of Their Country*, 13-15; The House passed the Brown-amended annexation bill by a vote of 120 to 98 with 112 Democrats some from either section and 8 southern Whigs voting yes and 26 northern Democrats and 72 Whigs, 17 being from the South, voting no. The bill passed by much more narrow margins in the Senate with 24 Democrats, which was every Democrat in the Senate, and 3 southern Whigs voting yes, and 25 Whigs voting No, 12 being from the South and 13 being from the North. Holt stated that this vote showed that partisan loyalty still outweighed sectional sentiments at this time.

⁹⁴ "Mexican American War," <https://www.britannica.com/event/Mexican-American-War>, accessed March 2, 2020; Holt, *Fate of Their Country*, 15-16.

duty, his whole duty, to his country.”⁹⁵ Though this burst of patriotism helped carry the United States into the Mexican American War, the longer the war dragged on, the more unpopular it, and the Polk administration became.

The 1846 midterms were a blow to President Polk who had, up to that point, enjoyed a wide Democratic majority in both the House of Representatives and the Senate. Whigs everywhere in the nation experienced a notable resurgence on the heels of the growing unpopularity of the Mexican American War. This was also true for the Whig Party in North Carolina who doubled their number of representatives in the House, giving them a two to one majority over their Democratic counterparts. But as the Whig Party was celebrating its return to dominance in Congress, controversial legislative initiatives led to heated partisan debates on the future of slavery in the Mexican territories.

The Wilmot Proviso was the piece of legislation that split the United States’ political discourse into sectional rather than partisan debate. Pennsylvania Democrat David Wilmot called for slavery to be barred from any territory gained from Mexico as a result of the war.⁹⁶ Historian Eric Foner summed up the impact of the Wilmot Proviso: “If any event in American history can be singled out as the beginning of a path which led almost inevitably to sectional controversy and civil war, it was the introduction of the Wilmot Proviso.”⁹⁷ When Congress first voted on the Proviso “every Northerner, save four Democrats, supported it” while “every Southerner, regardless of party, opposed it.”⁹⁸ The situation became so heated

⁹⁵ *Raleigh Register*, May 15, 1846.

⁹⁶ Holt, *Fate of Their Country*, 19-20.

⁹⁷ Eric Foner, “The Wilmot Proviso Revisited,” *The Journal of American History* 56, no. 2 (September 1969), 262.

⁹⁸ Holt, *Fate of Their Country*, 20.

that many southerners eventually threatened to secede if the Proviso ever passed. Into this rancorous climate, George Badger entered the Senate.

Badger's knowledge and respect for the Constitution likely caused the North Carolina Whig Party to elect him to the United States Senate in 1846 to fill the post held by William H. Haywood, a Democrat, who had recently resigned his position over a disagreement with the State legislature about opinions on the tariff.⁹⁹ Badger was highly respected by the state's Whig Party, so much so that one North Carolinian stated in the *Raleigh Register*, "it is coincident worthy of remark, that in both instances where [federal] office has been conferred on Mr. Badger, it has been not only without his solicitation, but...while [he was] absent from the city, without ever intimating to any human being that he would accept the appointment."¹⁰⁰ Undoubtedly, Badger's standing in society as a slaveholder, lawyer, and man of means swayed the North Carolina state legislature to elect him to the Senate. Historian Marc Kruman noted that 82 percent of North Carolina state legislatures were slaveholders, with many of them being part of the "planter" class, making Badger their peer socially and economically, and someone that the state legislature entrusted to champion their interests in the Senate.¹⁰¹

The North Carolina State Legislature decided to place their trust in Badger despite some of them having concerns about his standing as the leading "Federal Whig" in the state. Many Legislators' misgivings about Badger came from his "allegedly extreme Federal views on the powers of Congress relative to slavery in the territories," while some others

⁹⁹ Lawrence Foushee London, "George Edmund Badger in the United States Senate, 1846-1849," *The North Carolina Historical Review* 15, no. 1 (1938), 3-4; <https://bioguideretro.congress.gov/Home/MemberDetails?memIndex=H000411>, accessed February 24, 2020.

¹⁰⁰ *Raleigh Register*, quoted in London, "Badger, 1846-1849," 4.

¹⁰¹ Kruman, *Parties and Politics*, 49.

complained about Badger being from the Piedmont and not the coast or mountains, a sign of the sectional tension that played a large part in the state-level politics of antebellum North Carolina.¹⁰² Ultimately, Badger's loyalty lay not to himself or his party, but to the Constitution of the United States, and because of this, Badger supported the Union, compromise, and slavery.

Upon Badger's appointment to the Senate, Whigs in North Carolina and Washington D.C. rejoiced. The *Raleigh Register* stated that "not one [Senator] will be found [Badger's] superior, in all those qualities of both *head* and *heart*, which constitute true greatness, and this opinion will be endorsed by the whole country before his term expires."¹⁰³ During his tenure in the Senate, Badger served on several committees and delivered many speeches. We can best understand Badger's way of thinking by examining his speeches on the slavery question, the territorial question, and the Nebraska Bill, as well as his votes on the Treaty of Guadalupe Hidalgo, the bills of the Compromise of 1850, and the Kansas Nebraska Act.¹⁰⁴

The first consequential vote that Badger participated in was the ratification of the Treaty of Guadalupe-Hidalgo, the treaty that sought to bring an end to the Mexican American

¹⁰² Brian G. Walton, "Elections to the United States Senate in North Carolina, 1835-1861," *The North Carolina Historical Review* 53, no. 2 (April 1976), 182.

¹⁰³ *Weekly Raleigh Register*, November 27, 1846, all emphasis in original source.

¹⁰⁴ George Edmund Badger, "Speech of Mr. Badger, of North Carolina, on the Territorial Question, and Against Secession, Disunion, and Forcible Resistance on Account of the Wilmot Proviso – and for the Union and the Constitution, and for Constitutional Remedies in the Union," in the Senate of the United States, August 2, 1850; George Edmund Badger, "Speech of Mr. Badger, of North Carolina, on the Slavery Question," in Senate, March 18 and 19, 1850; George Edmund Badger, "Speech of the Honorable George E. Badger, of North Carolina, on the Nebraska Bill," in the United States Senate, February 16, 1854; U.S. *Senate Journal*, 30th Cong., 1st sess., 10 March 1848; U.S. *Senate Journal*, 31st Cong., 1st sess., 9 August 1850; U.S. *Senate Journal*, 31st Cong., 1st sess., 13 August 1850; U.S. *Senate Journal*, 31st Cong., 1st sess., 15 August 1850; U.S. *Senate Journal*, 31st Cong., 1st sess., 23 August 1850; U.S. *Senate Journal*, 31st Cong., 1st sess., 16 September 1850; U.S. *Senate Journal*, 33rd Cong., 1st sess., 25 March 1854; *Cong. Globe*, 29th Cong., 1st Sess. 1 (1845); *Cong. Globe*, 30th Cong., 1st Sess. 1 (1847); *Cong. Globe*, 30th Cong., 1st Sess. 340 (1848); *Cong. Globe*, 31st Cong., 1st Sess. 1 (1849); *Cong. Globe*, 32nd Cong., 1st Sess. 1 (1851); *Cong. Globe*, 33rd Cong., 1st Sess. 1 (1853); *Cong. Globe*, 33rd Cong., 1st Sess. 1321 (1854).

War. By the time the war was winding down, at the end of 1847, North Carolinians had grown increasingly frustrated with the whole affair. The Whig *Fayetteville Observer* published a speech given by Henry Clay, in which Clay stated: “War, pestilence, and famine, by the common consent of mankind, are the three greatest calamities which can befall our species; and war, as the most direful, justly stands foremost and in front.”¹⁰⁵ Once Congress reconvened following its Christmas recess, Badger echoed the sentiment of Clay and the rest of the Whig Party: “the war in which we are now engaged with Mexico, was the immediate result of the unlawful and unconstitutional act of the President of the United States.”¹⁰⁶ Badger elaborated on his theme: “I suppose, sir, that there is no gentleman on this floor or elsewhere, who supposes or believes that the President of the United States is vested with the war power of this country. It is a power expressly, and in terms, conferred upon the Congress of the United States.”¹⁰⁷ In Badger’s opinion, Polk robbed Congress of and absconded with, the power to enter the United States into a war when Polk ordered General Zachary Taylor to the Rio Grande, which the people of Mexico saw as an act of aggression by the United States.

Shortly after Badger voiced his distaste for President Polk’s actions, the finger-pointing over who or what caused the Mexican American War ceased to matter when the Treaty of Guadalupe-Hidalgo made its way to the Senate floor on February 23, 1848.¹⁰⁸ The Senate moved with uncharacteristic haste, ratifying the treaty within two weeks of receiving it. Within those two weeks, several heated debates occurred, especially over two proposed amendments to the treaty. Jefferson Davis, a Democratic senator from Mississippi,

¹⁰⁵ *Fayetteville Observer*, November 30, 1847.

¹⁰⁶ *Fayetteville Observer*, January 25, 1848.

¹⁰⁷ *Fayetteville Observer*, January 25, 1848.

¹⁰⁸ David Potter, *The Impending Crisis*, 5.

introduced an amendment to the treaty on March 6 that called for the boundary between Texas and Mexico to be moved south so that much of what is present-day northern Mexico would have become part of Texas. Davis undoubtedly introduced this amendment to gain more slave territory to benefit the southern United States. Most senators knew that Davis' amendment would be unacceptable to Mexico and voted down the amendment.¹⁰⁹

Badger introduced the second amendment to the treaty on March 8, in which he called for the deletion of all territorial acquisition from the treaty. A slight majority of the Whigs in the Senate voted for Badger's amendment, but the amendment inevitably failed after causing much concern amongst those Whigs who wanted to end the war and Democrats who demanded the acquisition of territory.¹¹⁰ After voting down both amendments, the Senate quickly voted to ratify the treaty and end the unpopular war. On March 10, the Senate voted 38 to 14 in favor of ratification, with Badger voting against it. After the Mexican government approved the treaty, both countries adopted the final version on May 30.¹¹¹

The anxious citizens of North Carolina awaited news on the Senate's ratification of the treaty. On March 21, the Senate's decision finally reached the state, when *The Fayetteville Weekly Observer*, a Whig leaning paper, declared: "This has been a day of tedious and harassing session in the Senate, but one of vast importance to the Country, so far

¹⁰⁹ Potter, *Impending Crisis*, 5-6.

¹¹⁰ Fifteen of the twenty-eight Whigs in the Senate voted for Badger's amendment: however, only two of them were from southern states, one being from Georgia and the other being Badger's representative partner from North Carolina Willie Magnum. The other thirteen came either from the North or the border states, with ten being from the North and three being from the border states. Potter, *Impending Crisis*, 5-6.

