FLOOD, CHRISTINE ROWSE, Ph.D. The Arbiters of Compromise: Sectionalism, Unionism, and Secessionism in Maryland and North Carolina. (2015)
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The upper south was a region that was in the literal and figurative middle during the secession crisis of 1860-1861. In the late antebellum period, the upper south had diverse populations, burgeoning economic growth and still-vibrant two-party politics, even after the collapse of the Whig party. As the north and the cotton states descended into more radicalized political positions, the upper south maintained a strong sectional identity that positioned the region as the only sane and rational part of the deteriorating nation. Upper south sectional identity was rooted in general distaste for extremism of any sort, a political culture that could allow negotiation on the question of slavery in the territories, a willingness to give the Lincoln administration a chance, and the belief that the upper south states would provide the political and social leadership to forestall secession and war.

Though seemingly dissimilar at first glance, Maryland and North Carolina were two states which approached the matter of union of disunion with similar caution, and were the home of strong examples of upper south sectional identity. Through a study of both the unionist and secessionist leadership in each state, this dissertation reveals the development of the upper south sectional identity and the significant attempts at compromise that were being present in Maryland and North Carolina during the secession winter. These two states provide two excellent case studies of upper south sectional identity, as each state had populations and political leadership that was not tied to perpetual and unrestricted slavery, as well as leadership drawn from the slaveholding and

non-slaveholding population. These two states also shared competing political parties that each drove state and national elections, and large populations of non-slaveholding whites.

Compromise failed in 1861, although Maryland and North Carolina political leaders worked extraordinarily hard to achieve it. With the coming of the war, Maryland's unlikely Union affiliation and North Carolina's reluctant participation in the Confederacy would end upper south sectional identity, which was split apart by secession. Even in its failure, upper south sectional identity as represented by Maryland and North Carolina provides an instructive perspective on the coming of the Civil War and the dissolution of the Union.

This dissertation examines the unique political culture of upper south sectionalism during the secession crisis winter of 1860-1861. Reflecting a sectional identity that traditionally arbitrated compromise between sectional interests, leaders from Maryland and North Carolina offered the best hope for political compromise. These two states are clear examples that illustrate the force of this identity as the home of political, social, and cultural leaders who worked to shape the important role the upper south played as arbiter between the more radical factions of the Union. This work traces the collapse of upper south sectionalism, particularly in these two states that did not act together and ended up taking different sides over secession. This dissertation examines two states—one that remained with the Union and one that joined the Confederacy—together in an analysis of sectionalism, unionism and secessionism.

THE ARBITERS OF COMPROMISE: SECTIONALISM, UNIONISM AND SECESSIONISM IN MARYLAND AND NORTH CAROLINA

by

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To Tim, Fitzpatrick and Spencer

for the love and inspiration they provide every day and in every way.

APPROVAL PAGE

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CHAPTER I

PROLOGUE:
THE DICHOTOMIES OF THE UPPER SOUTH

John Pendleton Kennedy was a troubled man. Kennedy, a prominent Maryland politician and acclaimed novelist, wrote to a friend in 1860 describing his disgust with the political antagonisms unleashed by Lincoln's election. As sectionalism threatened the future of the Union, Kennedy expressed disappointment that the North was increasingly "full of violence and wrath," and the South was childishly "wild with joy" over the prospect of war and secession. Kennedy believed that between these two extremes was the "calm and earnest wisdom of the border states, which should act as arbiters for a compromise."[1]

While Kennedy worried in Baltimore, in Raleigh powerful editor and politician William Holden fretted as well about the increasingly hostile debate over secession. In his influential newspaper, the *North Carolina Standard*, Holden editorialized that the debate over the state's possible secession had rendered North Carolina's political parties meaningless. Holden proclaimed that "Democracy and Whiggism have nothing to do with this contest. The issue is *Union* or *Disunion*. Democratic principles and Whig principles will always exist, but the parties that were once organized on those principles

[1] From the papers of John Pendleton Kennedy, reprinted in Stefan Nesenhoner, "Maintaining the Center: John Pendleton Kennedy, the Border States, and the Secession Crisis," *Maryland Historical Magazine* 89 (Winter 1994): 413-426.

have perished."[2] While Holden may have been right in calling party politics dead in the face of the secession crisis, he was attempting to form a sectional political consensus in North Carolina to guide the state through the undoubtedly tumultuous future.