¹¹¹ This being a major vote, it is necessary for the senator's votes to be recorded: voting yes were Ashley, Atherton, Bagby, Bell, Bradbury, Bright, Butler, Calhoun, Cameron, Cass, Clarke, Crittenden, Davis of Massachusetts, Davis of Mississippi, Dayton, Dickinson, Dix, Downs, Felch, Foote, Greene, Hale, Hannegan, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Mangum, Mason, Miller, Moor, Niles, Rusk, Sevier, Sturgeon, Turney, Underwood, Yulee. Those that voted no were Allen, Atchison, Badger, Baldwin, Benton, Berrien, Breese, Corwin, Douglas, Lewis, Spruance, Upham, Webster, Westcott. *Journal of the Executive Proceedings of the Senate of the United States of American* vol. 7, 340, memory.loc.gov; Potter, *Impending Crisis*, 6.

as the action of that chamber can contribute to the great result of producing peace, though a treaty.”¹¹² *The Eastern Carolina Republican*, a Democratic newspaper from New Bern, agreed, “The terms of the treaty must be satisfactory to nearly all the people of the U.S. – Large cessions of territory is made to us valuable for its location and resources.”¹¹³ The Treaty of Guadalupe-Hidalgo resolved one tumultuous matter but unleashed an even larger conundrum that Congress had to solve.

If Badger looked forward to any amount of stress-free time following the ratification of the Treaty of Guadalupe-Hidalgo, he was sorely mistaken, as he had to deal with his upcoming reelection at the end of 1848.¹¹⁴ Badger was uncertain of his reelection despite “[making] his name very rapidly in the Senate.”¹¹⁵ Badger’s weakness in the eyes of the North Carolina State Legislature came from what his detractors called “his extreme federal notions.” He was also “considered unsafe on the slavery question by many slaveholders.”¹¹⁶ Many of those perceived “notions” stemmed from Badger’s views on the Wilmot Proviso, and other legislation regarding what to do with the western territory gained from Mexico. Badger’s views made him unpopular with the states’ rights sect of the Whig Party in North Carolina. Writing to John J. Crittenden, Badger stated, “My re-election is very doubtful – the chances are against it.”¹¹⁷

¹¹² *Fayetteville Weekly Observer*, March 21, 1848.

¹¹³ *Eastern Carolina Republican* (New Bern, North Carolina), March 22, 1848; The mention of the territories valuable location and resources is possibly a sign that the editors of this paper were eager to spread slavery throughout them.

¹¹⁴ Badger was initially elected to finish out the term of William H. Haywood who had resigned his seat for a Judge position. Haywood’s term ended in March 1849; Walton, “Elections to the United States Senate,” 181-4.

¹¹⁵ Walton, “Elections to the United States Senate,” 182; By 1848 many states had converted to electing Senators by popular vote, but North Carolina had yet to adopt such a policy, instead sticking with the archaic method having the State’s Legislature elect Senators to Congress.

¹¹⁶ Walton, “Elections to the United States Senate,” 182; London, “Comp. of 1850,” 99.

¹¹⁷ Badger to John J. Crittenden, October 12, 1848, quoted in London, “Comp. of 1850,” 99; Walton, “Elections to the United States Senate,” 183.

Despite Badger's doubts and some fervor from the more extreme portions of the Whig Party, Badger gained the endorsement of the majority of Whigs in the North Carolina Legislature with ease. However, three Whigs broke from party ranks, causing Badger to fall one vote shy of being re-elected on the first three ballots.¹¹⁸ After Badger failed to gain the nomination, the Democrats, who up to that point had been spreading their votes around amongst several different candidates, decided to rally behind Thomas L. Clingman, a Whig from Western North Carolina who was sympathetic to the Democrats.¹¹⁹ The Democrats hoped that Clingman would attract Whigs who were unhappy with Badger, giving Clingman enough support to carry the election. This tactic appeared to be gaining steam on the fourth ballot, with Clingman accumulating fifty-five votes and causing Badger to lose seven votes, putting Badger at a total of seventy-five, with the remaining votes still being spread out amongst several other candidates. Clingman's supporters continued to persuade people over to his side, giving Clingman sixty-seven votes on the fifth ballot. However, by this time, support for any other candidate besides Badger or Clingman all but dried up, and Badger succeeded in securing the eighty-three votes he needed for re-election. As Badger and his supporters in the Whig Party celebrated a hard-fought victory, they were unaware that it

¹¹⁸ The first ballot was held on December 12, 1848 and the second and third ballots were held on December 16, 1848. On all three of these ballots, Badger gained 82 votes. Walton, "Elections to the United States Senate," 184.

¹¹⁹ Clingman being from Western North Carolina is important, as the Whig Party had tried to appoint Senators from each section of the state, to keep sectional tensions at bay. These sectional tensions ran high in 1848, as both Senators from North Carolina, Willie P. Magnum and George E. Badger, were from the Piedmont or "Central Clique." Clingman eventually turned his back on the Whig Party in the 1850s to become a Democrat, and perhaps North Carolina's most fervent fire-eater. Works that dive deeper into the sectional issues in antebellum North Carolina are, Thomas E. Jeffrey, "National Issues, Local Interests, and the Transformation of Antebellum North Carolina," *The Journal of Southern History* 50, no. 1 (1984), 43-74; Thomas E. Jeffrey, *State Parties and National Politics: North Carolina, 1815-1861* (Athens: University of Georgia Press, 1989); Walton, "Elections in the United States Senate."

would be their last, as Badger was the last Whig to be elected to the United States Senate from North Carolina.¹²⁰

Upon Badger's re-election, the Whig *Mecklenburg Jeffersonian* reported that "the Whigs applauded tremendously when the result was announced, so great their savage joy over the defeat of 'Clingman and the devil,' to use an expression of their own." The paper continued, contending that in "the North [Badger's re-election] will be claimed as a Free Soil victory, and they will claim it so correctly; for the Whigs in North Carolina will support anything [Badger] dictates."¹²¹ Though, by far the best example of unbridled joy regarding Badger's re-election came from the Whig *Mountain Banner* in Rutherfordton, North Carolina. The paper stated, "it would have been a burning shame to the Whigs of North Carolina had they flinched in their support of the able, eloquent, and high-souled Badger – a man at once of extraordinary genius and of spotless purity."¹²² Comparing Badger to the other politicians in Washington D.C., the *Mountain Banner* noted, "the Senate and the Country may be proud of the services of such a man, unlike the reptile race of politicians who crawl into high stations."¹²³ Other North Carolinians were not as thrilled about Badger's re-election, with the Democratic *Eastern Carolina Republican* stating, "above all, we hope that our friends will see to it that we have a Senator in Congress who is sound on the slavery question...that would be one thing, and the re-election of Mr. Badger another."¹²⁴

After Badger survived his heated re-election, he found himself in the inferno that was Congress during the 1849-1850 session. Tensions ran high as Congress debated the issue of

¹²⁰ The fourth and fifth ballots were held on December 20, 1848. Walton, "Elections in the United States Senate," 183-6.

¹²¹ *Mecklenburg Jeffersonian* (Charlotte, North Carolina), December 27, 1848.

¹²² *Mountain Banner* (Rutherfordton, North Carolina), January 3, 1849.

¹²³ *Mountain Banner*, January 3, 1849.

¹²⁴ *Eastern Carolina Republican* (New Bern, North Carolina), December 20, 1848.

slavery in the newly acquired Mexican territories. When California applied for statehood as a free state, these debates pitted free-soilers against southerners, leading to open talk of disunion by several southern members of Congress. In December 1849, Representative Robert Y. Toombs of Georgia stated on the floor of the House of Representatives: “if by your legislation you seek to drive us from the territories of California and New Mexico, thereby attempting to fix a national degradation upon half the states, *I am for disunion*.”¹²⁵ Statements like Toombs’ worried moderate men like Henry Clay, who announced his compromise in the Senate on January 29, 1850.¹²⁶

The whole of Clay’s compromise seemed to be disagreeable to the vast majority of congressmen--southerners opposed the admission of California as a free state and northerners hated the inclusion of a stricter Fugitive Slave Law. Perhaps the ability to be unfavorable to everyone involved is the sign of a well-balanced compromise. Despite the introduction of Clay’s compromise, southerners called for a convention in Nashville, Tennessee, to discuss whether secession was necessary.¹²⁷ The secessionist sentiment from the South was met with hostility and threats from President Zachary Taylor, who announced that any secession would be crushed, an action that would have very likely led to the American Civil War occurring a decade early. With tempers at an all-time high, Michael Birkner stated Americans had two choices: “fight with one another or calm down and accept some middle ground” by way of compromise.¹²⁸

¹²⁵ Robert E. Toombs, speech delivered on December 14, 1849. *Congressional Globe*, 31st Cong., 1st sess., 1216, quoted in Birkner, “The Crisis of Union,” 155.

¹²⁶ Birkner, “The Crisis of Union,” 156.

¹²⁷ Birkner, “The Crisis of Union,” 158.

¹²⁸ Birkner, “The Crisis of Union,” 172.

Clay's compromise seemed destined to fail until the death of President Taylor in the summer of 1850 led to Vice President Millard Fillmore's accession to the office. Unlike his predecessor, Fillmore was a staunch believer in compromise and pushed for the end of hostilities surrounding the expansion of slavery in the western territories. Fillmore's pro-compromise stance, along with Senator Stephen Douglas of Illinois' ability to break Clay's omnibus bill into several individual bills, allowed for every measure of Clay's original compromise to pass by the end of 1850.¹²⁹

Badger's contribution to the debate surrounding the Compromise of 1850 was sizeable. Along with his speech "On the Slavery Question," Badger also delivered a speech before the Senate, "On the Territorial Question," in which he denounced secessionist fervor and spoke for the admission of California as a free state, while also arguing for the expansion of slavery and a stricter Fugitive Slave Act.¹³⁰ Badger opened up his August 2, 1850 speech "On the Territorial Question" by discussing the admission of California, stating, "I much prefer California, if admitted at all, admitted with the whole extent of boundary which it claims. I prefer it because, if we are to have a free state upon the Pacific, it is far better to have one than two."¹³¹ Badger stated that he was for the admission of California despite his feelings towards the admission of new States. Badger further stated, "I am not desirous of adding to the number of these States, whether the addition is of free or of slaveholding States. I look upon it as a great calamity that the country should be placed in a situation that makes it necessary that other States shall be admitted into the Union." He further argued, "if my own

¹²⁹ Birkner, "The Crisis of Union," 172-3.

¹³⁰ Badger, "On the Territorial Question;" Badger, "On the Slavery Question."

¹³¹ Badger, "On the Territorial Question," 1.

wishes could prevail, there should never be another State added to it from this day forth to the end of time.”¹³²

Badger, arguing that California should be admitted into the Union, as a free state nonetheless, despite his expressed views against the addition of States, shows that Badger willingly voiced support for measures that he did not necessarily agree with, all in the spirit of compromise. Following his support for compromise, Badger argued against the idea of seceding from the Union if California was a free state, “taking measures, in any way looking to a dissolution of the Union, because we are not at liberty to carry slaves to California. Why, there seems to be no proportion under heaven between the small, almost indiscernible premises and the vast portentous conclusions.”¹³³ Speaking for himself, Badger added, “I hold myself as having no right to go out of the Union – no right to destroy it – and I have no wish if I had that right to do so.”¹³⁴

Badger began his argument for a stricter Fugitive Slave Act in his speech “On the Slavery Question,” delivered before the Senate on March 18 and 19, 1850, with an obligatory defense of slavery that every southerner seemed to produce during any argument surrounding the peculiar institution. Badger’s defense of slavery sounded familiar to his fellow congressmen. An Episcopalian, Badger quoted a passage from the Bible and stated: “among the many direct, positive, authoritative approvals by God himself of the institution of slavery...it is not a mere toleration, a mere forbearance to prohibit, but an express permission.”¹³⁵ Once Badger turned his attention towards arguing for a stricter Fugitive Slave Act, he stayed true to his belief in the supreme law of the Constitution. Badger asserted that

¹³² Badger, “On the Territorial Question,” 1.