Despite Kennedy's confidence that the upper south possessed a calming "wisdom" and Holden's hope that party alliances would not intensify the secession debate, by 1860 Maryland and North Carolina were mired in political and social chaos. The upper south, defined as the eight slave states that did not rush to secede after Abraham Lincoln's election in November 1860 (Delaware, Kentucky, Tennessee, Maryland, North Carolina, Virginia, Arkansas and Missouri), featured "a more diverse economy, fewer slaves as a percentage of the population, smaller farms, and thriving two-party politics."[3] With diverse populations that included poor whites, plantation owners, freed and enslaved blacks, and burgeoning urban immigrant enclaves, the upper south was a political minefield, battling over unionism and secessionism during the unstable fall and winter of 1860-1861.

After the election of Lincoln, residents of the upper south states engaged in political discourse defined by the warring impulses of union and secession, and the debate was defined differently along sectional lines. Popular sentiment in the upper south ranged from support for immediate secession, to a willingness to remain in the Union in hope of concessions on slavery from the Lincoln administration to unconditional Unionism. The dilemma of the contradictory stances of the upper south on the secession

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[2] "The News," *The North Carolina Standard,* April 13, 1861.

[3] Definition of the states of the upper south and direct quote from William A. Blair, "Maryland, Our Maryland: Or How Lincoln and His Army Helped to Define the Confederacy" in *The Antietam Campaign,* ed. Gary W. Gallagher (Chapel Hill, University of North Carolina Press, 1999), 76.

crisis illustrates how sectionalism ripped apart the nation and the region. Further complicating the tenuous position of the upper south, was that through early secession the cotton states abandoned their American identity for the sake of their southern sympathies.

Southern sympathies were, of course, deeply tied to the existence of slavery, which by 1860 encompassed four million slaves stretching from Delaware to Texas. By the late 1850s, the upper south faced persistent questions: slavery or Union? Slavery or economic networks to New England? Slavery restricted to where it already existed or continued expansion of servitude? In the upper south, these questions were not just campaign rhetoric, but the framing narrative of political discourse. The white political establishment ceaselessly argued, debated, and in the extreme, murdered over slavery and its future existence in the Union. Slavery clouded the political landscape of both unionism and secessionism, creating a political situation in the upper south that showed little promise of working towards any sort of solution or compromise.

Although historians have defined the upper south in terms of cultural and economic geography, the role of the region in the secession crisis is still muddled in interpretive disagreement. Old ties of social kinship and trade conflicted with the rise of industrial production, opening up wide divisions of sectional identity throughout these states. This dissertation examines the unique political culture of upper south sectionalism during the secession crisis winter of 1860-1861. Reflecting a sectional identity that traditionally arbitrated compromise between sectional interests, leaders from Maryland and North Carolina offered the best hope for political compromise. These two states are clear examples that illustrate the force of this identity as the home of political, social, and

cultural leaders who worked to shape the important role the upper south played as arbiter between the more radical factions of the Union. This work traces the collapse of upper south sectionalism, particularly in these two states that did not act together and ended up taking different sides over secession. This dissertation examines two states—one that remained with the Union and one that joined the Confederacy—together in an analysis of sectionalism, unionism and secessionism.

This dissertation's new perspective on secession in the upper south, focusing on the unique sectional identity that developed in secession-era Maryland and North Carolina, draws on three areas of historiography—individual state histories, works that focus on the upper south, and monographs on secession as a whole.

One of the first historians to examine the paradoxical question of the upper south was Kenneth Stampp in his 1950 work *And the War Came: The North and the Secession Crisis, 1860-1861*. Stampp's central argument suggests that the politicians of the North were naive about the depth of secessionist sentiments in the border South, and that the device of "saving the country by doing essentially nothing--by waiting for a pro-Union reaction--was doomed from the start. Underlying this do-nothing policy were two fatal misconceptions: first, an overestimation of the Southern Unionist strength, and second, a failure to understand that in the South Unionism meant one thing, and in the North another."[4] Stampp posits that the North and South fundamentally misunderstood one another on the issues of slavery and expansionism, which prevented any sort of compromise from forming to avoid war.

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[4] Kenneth M. Stampp, And *the War Came: The North and the Secession Crisis 1860-1861*. (Baton Rouge: LSU Press, 1950), 20.