¹³³ Badger, “On the Territorial Question,” 6.

¹³⁴ Badger, “On the Territorial Question,” 6.

¹³⁵ Badger, “On the Slavery Question,” 3.

the South had “a right to ask [for] an effectual bill for the recapture of fugitive slaves,” that “this is a claim of right; this is a demand founded upon the Constitution.” He concluded, “if there is anything in the Constitution free of doubt, difficulty, or dispute, it is that that instrument gives us a right to have our fugitives surrendered to us.”¹³⁶ Badger was right about that third point, as even the staunchest opponents of the Fugitive Slave Act found it hard to argue against its constitutionality.

Badger concluded his speech by stating, “if [our Northern Friends] suppose Southern gentlemen to be wedded to any of the adventitious evils and abuses of slavery...they do us great injustice. Upon the rights of property, we stand...[and] we cannot be moved.”¹³⁷ However, Badger admitted that more could be done to regulate the evils of slavery. He was even willing to permit rules to be passed to do so, stating “but, saving these,” laws that try to remove the property of southerners, “make what regulations of police the occasion may require, and I will not only submit but will give to them my hearty concurrence and approbation.”¹³⁸

On the issue of slavery’s expansion into the territories of Utah and New Mexico, Badger thought that “the question of slavery or no slavery in a State is a question proper to be decided by the state when its Constitution is formed and when it is about to be admitted into the Union.”¹³⁹ Louisiana senator Pierre Soulé moved to amend the language in the compromise to say “when the said Territory...shall be admitted as a state...with or without slavery, as their Constitution may prescribe at the time of their admission.”¹⁴⁰ Badger noted

¹³⁶ Badger, “On the Slavery Question,” 7.

¹³⁷ Badger, “On the Slavery Question,” 18.

¹³⁸ Badger, “On the Slavery Question,” 18.

¹³⁹ Badger, quoted in London, “Comp. 1850,” 110.

¹⁴⁰ London, “Comp. 1850,” 110.

that with this new language, he would “very cheerfully” support the inclusion of New Mexico and Utah into the Union. Most senators felt the same and adopted Soulé’s amendment by a vote of 38 to 12.¹⁴¹

Lastly, on the topic of abolishing the slave trade in the District of Columbia, Badger was “perfectly happy” with voting for such a piece of legislation but felt strongly that protections should be included in the bill for slaveholders living there. Badger noted that he had “in the existing state of things...a strong objection to voting for the bill,” but “with the amendment [for protections for slaveholders] I should have the greatest pleasure in the world in voting for it.”¹⁴² Badger’s optimism for the bill faded when Senator Seward proposed an amendment bill that abolished slavery completely in the District of Columbia while compensating slaveholders for their loss. Badger objected to this amendment, not because he thought Congress did not have the authority to abolish slavery in the District of Columbia, but because doing so would make the South feel attacked. Most senators either agreed with Badger or opposed Seward’s amendment for their own reasons and rejected it by a large vote.¹⁴³

The first of the individual bills in the Compromise of 1850 to go before the Senate was the Texas Boundary Bill. This legislation set Texas’ borders at their present-day locations, called for the United States Government to pay Texas \$5 million in compensation for their lost land, and pay another \$5 million to the holders of Texas bonds. The Senate, including George Badger, voted to approve this bill on August 9, 1850, by a margin of 30-20. The passage of the Texas Boundary Bill “broke the logjam” that had stopped the

¹⁴¹ London, “Comp. 1850,” 111.

¹⁴² *Congressional Globe*, 31 Cong. 1 sess., 1655, quoted in London, “Comp. 1850,” 115.

¹⁴³ London, “Comp. 1850,” 115-6.

Compromise of 1850, and by the end of September 1850, every one of Clay's original compromise measures had passed in the Senate.¹⁴⁴

On August 13, 1850, four days after the Senate passed the Texas Boundary Bill, they voted on the bill to allow California into the Union as a free state. Perhaps the spirit of compromise had found its way into the Senate's chambers as this bill passed relatively quickly after having caused such heated debate earlier in the year. Badger, however, found himself conflicted between his two biggest principles when it came time for him to cast his vote for the admission of California. On one hand, Badger was one of the staunchest pro-compromise members of Congress, but on the other, Badger was an acolyte of the Constitution. In the end, Badger chose to abstain from voting on the California admission bill, because California's application to become a state came "under circumstances unprecedented in the history of this country."¹⁴⁵ Badger's constitutional issue with California's admission as a state was that California had never been a territory of the United States and therefore "the persons acting for California did not have the legal right to apply for admission into the Union."¹⁴⁶

The vote in the Senate on the next piece of compromise legislation occurred on August 15, 1850, two days after admitting California as a state. This bill called for the organization of Utah and New Mexico into territories and allowed their state Constitutions to either allow or forbid slavery within the state. Being a fan of the popular sovereignty method of determining slavery's expansion, Badger happily voted for this bill. However, no one at the time could have predicted the turmoil that the passage of this bill would eventually cause,

¹⁴⁴ Holt, *Fate of Their Country*, 80-1; *Senate Journal*, 31st Cong., 1st sess., 543.

¹⁴⁵ *Congressional Globe*, 31st Cong., 1st sess., 373-4, quoted in London, "Comp. 1850," 103.

¹⁴⁶ *Senate Journal*, 31st Cong., 1st sess., 557; London, "Comp. 1850," 103.

with the Supreme Court using the precedent of popular sovereignty set by this bill to declare the Missouri Compromise null in their decision of the Dred Scott case on March 6, 1857.¹⁴⁷

Following the rapid-fire passage of several measures from the Compromise of 1850, the Senate took a week before they voted on the Fugitive Slave Act. Despite the Act's ability to spark fiery debate, Michael Holt noted that the bill "occasioned surprisingly little debate."¹⁴⁸ The Fugitive Slave Act passed by a relatively large margin (27-12) considering its contents. Badger voted in favor of the Fugitive Slave Act, unsurprisingly, since it was by far the bill that appealed to him the most. Badger stated, "in 1793...the great men of the country, who aided in forming this very Constitution, recognized the right of the South, the right of slaveholders in the South, to have their slaves delivered" back to them.¹⁴⁹ A new stricter Fugitive Slave Act would also help those Badger represented since people who hailed from Upper South and Border states experienced the greatest number of runaway slaves.¹⁵⁰

The last of the compromise measures to pass the Senate was the bill on the abolition of the slave trade in Washington D.C. The Senate voted on September 16, 1850, and passed it by a vote of 33 to 19. The abolition of the slave trade in D.C. marked the end of Congress' long and hard-fought battle to pass the Compromise of 1850 and bring some semblance of peace to the United States. Despite Badger's spirit of compromise, the abolition of the slave trade in the District of Columbia was the one measure on which he voted no. Badger's reasoning behind his vote against the bill was that it did not include an amendment that

¹⁴⁷ *Senate Journal*, 31st Cong., 1st sess., 561; Holt, *Fate of Their Country*, 118-9.

¹⁴⁸ Holt, *Fate of Their Country*, 81.

¹⁴⁹ Badger, *On the Slavery Question*, 9.

¹⁵⁰ *Senate Journal*, 31st Cong., 1st sess., 581; Holt, *Fate of Their Country*, 81.

protected the slaveholders in D.C., and after Seward's attempt to abolish slavery there entirely, Badger felt that protections of D.C. slaveholders were desperately needed.¹⁵¹

The people of North Carolina were also very opinionated on the compromise measures suggested by Henry Clay, with many North Carolinians opposing them. *The Fayetteville Weekly Observer* noted, "It will be seen that not a voice was raised, except Mr. Clay's, in advocacy of his scheme...and yet...the papers say it will undoubtedly pass. Of course, if it should, it will be of no value."¹⁵² Despite the newspaper editors' negativity towards Clay's initial bill, they were hopeful that it would lead to something better: "we hope, however, that it will prove the foundation on which the wisdom of the Senate will eject an acceptable compromise."¹⁵³

The disapproval of Clay's compromise measures came from the perceived notion that northerners were receiving the lion's share of the benefits from the compromise. The North received the admission of California as a free state, the reduction of Texas' borders, the abolition of the slave trade in Washington D.C., and the organization of the Utah and New Mexico territories with the allowance of slavery being decided by popular sovereignty. This last benefit was one that seemed unfair to the South, as most people at the time felt that the climates of Utah and New Mexico were inhospitable to slavery, making them de facto free states if slavery was not explicitly allowed there. In turn, for all these concessions, the South received a stricter Fugitive Slave Act, which northerners could still find ways to avoid following. Many of the people of North Carolina were unhappy with Clay's compromise measures and hoped that a better deal could be struck.

¹⁵¹ *Senate Journal*, 31st Cong., 1st sess., 637; London, "Comp. 1850," 116; Holt, *Fate of Their Country*, 81.

¹⁵² *Fayetteville Weekly Observer*, February 5, 1850.

¹⁵³ *Fayetteville Weekly Observer*, February 5, 1850.

Those in Congress who passed the bills that became the Compromise of 1850 wanted it to be the final settlement on the question of slavery in the United States, and some of them may have even believed that they had achieved peace in their time. Badger undoubtedly belonged to this school of thought, as he believed the compromise measures were the best solution Congress could come up with at the time and should be treated as the final say on the issue of slavery.¹⁵⁴ However, the debates over slavery were only getting started, as the coming decade proved to be the final one of the original Republic's life. A decade that began with the country unifying behind compromise, the 1850s ended with violence and bloodshed, cementing the rift between the North and the South, and leading the United States toward civil war.¹⁵⁵

¹⁵⁴ London, "Comp. 1850," 118.

¹⁵⁵ As of April 18, 2020. Information surrounding casualty numbers per war found on, www.va.gov.

Chapter Three: Catalyst, 1850-1860

The rain came showering down as a “Great Mass Meeting of Union Men” gathered in Salisbury, North Carolina on Thursday, October 11, and Friday, October 12, 1860. This meeting was a stop on the campaign trail for the Constitutional Union’s presidential candidate, John Bell of Tennessee, and several other Whig politicians up for election in North Carolina. The meeting began at midday Thursday with the ringing of bells. The highlight came from Zebulon Vance, who braved the monsoon-like conditions to deliver an “argumentative and witty” speech. Vance’s ability as a speaker did not go unnoticed, with the correspondent for the Whig *Fayetteville Observer* declaring, “he is the best stump orator in North Carolina.” The speeches began to wind down following Vance, but the crowd remained energized as they eagerly awaited the star speaker of the meeting’s oration the next day.¹⁵⁶

The proceedings resumed promptly at eight o’clock on Friday morning, with several speakers warming the audience up with their deliveries. Then, much to the crowd’s excitement, George E. Badger took the stage to speak on behalf of John Bell. Upon Badger’s entrance, he was met with a standing ovation and a call for “three cheers” in his honor. After accepting the admiration of his fellow North Carolinians, Badger delivered a ninety-minute speech that both entertained and informed the crowd about Bell. The *Fayetteville Observer* noted, “Mr. Badger made a speech of great ability, not only full of argument but also of a popular style...[it was] eloquent, thrilling, and impressed all.” Though, how Badger spoke was quite memorable, what he said proved to be extremely poignant: “John Bell, with a statesmanlike sagacity and foresight which I did not possess voted against the Kansas-

¹⁵⁶ *Fayetteville Observer*, October 22, 1860.

Nebraska bill, I voted for it. John Bell did right, and I gave the worst vote of my life.” Badger made this claim before the most serious consequence of the Kansas-Nebraska Act was felt and spent the remainder of his active political years trying to mend the fissure created by the most regretted decision of his career as a senator.¹⁵⁷

The National Whig Party underwent a metamorphosis in the 1850s. In North Carolina, the first step towards the death of the state-level Whig Party came in 1848 when David S. Reid, Democratic candidate for governor, ran on the platform of “free suffrage.”¹⁵⁸ Free suffrage referred to the right for any white North Carolinian male to vote for state senators regardless of how much land they owned. Historian Thomas Jeffrey noted that Whig Party members opposed free suffrage in 1848 because they feared it would lead to more radical state constitutional changes that would cause conflict between the eastern and western sections of the state.¹⁵⁹ Whigs feared that a large number of smaller landowners would vote for the Democratic Party since, unlike in many other southern states, North Carolina’s largest slaveowners favored the Whig Party. Whigs acknowledged the need to adopt the policy of free suffrage in 1850, but by then the Democrats had already siphoned off enough of the Whig Party’s support in western North Carolina to gain a majority of votes.¹⁶⁰ Following the

¹⁵⁷ Lawrence Foushee London, “George Edmund Badger, His Last Years in the United States Senate, 1851-1855,” *North Carolina Historical Review* 15, no. 3 (1938), 247; Daniel Crofts, *Reluctant Confederates: Upper South Unionists in the Secession Crisis* (Chapel Hill: University of North Carolina Press, 1989), 68; *Fayetteville Observer*, October 22, 1860.

¹⁵⁸ Jeffrey, “Transformation of Antebellum North Carolina Politics,” 60.

¹⁵⁹ Jeffrey, “Transformation of Antebellum North Carolina Politics,” 61.

¹⁶⁰ Free suffrage appealed to western North Carolinians because they owned, on average, less land than they needed to vote for state Senator. Thomas L. Clingman’s support of free suffrage, as well as his transition to the Democratic Party also ensured that many western North Carolinians would jump ship for the Democrats. Just like Badger’s election in 1848 was the last Whig Senator election in North Carolina, Charles Manly’s, who was elected in 1848, became the last Whig Governor of North Carolina. A good article on Thomas L. Clingman is, Thomas E. Jeffrey, “Thunder from the Mountains”: Thomas Lanier Clingman and the

decline of the North Carolina Whig Party, the national Whig Party suffered one of its most devastating blows.

Though the Compromise of 1850 attempted to eliminate slavery as a political issue, the presidential election of 1852 became centered on slavery and the Compromise of 1850 itself. The Compromise's importance to the election of 1852 became clear early on, with a publicly declared commitment to the Compromise influencing who each faction of the Whig Party nominated. The disagreement between northern anti-slavery Whigs, who were more powerful and vastly outnumbered their Democratic counterparts, and their southern brethren over who to nominate as their presidential candidate cut the national Whig Party deeply, as northern Whigs opposed the Compromise while southern Whigs favored it. This disagreement revealed the presence of a terminal illness that eventually led to the national Whig Party's death in just a few short years.¹⁶¹

The northern faction of the Whig Party nominated General Winfield Scott as their presidential candidate, partially because he was a successful military general during the Mexican American War, like the last victorious Whig presidential candidate Zachary Taylor. Northern anti-slavery Whigs also favored Scott because he had not publicly committed himself to the Compromise of 1850 and its Fugitive Slave Act that was hated in the North. Scott's nomination caused southern Whigs to feel nervous, leading them to choose their own nominee, Millard Fillmore. Fillmore's nomination was based entirely on his commitment to the Compromise of 1850, and his incumbent status as President helped his odds. However,

End of Whig Supremacy in North Carolina," *The North Carolina Historical Review* 56, no. 4 (1979), 366-395; Jeffrey, "Transformation of Antebellum North Carolina Politics," 60-1.

¹⁶¹ Morrill, "Death Knell," 342-59; That self-inflicted wound being the division of the Whig Party over the slavery issue.

southern Whigs made it clear that they would support anyone as the national party's candidate if he publicly committed to the Compromise of 1850.¹⁶²

In the end, Scott became the Whig presidential candidate and gave private assurances to those concerned by his nomination that he would accept the party's platform which endorsed the Compromise of 1850.¹⁶³ Badger, though unhappy with the outcome, supported his party staunchly, stating, "in all frankness...no man in the United States was more disappointed...than I was when [Fillmore] was passed over...[though I support] the Whig national nomination for the Presidency."¹⁶⁴ The people of North Carolina agreed with Badger's disappointment. The Whig Wilmington *Daily Journal* stated, "To say that Gen. Scott's nomination has been received here with coldness, nay, with anger and disgust, would be to state but the simple truth."¹⁶⁵ The newspaper continued, "it is evident that the Northern Whigs...forced Scott upon the Party [despite] opposition [from] the united South," and that the paper knew "that there are many intelligent and reflecting Whigs who [will not]...vote for Gen. Scott."¹⁶⁶

The election of 1852 proved to be both unenthusiastic and extremely close in North Carolina, with both parties failing to turn out their voters en masse. Franklin Pierce, a northern Democrat from New Hampshire, won by less than one percentage point, the first Democrat to do so since 1836.¹⁶⁷ Commenting on Pierce's win, one North Carolina Whig

¹⁶² Morrill, "Death Knell," 342-3.

¹⁶³ Morrill, "Death Knell," 349.

¹⁶⁴ Badger quoted in, London, "Last Years," 235.

¹⁶⁵ *Daily Journal* (Wilmington, NC), June 22, 1852.

¹⁶⁶ *Daily Journal*, June 22, 1852.

¹⁶⁷ Morrill, "Death Kneel," 358; The Whig Party died off earlier in the Lower South than it did in the Upper South because, as Thomas Jeffrey explained it, "The refusal of Whig President Zachary Taylor to repudiate the Wilmot Proviso, the unwillingness of antislavery northern Whigs to endorse the Compromise of 1850, and the widespread perception that Whig presidential candidate Winfield Scott was controlled by the northern antislavery forces all contributed to the virtual annihilation of Whiggery and two-party competition in the Deep South by the mid-1850s." Jeffrey, "National Issues," 73. Marc Kruman explained in detail why the

newspaper, the *Fayetteville Semi-Weekly Observer*, stated, “we are grievously disappointed at the general result. It is as much contrary to our expectations as to our hopes.”¹⁶⁸ The newspaper predicted, “we expect little of good from the Party or its administration,” though it hoped that the President would do well, stating, “we are all in the same boat, and must sink or swim together.”¹⁶⁹

The national Whig Party never recovered from the divide caused by the election of 1852, and Winfield Scott proved to be the last presidential nominee put forth by the party. Franklin Pierce’s election was more influential to the history of the United States than the lack of enthusiasm surrounding it foreshadowed. Pierce played a key role during the enforcement of the Kansas-Nebraska Act, making the pivotal decision to support the fraudulent pro-slavery government in Kansas. Due to his actions, Pierce made the violence in Kansas worse and undoubtedly moved the country closer to the Civil War.¹⁷⁰

For the North Carolina Whig Party, their defeat in the 1850 state elections could be considered their first sign that the 1850s were going to be a tumultuous decade, and for the national Whig Party, the same could be said about the presidential election of 1852. Though perhaps for George Badger, two other events proved to be strong personal harbingers of bad things to come. The first of these was Badger’s tumultuous reelection. The second was the Senate’s rejection of his appointment to the Supreme Court of the United States by one vote in 1853.¹⁷¹

Whig Party died off earlier in the Lower South than it did in the Upper South, arguing that a Union Party was made in the Lower South to combat secessionist sentiment following the Compromise of 1850, but when the Democrats left the Union Party to support their original party’s candidate, Whigs were unable to recover; Kruman, *Parties and Politics*.

¹⁶⁸ *Fayetteville Semi-Weekly Observer*, November 4, 1852.

¹⁶⁹ *Fayetteville Semi-Weekly Observer*, November 4, 1852.

¹⁷⁰ Potter, *Impending Crisis*, 192.

¹⁷¹ London, “Last Years,” 239-43; Kruman, *Parties and Politics*, 148-9.

Following Justice John McKinley's death in July 1852, President Fillmore needed to nominate someone to fill the vacant seat. Fillmore's first choice was Kentucky legislator John J. Crittenden, but Crittenden declined, suggesting that Fillmore nominate Badger instead. After some persuasion, Badger agreed to be nominated under the condition that his confirmation would be certain.¹⁷² Fillmore sent Badger's nomination to the Senate for confirmation in early January 1853, with there being "no personal objection to Badger [amongst Democratic Senators] other than the fact that he belonged to the Whig party."¹⁷³ The Washington D.C. Democratic newspaper, the *Daily Union* reflected the views of Senate Democrats, declaring negatively that "as a politician, Mr. Badger is distinguished for his extreme Federal notions," as well as his arguments for "the powers of the general government."¹⁷⁴ Democratic papers from North Carolina were also wary of Badger's nomination. The *Wilmington Journal* asserted that North Carolinians were "State Rights men and that the present ascendancy of the Democratic party in the State is due mainly to...State Rights."¹⁷⁵

These sentiments played a large role in Badger's nomination to the Supreme Court coming to an end when the Senate voted 26 to 25 to postpone his nomination indefinitely.¹⁷⁶ Becoming a Supreme Court Justice would have been a great opportunity for Badger. As biographer Lawrence London noted, Badger's failed nomination caused him to be "greatly disappointed since it was the type of work which he would have enjoyed and for which he was eminently qualified."¹⁷⁷ Despite his personal disappointment, Badger's fellow

¹⁷² London, "Last Years," 239-240.

¹⁷³ *Raleigh Register*, quoted in London, "Last Years," 240.

¹⁷⁴ *Daily Union* (Washington D.C.), quoted in London, "Last Years," 241.

¹⁷⁵ *Wilmington Journal*, quoted in London, "Last Years," 242.

¹⁷⁶ London, "Last Years," 242.

¹⁷⁷ London, "Last Years," 242.

congressmen were ecstatic to keep him in the Senate. John Kerr, a Whig Congressman from North Carolina, proclaimed, “[Badger] is doing the state great honor here, and has acquired a national reputation such as no other man from our state ever has won here in Congress.”¹⁷⁸

Badger’s hard-fought and ultimately victorious re-election along with his failed nomination to the Supreme Court, proved serendipitous for him, as it allowed him to take part in the thirty-third Congress, perhaps one of the most significant Congresses in the history of the United States, responsible for passing one of the most impactful pieces of legislation in United States history, the Kansas-Nebraska Act. The bloodshed that followed the passage of the Kansas-Nebraska Act was undoubtedly fueled by some of the discussions and arguments in Congress during the debate over the bill.

Following a decade of land expansion, the dispute over slavery’s extension arose regarding lands where the future of slavery had been decided decades earlier—the northern Louisiana territory. The Missouri Compromise had “forever prohibited” the expansion of slavery into that area, but a cascading series of events caused southerners to covet the northern Louisiana territory for themselves. The first of these events was the admittance of Arkansas as a slave state in 1836. An event that at the time was undoubtedly a cause for celebration amongst southerners but ended up being the only bright spot for those in favor of slavery’s expansion; since by 1852, Arkansas was the only slave state to be carved from the Louisiana Purchase since the Missouri Compromise of 1820. The second event that disheartened southerners about spreading slavery any further into the Louisiana Purchase

¹⁷⁸ John Kerr to James W. Bryan, quoted in London, “Last Years,” 243.

territory was Andrew Jackson's "Indian Removal Policy," which made the rest of the Louisiana territory south of the Missouri Compromise line Native American territory.¹⁷⁹

With no other viable areas for slavery to expand into, southerners turned their attention to the area of the Louisiana territory west of the Show-Me State. Missouri Democratic Senator David R. Atchison, a member of the infamous "F Street Mess," an influential group of southern congressmen named after the mess-hall that they stayed at while in Washington D.C., was a large proponent for the expansion of slavery west of Missouri.¹⁸⁰ Atchison's desire was heavily based in politics. His constituents wanted to prevent a potential free state existing directly west of Missouri into which fugitive slaves could escape. The largest roadblock standing in the way of slavery's expansion west of Missouri, the Missouri Compromise's ban on slavery north of thirty-six degrees thirty minutes, had to be repealed before Atchison and those like him could be appeased.¹⁸¹

Another, and quite possibly the largest, influencer of the Kansas-Nebraska Act, Senator Stephen Douglas of Illinois solidified his position as Congress' "little magician" with his maneuvering during the debate over the bill. Driven by greed, Douglas wanted a transcontinental railroad to run from Chicago through the Nebraska territory to raise the price of land he owned in the Windy City. Historian Michael Holt notes that it is ironic how the most ardent supporters of organizing the area west of Missouri were "Northern sources," and not southern slave owners. Virtually all of these "Northern sources" were Democrats,

¹⁷⁹ Holt, *Fate of Their Country*, 92-3.

¹⁸⁰ Despite its many flaws Alice Elizabeth Malavasic's, *The F Street Mess* is a good overview of the F Street Mess and how they contributed to the Kansas-Nebraska Act; Alice Elizabeth Malavasic, *The F Street Mess: How Southern Senators Re-Wrote the Kansas-Nebraska Act* (Chapel Hill, University of North Carolina Press, 2017).

¹⁸¹ Badger's involvement in the shaping of the Kansas-Nebraska Act took place both on the political stage of Congress and behind the scenes, with Badger perhaps contributing to the conversations happening at the F Street Mess since he resided there alongside Atchison and his cohorts, Malavasic, *F Street Mess*, 76; Holt, *Fate of Their Country*, 94.

because they saw the issue of organizing the territory that would eventually become Kansas and Nebraska as a tool to unite the northern and southern sections of their party. Southern Democrats had turned against the Missouri Compromise after becoming hardened in their views against congressional prohibition of slavery due to their long fight against the Wilmot Proviso.¹⁸²

The Democrats were aided in their efforts of expanding slavery west of Missouri by the decaying nature of the Whig Party. Whig congressmen from the South had become an endangered species by 1852, making Badger one of the last of his kind. The northern Whig Party was also in trouble, due to emerging challengers fighting for their voters. The Democrats capitalized on their opponent's weakness, and on January 4, 1854, Douglas introduced a bill to Congress organizing the Nebraska territory, with popular sovereignty deciding the fate of slavery there.¹⁸³

Holt argued that Douglas put forth this bill with "the good of the Democratic party, [and] not of the nation [being] Douglas' top priority" and that during the debate surrounding the passage of the Kansas-Nebraska Act, "politicians made decisions from short-term calculations of partisan, factional, or personal advantage rather than from any long-term concern for the health...of the Union."¹⁸⁴ Though some of the reasoning behind the Kansas-Nebraska Act was selfish, Holt's statement was made by someone viewing the decisions of politicians through the lens of the consequences those decisions had, something that the politicians at the time could not have done, as they did not intend for, or know that their decisions would lead to the Civil War. Also, this statement oversimplifies and generalizes the

¹⁸² Holt, *Fate of Their Country*, 94-5.

¹⁸³ Holt, *Fate of Their Country*, 94-5, 100.

¹⁸⁴ Holt, *Fate of Their Country*, 97, 100.

issue at hand, as several northern and southern politicians voted for the Kansas-Nebraska Act because it was the best measure Congress could come up with at the time to hold the Union together.

Douglas' initial bill pleased no one, with northern Whigs claiming that it went too far towards repealing the Missouri Compromise line, and southern Democrats claiming that it needed to repeal the line outright. Douglas went back to work and introduced his revised bill to Congress on January 23, 1854. Douglas' revised bill contained two critical changes; the first being the organization of two territories – Kansas and Nebraska – instead of one, and the second being a section stating that the Missouri Compromise line was “inoperative and void” because it was inconsistent with the “compromise measures” of 1850.¹⁸⁵ A little over half-way through the Senate's debate over Douglas' bill, Badger arose and delivered a speech called “On the Nebraska Bill,” in which he detailed what he believed to be the true question being debated.

Badger opened his speech by declaring, “Everyone must be aware that the real question...involved in the consideration of the bill... [is] the power of legislation over the subject of slavery.”¹⁸⁶ As Badger stated in his speeches during the debate over the Compromise of 1850, he thought that the Constitution gave Congress the power to determine where slavery could and could not exist, but he thought that Congress should not use that power.¹⁸⁷ Badger spent most of his “Nebraska” speech examining the differences between the Missouri Compromise and the Compromise of 1850 and determining which one should be applied to the territories proposed in the Kansas-Nebraska Act. He boiled the debate

¹⁸⁵ Holt, *Fate of Their Country*, 101-3; Kansas-Nebraska Act, quoted in Holt, *Fate of Their Country*, 103.

¹⁸⁶ George Edmund Badger, Speech of the Honorable George E. Badger, of North Carolina, in the United States Senate, February 15, 1854, On the Nebraska Bill, 4.

¹⁸⁷ Badger, “On the Territorial Question;” Badger, “On the Slavery Question.”

surrounding the Kansas-Nebraska Act down to a discussion over slavery's expansion via popular sovereignty or a congressional line, making a vote for the Kansas-Nebraska Act one for or against the concept of popular sovereignty.

Badger went back and forth between what he thought agreed with precedent and what he thought was right. Badger started his "Nebraska" speech by discussing what the Missouri Compromise meant, and why repealing it would cause problems: "it is said that [the Kansas-Nebraska Act] is a repeal of the Missouri Compromise...if that were so, I, for one, say, without hesitation, that nothing can be a compensation to [the South] for the violation of the principles of good faith."¹⁸⁸ Badger went on to state, "now, I say that it is plain that [the Missouri Compromise] was intended to apply to all organizations of government, State and Territories."¹⁸⁹ He thought "when the Missouri Compromise line was established, it was intended to apply to all territory of the United States"¹⁹⁰ even those territories acquired later, implying that the framers of the Missouri Compromise intended it to last forever.

Following his discussion on the intentions behind the Missouri Compromise, Badger shared some of his personal feelings about the legislation. Badger started by stating that the admittance of Missouri was "one of the most remarkable pieces of humbuggery that ever was palmed off on any legislative body."¹⁹¹ He then went on to announce that "I have pointed out the folly, the absolute nonsense [behind the passage of the Missouri Compromise], but I suppose it was the best that could be done."¹⁹² Despite his vitriol towards the passage of the

¹⁸⁸ Badger, "On the Nebraska Bill," 4.

¹⁸⁹ Badger, "On the Nebraska Bill," 5.

¹⁹⁰ Badger, "On the Nebraska Bill," 6.

¹⁹¹ Badger, "On the Nebraska Bill," 7.

¹⁹² Badger, "On the Nebraska Bill," 7-8; It is interesting to see Badger state that the Missouri Compromise was "the best that could be done," since he later stated the same thing about the Kansas-Nebraska Act while defending his vote in favor of it.

Missouri Compromise, Badger noted that, before the passage of the Compromise of 1850, he argued that the Missouri Compromise line should be carried to the Pacific Ocean. He also stated that he “was anxious to adhere to the Missouri Compromise line” during the debate over the Compromise of 1850,” because “it gave a clear legal ground to stand upon,” and that it had “a large share of favor in the public mind, which could not be secured by any new line.”¹⁹³ Despite this “clear legal ground,” Badger stated that the “principle upon which the legislation of 1820 was based, was repudiated by the legislation of 1850.”¹⁹⁴

Badger concluded his “Nebraska” speech by asserting that the Compromise of 1850 overrode the Missouri Compromise because the Compromise of 1850 “was founded upon a distinct repudiation of the idea of making any difference between the condition of a people lying on one side of a line...and the condition of a people lying on the other.”¹⁹⁵ Badger bluntly summarized this by stating “in 1850, what had been thus recognized [the Missouri Compromise line] was distinctly and unequivocally repudiated.”¹⁹⁶ After determining that the principles of the Missouri Compromise were destroyed, Badger stated, “my own individual opinion upon the subject [is] that the principles adopted in 1850 are the true principles.”¹⁹⁷ Badger noted that he felt this way because the Compromise of 1850 allowed citizens to self-determine whether they lived in a slave or free State.¹⁹⁸

On March 4, 1854, a little over two weeks after Badger’s speech, the Senate moved to vote on the Kansas-Nebraska Act. The bill passed by a vote of thirty-seven to fourteen, with Whig Senator John Bell of Tennessee being the only southerner to vote against it. After

¹⁹³ Badger, “On the Nebraska Bill,” 8, 9-10.

¹⁹⁴ Badger, “On the Nebraska Bill,” 6.

¹⁹⁵ Badger, “On the Nebraska Bill,” 10.

¹⁹⁶ Badger, “On the Nebraska Bill,” 10.

¹⁹⁷ Badger, “On the Nebraska Bill,” 10.

¹⁹⁸ Badger, “On the Nebraska Bill,” 10-11.

debating it for a few weeks, the House of Representatives passed the bill as well, by a much narrower vote of 113 to 100. On May 30, 1854, President Franklin Pierce signed the Kansas-Nebraska Act into law, ending one of the most contentious periods in congressional history, but opening the door for an era of violence, revolt, and Civil War.¹⁹⁹

Despite the future consequences of the Kansas-Nebraska Act being dire, the initial reaction to the legislation in North Carolina was positive. Upon the passage of the Kansas-Nebraska Act, the Democratic *Weekly Raleigh Standard* reported, “we very decidedly approve of the Nebraska and Kansas bill...a measure which breathes the true spirit of the Constitution...[and strikes] from the statute book of the United States the stigma cast upon the South in 1820 by the Missouri restriction.”²⁰⁰ Southern Whigs agreed with most of this statement, putting their views more in line with their fellow southerners rather than their fellow Whigs. The Whig *Daily Journal* proclaimed, “in glancing over the vote of the Senate on the bill...we are forcibly impressed by the contrast in the nationality of the Democratic and Whig parties,”²⁰¹ showing that they seemed to appreciate the Democratic parties ability to unite its northern and southern wings. Lastly, to express a sentiment that was shared by almost all Americans, the seemingly apolitical *Biblical Recorder* from Raleigh stated, “we hope the settlement of this question by Congress will give permanent quiet to the Country in regard to the subject of slavery.”²⁰²

Congress decided to rest on their laurels, after passing legislation to put an end to the slavery question four years after they passed legislation to put an end to the slavery question. Meanwhile, Kansas began to unravel. After Congress’ term ended for the year, Badger stood

¹⁹⁹ Holt, *Fate of Their Country*, 109-10.

²⁰⁰ *Weekly Raleigh Standard*, March 8, 1854.

²⁰¹ *Daily Journal* (Wilmington, North Carolina), March 10, 1854.

²⁰² *Biblical Recorder* (Raleigh, North Carolina), June 1, 1854.

for re-election, with the North Carolina legislature meeting in November 1854 to vote on who would fill Badger's Senate seat when it expired on March 4, 1855. The Whig Party nominated Badger for re-election, and though his vote in favor of the Kansas-Nebraska Act had gained him some support from the Democrats, his, or any Whig candidate's, chances of winning were non-existent, as Democrats had secured a majority in both houses of the North Carolina legislature. The Democratic Party nominated Asa Biggs, a prominent lawyer from North Carolina's coast, to challenge Badger. Biggs defeated Badger on the first ballot in the House, by a vote of sixty-four to fifty-two, and then was confirmed in the Senate twenty-seven to seventeen.²⁰³ Commenting on the Democrats' victory, the *Raleigh Register* noted that North Carolina Whigs would have to "shut [their] eyes and take the dose."²⁰⁴

News of Badger's defeat spread quickly, and people on both sides of the aisle lamented his loss. The Whig *Philadelphia News* stated, "truly may it be said that the old North State has fallen...when such lofty intellects as... Badger are set aside...for pigmies like Biggs."²⁰⁵ Stephen Adams, a Democratic Senator from Mississippi, noted in the Senate the day before Badger was to depart "an expression of the high appreciation of Senators and the Senate is tendered to the Honorable George E. Badger...for his uniform courtesy, ability, liberality, and valuable services...we deeply regret the severance of [our] official and personal ties."²⁰⁶ Despite leaving the Senate following the Kansas-Nebraska Act, Badger's role as North Carolina's leading voice of reason had not come to an end.

As violence began to erupt across the United States, from the Kansas frontier to the chambers of Congress, conflict between the free North and the slave South appeared

²⁰³ Walton, "Elections," 187; London, "Last Years," 248-50.

²⁰⁴ *Raleigh Register*, quoted in London, "Last Years," 249.

²⁰⁵ *Philadelphia News*, quoted in London, "Last Years," 249.

²⁰⁶ Stephen Adams, quoted in London, "Last Years," 250.

inevitable. The first burst of brutality came during the creation of the Kansas territorial government and ultimately morphed into what can arguably be described as the first true battles of the Civil War. The turmoil in Kansas started the moment that land in the territory was put up for purchase, with most of the initial buyers being small farmers from the Midwest, and non-slaveholders from the Upper South. This majority group of settlers came to Kansas for the cheap land and promise of opportunity, and their main goal was to keep all African Americans, free or slave, out of the territory.²⁰⁷

Things quickly changed once slave-owners from neighboring Missouri, and other southern states began to move into Kansas with the sole purpose of transforming the territory into a slave state. These slaveowners were met with resistance from New Englanders who moved to Kansas to ensure that the territory became a free state. The situation eventually got out of hand when former Senator David Atchison called on armed Missourians to pour into Kansas on the territorial government election day to gain the legislative majority for the slave power in Kansas. Known as “Border Ruffians,” their interference in the election led to hundreds of fraudulent ballots being cast, creating a pro-slavery government in Kansas that passed some of the strictest pro-slavery laws in the country.²⁰⁸

Following the establishment of the fraudulent pro-slavery government in Topeka, Kansas, all the anti-slavery northerners that were elected resigned in protest and set up a free soil government in the town of Lawrence. President Franklin Pierce denounced the Lawrence government as an “outlaw regime,”²⁰⁹ causing tensions between the two factions to rise immensely. Clashes between the free soil government in Lawrence and the fraudulent pro-

²⁰⁷ Holt, *Fate of Their Country*, 115-6.

²⁰⁸ Holt, *Fate of Their Country*, 116.

²⁰⁹ Holt, *Fate of Their Country*, 117.

slavery government in Topeka led to a small war in Kansas over the future of slavery there.²¹⁰

Outraged by the violence in Kansas, Massachusetts Senator Charles Sumner stood before the Senate on May 19 and 20, 1856, to deliver his now famous speech, “The Crime Against Kansas.” Sumner used part of his oratory to attack South Carolina Senator Andrew Pickens Butler, who was absent from the chamber. Sumner stated that Butler “has read many books of chivalry, and believes himself a chivalrous knight of course, he has chosen a mistress to whom he has made his vows, and who, though ugly to others, is always lovely to him, I mean, the harlot, slavery.”²¹¹ Sumner went on to mock Butler, a recent stroke victim, for his inability to speak well, and also imply that the South was “an Empire of Mongralization and Rape.”²¹² However, the worst offense that Sumner made against the South, and by association Butler and his kinsmen, was, as historian Michael P. Pierson has pointed out, the insinuation that southerners valued the sex that they could coerce from their slaves more than the labor.²¹³

Insulted by Sumner’s remarks about his cousin, Butler, and his homeland, South Carolina Representative Preston Brooks approached Sumner in the Senate chambers while Sumner sat at his desk. Initially, Brooks only meant to lightly chastise Sumner, but Brooks quickly lost control and began striking Sumner with his cane, bludgeoning him over thirty times until Sumner lay unconscious in a pool of blood on the Senate floor.²¹⁴ Reporting on the incident, one North Carolina newspaper, the *Fayetteville Weekly Observer*, noted, “the

²¹⁰ Holt, *Fate of Their Country*, 116-7.

²¹¹ Charles Sumner, quoted in Stephen Berry and James Will Welborn III, “The Cane of His Existence: Depression, Damage, and the Brooks-Sumner Affair,” *Southern Cultures* 20, no.4 (2014), 13.

²¹² Berry and Welborn III, “Cane of His Existence,” 14.

²¹³ Berry and Welborn III, “Cane of His Existence,” 14-15.

²¹⁴ Berry and Welborn III, “Cane of His Existence,” 15.

Honorable Preston S. Brooks having shattered his handsome...cane over the noodle of Charles Sumner...is now in need of another,” and that “to show their appreciation of his late ‘licking’ of Senator Sumner,” some men were going to provide Brooks a new cane with a “gold head.”²¹⁵

In the days between Sumner’s speech and Brooks’ vicious assault, the most brutal event of the war in Kansas occurred, the Pottawatomie Massacre. Led by John Brown, an anti-slavery zealot who declared “something must be done to show these barbarians that we, too, have rights,”²¹⁶ following the caning of Sumner and an attack on Lawrence, the Pottawatomie Massacre occurred on the night of May 24-25, 1856. Under the cover of darkness, Brown, four of his sons, and three other men pulled five pro-slavery settlers near Pottawatomie Creek out of their houses and butchered them with broadswords, to “fight fire with fire.”²¹⁷ Brown and his accomplices were able to avoid punishment for their crimes, until their ill-fated attempt to raid a federal armory in Harpers Ferry, Virginia, in October 1859.²¹⁸

Brown and a group of his supporters captured the federal armory in Harpers Ferry on the night of October 16, 1859, in hopes of initiating a slave revolt. The plan failed. The United States Army, under the leadership of Robert E. Lee and J.E.B. Stuart, was called in, and as quick as it began, John Brown's raid came to an end. Brown was quickly tried, convicted, and sentenced to hang. Following his execution on December 2, 1859, Brown became a martyr in the North for the anti-slavery cause. The Kansas-Nebraska Act initiated

²¹⁵ *Fayetteville Weekly Observer*, June 2, 1856.

²¹⁶ John Brown, quoted in James McPherson, *Battle Cry of Freedom: The Civil War* (New York: Oxford University Press, 1988), 152.

²¹⁷ McPherson, *Battle Cry of Freedom*, 152.

²¹⁸ McPherson, *Battle Cry of Freedom*, 152-3, 206.

all of the death, violence, and conflict that occurred in and because of Kansas, giving credence to Badger's assertion that voting for that bill was the worst decision of his political career.²¹⁹

Amidst all the chaos in Kansas, the United States held its eighteenth presidential election—the first without a Whig candidate in twenty years, and the first with a Republican nominee. Despite the National Whig Party's death being finalized by 1856, the election gave the party the chance to show that it was still competitive in North Carolina. One of the reasons for the party's continued, albeit waning, success in 1856 was North Carolina voters' rebuff of the Know-Nothing Party's advances. North Carolina's population was almost entirely white Anglo-Saxon protestants, so the Nativism and anti-Catholic sentiment that drew most people to the Know-Nothing, or American, Party did not entice North Carolina voters as much.²²⁰

The Know-Nothing Party's strategy to win elections in North Carolina also worked to their disadvantage. Know-Nothings tried to run former Democrats in Democratic counties and former Whigs in Whig counties, giving the party no semblance of unity or cohesion. Then, during the election of 1856, the Know-Nothings were perplexed as to why so many North Carolinians still identified as Whigs, leading the Know-Nothing Party to appeal to Whigs, and costing them much needed Democratic support. In the end, however, nothing the Know-Nothings could have done would have been enough to win the South, not when a Republican was running for president. Most Whigs in North Carolina decided to vote for the Democratic candidate James Buchanan because they saw him as the most viable option to

²¹⁹ London, "Last Years," 247; Crofts, *Reluctant Confederates*, 68.

²²⁰ Thomas Jeffrey, *State Parties and National Politics: North Carolina, 1815-1861* (Athens, GA: University of Georgia Press, 1989).

beat the Republican John C. Fremont. This hopping of party lines upset Badger, a firm Whig who had never considered joining the Know-Nothing Party, “our election here yesterday has resulted in a most disastrous defeat for us and an amazing triumph for democracy. Our old-line Whigs behaved like apes – having turned Democratic, have ruined the State. Heaven help us!”²²¹

By the time the dust had settled in North Carolina following the election of 1856, the Know-Nothing Party was lifeless. Policy differences between the Democratic and Whig parties, both at the federal and state level, allowed the North Carolina Whig Party to become revitalized in 1858 and 1859. The Panic of 1857, along with the Democrat’s poor economic strategy and perceived wastefulness, allowed Whigs to attack the extravagance and corruption that they stated was plaguing the Democratic Party. At the state level, many North Carolinians were becoming irritated by the fact that slaveowners did not pay their fair share of taxes on the slaves they owned, or, as it was called, an ad valorem tax. Whigs saw this and decided to transform the debate into a partisan issue to gain votes in the coming elections. The debate over ad valorem taxation caused political enthusiasm to soar in North Carolina, with Whigs arguing that taxing slaveowners more would strengthen slavery by giving non-slaveowners more of a reason to defend the institution. Democrats, on the other hand, appeared to oppose the concept because it would increase taxes on some of their voters, but mostly because it was supported by the Whigs.²²²

²²¹ Badger, quoted in Kruman, *Parties and Politics*, 174; Millard Fillmore was the Know-Nothing candidate for president in 1856, but he ran as a Whig in North Carolina since there was still a strong Whig sentiment there. Badger would have voted for Fillmore since he was running as a Whig and was upset with the “old-line” Whigs for not supporting their candidate. Badger’s statement that the election was a “disastrous defeat for us and an amazing triumph for democracy” most likely eludes to him disliking the fact that the Democratic candidate won while also liking the fact that the Republican candidate lost.

²²² Kruman, *Parties and Politics*, 174-95.

The Whig Party's newfound line of attack on the Democrats proved successful, with Whig Representative candidate Zebulon Vance winning a special election in 1859. Vance's victory helped the North Carolina congressional delegation of 1859 to be half Whig. Badger was enthused by rising Whig prospects, writing to Kentucky Senator John Crittenden, "everything is going on here beautifully – equal taxation is overruling everything, and everybody opposed to it. We have a cheering prospect of electing a Whig Governor, though Ellis," a Democrat who won the governorship in the previous election "was elected...by a majority of 16,000."²²³ Badger's hopes were almost realized when the Whig gubernatorial candidate John Pool received 47.2 percent of the vote. Despite Pool's loss, the Whig Party was able to cut the Democratic majority in the North Carolina legislature from fifty-eight to sixteen, proving that things were looking promising for the party's future.²²⁴

The escalation of violence in Kansas, John Brown's raid on Harpers Ferry, and the nomination of Abraham Lincoln as the Republican Party's presidential candidate proved to be the water that extinguished Whigs' newly re-lit fuse. The presidential election of 1860 can best be described, non-vulgarly, as a traffic jam, with four major candidates competing for the presidency, two of which were from the same party. The candidates for president were the Republican Abraham Lincoln, the Constitutional Unionist John Bell, the northern Democrat Stephen Douglas, and the southern Democrat John Breckenridge, though Lincoln did not appear on ballots throughout much of the South.²²⁵

The election was relatively simple in North Carolina, with Bell and Breckinridge competing for the victory, though Douglas did steal a small number of votes from each

²²³ Badger to Crittenden, quoted in Kruman, *Parties and Politics*, 195.

²²⁴ Kruman, *Parties and Politics*, 174-96.

²²⁵ Kruman, *Parties and Politics*.

candidate. The Constitutional Union's key argument was that southern Democrats only brought up the topic of slavery in the territories to weaken the Union, thus claiming that civil war was the southern Democrats' main goal. The southern Democrats on the other hand argued that their candidate was the best option to beat Lincoln and the Republicans, basically re-hashing the Democratic strategy of 1856. In the end, Breckenridge carried North Carolina with 50.4 percent of the vote, along with the rest of the Lower South. Bell won all the Upper South, except for Missouri which was the only state won by Stephen Douglas. Despite the outrage towards Lincoln's candidacy in the South, his vast support in the North gave him a comfortable win in the electoral college.²²⁶

Upon learning of Lincoln's election, the Whig *Wilmington Daily Herald* stated, "it seems to be certain that Lincoln is elected President... South Carolina will no doubt [secede]...but we feel assured that the Old North State will stand firm [and]...act for herself, and not for the 'Cotton States.'"²²⁷ This sentiment was shared by most North Carolinians, including Badger, who stated while he was in the Senate: "I believe...nay, I have no doubt that the people of North Carolina will refuse, for any such cause, to embark in any proceedings which, either directly or indirectly look or lend to a dissolution of the Union."²²⁸ Badger also previously noted, "I hold myself as having no right to go out of the Union – no right to destroy it – and I have no wish if I had that right to do so."²²⁹ Though Badger, like his home state, eventually "cast his lot with the Confederacy," he did so begrudgingly, and only because he thought it was the last way to save the Union.²³⁰

²²⁶ Kruman, *Parties and Politics*.

²²⁷ *Wilmington Daily Herald*, November 7, 1860.

²²⁸ Badger, "On the Territorial Question."

²²⁹ Badger, "On the Territorial Question."

²³⁰ Crofts, *Reluctant Confederates*, 273, 359; Crofts argued a similar point to this in *Reluctant Confederates*, stating that Badger and others like him thought that a united South would seem too strong for

Epilogue

The nation was thrown into chaos following the election of Abraham Lincoln by a strictly sectional vote. North Carolina inevitably held a vote for a secession convention on February 28, 1861, despite what Badger and many of his fellow North Carolinians thought about the matter. The Tarheel state's vote for a secession convention proved disappointing for those fire-eaters in the state who wanted North Carolina to secede quickly and join the rest of the "early seceders."²³¹ Union sentiment won the day, and North Carolinians voted not to hold a convention. Badger, who had been elected alongside two Union Democrats to represent Wake County in the event there was a convention stated, "it was the strength of Union feeling that did it."²³²

The strength of Union sentiment in North Carolina should not have been a surprise to contemporaries. The North Carolina House of Representatives voted on January 29, 1861, to send militia to help protect D.C., and many Democrats in the state were against secession in February 1861.²³³ The Democratic newspaper *The Weekly Standard* out of Raleigh published a letter from a "Democratic Friend" that stated:

I will never agree to give up my claims on the federal government until that government is changed and turned against me...the seceders have acted rashly and badly. They have not acted wisely or loyally for themselves or their peoples' sakes...I am disposed never to support for office any man that I

the North to conquer, leading the North to allow the Southern states to secede in peace. According to Badger and others, this idea, combined with the "Let Alone" policy, a policy that stated the North should leave the seceded states alone, championed and partially shaped by Badger's insights, would see the South – save perhaps South Carolina – rejoin the Union in a decade.

²³¹ Hudson Meadwell and Lawrence M. Anderson, "Sequence and Strategy in the Secession of the American South," *Theory and Society* 37, no. 3 (2008), 208; South Carolina was the first state to leave the Union, seceding on December 20, 1860. The "Early Seceders" were the states that followed from January 9, 1861 to February 1, 1861. These states were, in order, Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas.

²³² George Edmund Badger quoted in, Daniel Crofts, *Reluctant Confederates: Upper South Unionists in the Secession Crisis* (Chapel Hill, NC: University of North Carolina Press, 1989), 266; Badger and his fellow delegates from Wake County were elected by a vote of 703 to 78.

²³³ James Boykin, *North Carolina in 1861* (New York: Bookman Associates, 1961).

know to be an unguarded secessionist; and in case of a convention we intend to support strictly Union men.²³⁴

Noticing Badger's strong support of the Union, leading members of Congress urged Lincoln to choose either Badger or John Adams Gilmer to be a member of the President's cabinet from North Carolina. Historian Daniel Crofts noted, "though Badger was better known nationally and more experienced...Gilmer's greatest advantage over Badger...was his current active political involvement."²³⁵ Lincoln chose to ignore the advice of Congress and decided to select neither Badger nor Gilmer to be in his cabinet. However, the President's administration did consult with Badger, and other notable Upper South Unionists, about who Lincoln should appoint to federal positions in the Upper South.²³⁶ Though the questions remain, why did North Carolinians refuse to secede in February 1861, and why did they change their mind just three months later?

Examining the data on the number of slaves to whites and slave owners to non-slave owners in North Carolina could make one think that the state would join the "early seceders," as North Carolina had more slaves to whites and the same ratio of slave owners to non-slaveowners as Texas, a state that seceded before Lincoln's inauguration.²³⁷ Also, slave owners made up eighty-one percent of North Carolina's state legislature, the largest percentage of any state, showing that slave owners controlled Tarheel politics. Despite this, North Carolina became the last state to secede from the Union. Whig politics are what keep the state in the Union until the bitter end.²³⁸

²³⁴ *Weekly Standard* (Raleigh, NC), February 20, 1861; For a great map indicating which counties selected secessionist delegates and which counties selected unionist delegates see; Marc Kruman, *Parties and Politics in North Carolina, 1836-1865* (Baton Rouge, LA: Louisiana State University Press, 1983), 274.

²³⁵ Crofts, *Reluctant Confederates*, 226.

²³⁶ Crofts, *Reluctant Confederates*, 273.

²³⁷ Meadwell and Anderson, "Sequence and Strategy," 208.

²³⁸ Meadwell and Anderson, "Sequence and Strategy," 208; Kruman, *Parties and Politics*, 49.

North Carolina, and the rest of the Upper South to a lesser extent, continued to have a functioning two-party system following the collapse of the National Whig Party. North Carolinians' loyalty to the Whig Party proved to be the cause of this. The best example of the Whig Party's continued support in North Carolina is the presidential election of 1856 when Millard Fillmore ran as a Know-Nothing in every state except for North Carolina, where he was on the ballot as a Whig.²³⁹

The continued two-party system held North Carolina in the Union because it provided a defense against the fire-eaters and immediate secessionists in the state. Without a sizeable second party determined to oppose the secessionist Democrats, North Carolina would have seceded in February 1861, since the union Democrats would not have had any substantial number of anti-secession allies to join. The intense magnetic pull of party loyalty that voters felt cannot be overlooked, as those who favored the Whig Party sometimes opposed secession in February 1861 simply because most Democrats favored it. However, as the secession crisis continued and Confederates fired the first shots of the American Civil War at Fort Sumter, many North Carolinians found that they could not side with the Union in a war against the South.²⁴⁰

The initial northern plan to avoid war was newspaper editor Horace Greeley's "go-in-peace" plan, where he advised Lincoln that the South "simply mean[t] to bully the Free States into concessions."²⁴¹ Greeley viewed secession like a toddler's tantrum, best dealt with by ignoring it and letting it work itself out. Greeley thought that if the seceded states were left alone, unionists – that he assumed were a silent majority in those states – could regain

²³⁹ Kruman, *Parties and Politics*, 177-8, 181.

²⁴⁰ Kruman, *Parties and Politics*, 212-3.

²⁴¹ Horace Greeley, quoted in James McPherson, *Battle Cry of Freedom: The Civil War Era* (New York: Oxford University Press, 1988), 252.

control and end the secession crisis. Unionists watched as secession sentiment continued to grow in the South and a compromise committee in the Senate sought to appease the South into staying in the Union.²⁴²

Created by the Senate and comprised of some of the most powerful politicians of unionist and secessionist persuasion, the “Committee of Thirteen” met over the secession winter of 1860-61 to try and uphold the United States’ age-old tradition of putting its problems on the back burner for later generations to solve. Senator John J. Crittenden from Kentucky, a member of the committee, proposed a series of amendments to the Constitution that would have protected slavery from the federal government. These amendments reinstated the Missouri Compromise line and extended it to all territories “now held, or hereafter acquired,” forbade Congress from abolishing slavery on federal property within slave states, forbade Congress from abolishing slavery in Washington D.C. unless it had already been abolished in Virginia and Maryland and the citizens of D.C. voted for its abolition, stopped Congress from interfering with the interstate slave trade, and compensated slave owners who were prevented from capturing their fugitive slaves. Crittenden crafted these amendments with language that prevented them from being amended or overridden in the future.²⁴³

Crittenden’s compromise proved nothing more than appeasement, though, nevertheless, many Republicans, including Lincoln’s Secretary of State William H. Seward, supported it. Their support quickly came to an end when Lincoln ordered that Republicans

²⁴² McPherson, *Battle Cry of Freedom*, 252; The most important members of this committee included William H. Seward, Benjamin Wade, Stephen Douglas, Robert Toombs, Jefferson Davis, and John J. Crittenden.

²⁴³ Michael Robinson, “William Henry Seward and the Onset of the Secession Crisis,” *Civil War History* 59, no. 1 (2013), 32-66; McPherson, *Battle Cry of Freedom*, 272-3; McPherson pointed out that Article V of the United States Constitution contained a precedent for “unamendable” amendments that “prohibited any change in the equal representation of each state in the Senate.”

“entertain no proposition for a compromise in regard to the extension of slavery...The tug has to come, and better now than any time hereafter...If we surrender, it is the end of us...A year will not pass till we shall have to take Cuba as a condition upon which [the South] will stay in the Union.”²⁴⁴ Lincoln’s words swayed every Republican on the “Committee of Thirteen” to vote against Crittenden’s compromise, defeating it by a vote of seven to six. Despite this defeat, Crittenden put his compromise up to a vote before the Senate, who rejected it twenty-five to twenty-three, with all twenty-five nay votes coming from Republicans.²⁴⁵

While discussing the Crittenden compromise measures, the *Charleston Mercury* declared, “Mr. Crittenden is full of lamentations on the fall of the Union...there is not a man alive – not Seward, nor Lincoln, nor Greeley – who has done more to dissolve the Union than Crittenden.”²⁴⁶ In response to this attack on Crittenden, the *Newbern Weekly Progress* stated, “the *Charleston Mercury* seems of late to have transferred its hatred from the Northern abolitionists to the statesmen and people of the border slave states.”²⁴⁷ The *Charleston Mercury* continued to attack Crittenden and the Whig Party as a whole, further alienating those North Carolinians who held the same views as the *Newbern Weekly Progress*, stating that abolitionism is “the necessary result of the principles of the Whig Party,” and Crittenden “has never respected the people of the South.”²⁴⁸ In rebuttal to the *Charleston Mercury*, the *Newbern Weekly Progress* asserted, “whether Mr. Crittenden’s proposed compromise will be accepted by the...Republicans...we do not know, but, if they are, the people of the South will

²⁴⁴ Abraham Lincoln, quoted in McPherson, *Battle Cry of Freedom*, 253.

²⁴⁵ McPherson, *Battle Cry of Freedom*, 253-4; Senators from states that had already seceded or were about to secede did not vote during the vote on Crittenden’s compromise before the Senate.

²⁴⁶ *Charleston Mercury* (Charleston, SC), quoted in *Newbern Weekly Progress*, January 29, 1861.

²⁴⁷ *Newbern Weekly Progress*.

²⁴⁸ *Charleston Mercury*, quoted in *Newbern Weekly Progress*.

be satisfied and the Union will be reconstructed.”²⁴⁹ This further illustrates that once the “early seceders” had left the Union, there was no compromising with them, but the Upper South could still be retained.

The House of Representatives also formed their own compromise committee, the “Committee of Thirty-Three,” that proposed two recommendations to appease the South. The first of these called for “faithful obedience to the fugitive slave law” and passed. The second, a proposed Thirteenth Amendment to the United States Constitution that guaranteed slavery in the states failed, with most Republicans voting against it. The Republican defeat of these last-minute acts of appeasement did not cause the Union to dissolve. Senators from seceded or soon to be seceded southern states decided not to vote on Crittenden’s compromise when their votes would have been enough for it to pass. Also, leaders from southern states were already meeting in Montgomery to set up a new Confederate government, ignoring compromise efforts in D.C. entirely. These actions show that once Lincoln was elected, no amount of compromise or appeasement was going to bring the “early seceders” back into the Union.²⁵⁰

Before Lincoln’s call for troops following Fort Sumter drove the Upper South states of Arkansas, Virginia, Tennessee, and North Carolina from the Union, several other key events occurred that made the Tarheel state’s decision to join the Confederacy an easier one. The first of these occurred on February 8, 1861, three weeks before North Carolina’s election for a secession convention, when the Confederacy declared that the Old North State had more in common with the seceded states than it did with the Union. The Confederate

²⁴⁹ *Newbern Weekly Progress*.

²⁵⁰ McPherson, *Battle Cry of Freedom*, 254, 256.

government's recruitment tactic may have been enough to sway some North Carolinians who were on the fence but felt that the Union did not do enough to keep them.

Secondly, the Union blockade of the South's coast came after Lincoln's call for troops following Fort Sumter, started on April 19, 1861, and was extended to include Virginia and North Carolina on April 27, both states that were still part of the Union. Discussing Lincoln's call for troops, the *Raleigh Standard* stated, "the proclamation of Mr. Lincoln has left no alternative but resistance or unconditional submission. The southern man who would quietly submit to the doctrines enunciated in that document is fit only for a slave."²⁵¹ *The Leisure Hour*, a newspaper from Oxford, North Carolina, quoted a piece in a Virginia newspaper about the blockade, showing that North Carolinians stood in solidarity with Virginia in opposition to the extended blockade: "The base wretches at Washington have dared to interrupt and destroy [southern] commerce...it is useless to investigate the legalist or constitutionality of such a proceeding. The law and the Constitution are wholly disregarded by the vulgar ruffians at Washington."²⁵² The last of these, the Confederate government's admittance of North Carolina into the Confederacy, occurred four days before the state seceded.²⁵³

Governor John Ellis called for the North Carolina General Assembly to hold a special session in which they called for an election of delegates to meet at a secession convention in Raleigh on May 20, 1861. The people of Wake County elected Badger as a delegate to this

²⁵¹ *Raleigh Standard*, quoted in Kruman, *Parties and Politics*, 219.

²⁵² *The Leisure Hour* (Oxford, NC), May 9, 1861.

²⁵³ Boykin, *North Carolina in 1861*, 140-52, 170; "The Union Blockade," www.ncpedia.org/anchor/union-blockade, accessed September 28, 2020; It is worth noting that the secession of Virginia, Tennessee, and North Carolina proved a sizeable boon for the Confederacy, as those states had nearly the same population as the rest of the Confederate states combined and a much greater portion of the resources; Crofts, *Reluctant Confederates*, 359.

convention much as they did for North Carolina's first proposed secession convention in February. The tone of this one was almost unanimously secessionist. Badger proved that he was a strict constitutionalist even while discussing disunion, arguing that revolution was the only constitutional means of fighting a tyrannical government and never acknowledged secession as a viable option. Under these principles, Badger introduced "An Ordinance Declaring the Separation of North Carolina from the United States of America."²⁵⁴

In this ordinance, Badger stated that the Republican Party was "hostile in its declared principles to the institutions of the Southern States" and that "North Carolina, though greatly aggrieved...did nevertheless, abstain from...separation...influenced by an ardent attachment to the Union and Constitution." The purpose of Lincoln's call for troops, Badger argued, was "to wage a civil war against the seceded states...and reduce [their] inhabitants to absolute subjection and subject slavery." "Lincoln, without any shadow of rightful authority, and in plain violation of the Constitution...declared all the ports of North Carolina...blockaded."²⁵⁵ The convention rejected Badger's proposal in favor of a secession ordinance introduced by Burton Craige. The convention voted unanimously to pass Craige's proposal, with Badger going along because he thought that a united South might deter the North from attacking due to the risk of a prolonged and deadly war.²⁵⁶

The secession of North Carolina proved to be Badger's last foray into public service, as he retired to Raleigh to live out the remaining years of his life. Badger died on May 11, 1866, in Raleigh, barely one year after the end of the war he fought so hard to avoid and is interred in Oakwood Cemetery. Badger left behind a widow, Delia Haywood Badger, and

²⁵⁴ *Semi Weekly Standard* (Raleigh, NC), May 25, 1861.

²⁵⁵ *Semi Weekly Standard*.

²⁵⁶ Kruman, *Parties and Politics*, 219-20; London, "Badger, George Edmund;" *Semi Weekly Standard*.

nine children ranging from the ages of twenty to thirty-nine. After Badger's death the United States Navy continued to keep his memory alive by naming three ships after him; ironic since his tenure as Secretary of the Navy was the shortest-lived of his career.²⁵⁷

At the time of his death, Badger was highly respected, with historian Lawrence London asserting, "it would undoubtedly be very difficult for one of Badger's contemporaries, were he alive, to understand how the career of one as prominent as Badger could have been almost forgotten by the people of North Carolina."²⁵⁸ Though Badger's name has yet to become a mainstay in the history of North Carolina, his spirit of compromise is one that could instruct politicians today. A strict constitutionalist, Badger always voted for what he thought best adhered to the founders' principles, despite some of them going against his own personal benefit. Badger's status as one of the leaders of the North Carolina Whig Party, made him integral to the rise of the party in the Tarheel state, as well as its continued survival there long after it had died elsewhere. This continued survival is what kept North Carolina in the Union for so long, as a thriving second party was able to fend off the majority of the Democratic Party that wanted to rapidly secede from the Union.

²⁵⁷ Lawrence Foushee London, "George Edmund Badger in the United States Senate, 1846-1849," *The North Carolina Historical Review* 15, no. 1 (1938), 1; London, "Badger, George Edmund;" www.history.navy.mil, accessed October 2, 2020. The three ships named after Badger were the USS George E. Badger (1920-1946), the USS Badger (1968-1998), and the SS George E. Badger (1942-1972).

²⁵⁸ London, "Badger in the United States Senate, 1846-1849," 1.

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Vita

Louis Alexander Wetherington was born in Kinston, North Carolina. He attended Appalachian State University beginning in the Spring of 2016 where he majored in History with a minor in Spanish. After earning his Bachelor's degree for Appalachian State, he continued to study History there at the graduate level, receiving a Master of Arts in December 2020. He will begin doctoral work in the Fall of 2021.