Other historians expand on Stampp's thesis of political impatience and further develop ideas about the complex politics of the upper south. In his 1961 survey, *The Civil War and Reconstruction,* David Herbert Donald devotes a chapter to the "Plight of the Upper South," in which he analyzes the upper south states that would ultimately secede: Virginia, Arkansas, Tennessee and North Carolina. Donald argues that the upper south's central problem was one of economics, as characterized by a Tennessee resident: "In any conflict for what was regarded as Southern rights, Tennessee was sure to go with the Gulf States, for she was bound to them by inseparable social and economic bonds." [5] Like this Tennessean, Donald sees economics, "rather than an emphasis upon unionism, as the key to the whole matter, not only as to Tennessee but as to the whole upper South." Donald's analysis of the upper south reveals strong Union support among the four states he depicts, characteristic of the odd and rather inexplicable dichotomy in the upper south, the paradox of being both full of "union sentiment on the one side, and essential Southernism on the other."[6]

Some of the most insightful works on the upper south are specific state histories that provide an in-depth analysis into one specific state that is often applicable to the greater region as a whole. One of these state surveys, Barbara J. Fields' 1985 monograph *Slavery and Freedom on the Middle Ground: Maryland during the Nineteenth Century,* yields valuable evidence on the fluid nature of politics, slavery, and free black society in one of the most tenuous states of the upper south. While *Slavery and Freedom* covers the entire nineteenth century, Fields' study offers many insights into the existence of

[5]David Herbert Donald and J. G. Randall, *The Civil War and Reconstruction*. (Boston: D.C. Heath and Company, 1961), 185.
[6]Ibid., 181.

Confederate sentiment during the secession crisis in one of the most culturally "northern," yet slave holding states. Antebellum Maryland was unique among the slaveholding states, for the population was a mix of free black, slave, rural, urban, and industrial labor communities, and the state had a strong secessionist movement, led by two former governors. Conversely, the sitting governor during the secession winter, Thomas Hicks, was a Unionist, supported by the centrists, "a group more numerous than either slaves or secessionist slave holders." To Fields, the central question that faced Maryland and rippled through the upper south is the continuation and extension of slavery, even though "respectable and responsible opinion in the upper south tried for a long time to deny it, to insist that disunion, not slavery, was the enemy." [7]

The same ideology outlined by Stampp and Donald—the tenuous wait and see policies favored by the upper south—is, in Fields's analysis, prevalent in Maryland. In fact, many in the state even "continued to deny the obvious to the end." As events escalated during the secession winter, and the opportunity to wait and see quickly passed, Maryland, along with other upper south states, "made a career of occupying the middle ground" and was often "a carping and querulous body of obstructionists."[8] By focusing on a state that many historians do not even regard as the South, Fields' study sheds great insight on the political paradoxes created by slaveholding in the upper south.

Max Grivno further explores the confusing nature of slaveholding and its consequences in Maryland's cultural and political milieu in *Gleanings of Freedom: Free and Slave Labor Along the Mason-Dixon Line, 1790-1860*. Grivno sees northern

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[7] Barbara Jeanne Fields, *Slavery and Freedom on the Middle Ground: Maryland during the Nineteenth Century* (New Haven: Yale University Press, 1985), 91-92.
[8] Ibid.

Maryland as a borderland that "bore the indelible marks of the societies whose collision and confluence …created a setting where slavery and free labor jostled, mingled, and merged." Although slavery was loosely rooted along the Maryland/Pennsylvania border, the existence of bonded labor created a world where the "residents of the areas were inextricably linked to the vibrant slave societies developing along the cotton frontier."[9] Grivno's examination of Maryland's six northern-most counties does not directly address secession, but instead focuses on the "constellation" of labor arrangements in the state and the ideological development over time of a free, rather than slave, labor ethos. By examining the literal borderland of the border states, Grivno's work reveals the very margins of slavery, the subsequent effect on politics, and ultimately, the bumpy transition to free labor. Grivno's conclusions inform and enrich this dissertation; however Grivno's book treads a very different economic ground than the secession crisis itself.

A newer work on Maryland, Jessica Cannon's *Lincoln's Divided Backyard: Maryland in the Civil War Era*, closely examines the shift in Maryland's cultural identity during the war years, arguing that Maryland, "in the minds of its own citizens as well as in the minds of politicians, soldiers, and civilians from other parts of the nation," transitioned from being a "southern" state in 1861 to being a "northern" state by 1865.[10] Prior to this identity change, Marylanders were Southerners, participants in the slave economy and highly sympathetic to the pro-Southern viewpoint, an opinion that changed after secession: but certainly not before. While *Lincoln's Divided Backyard* coherently

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[9] Max L. Grivno, *Gleanings of Freedom: Free and Slave Labor Along the Mason-Dixon Line, 1790-1860* (Urbana: University of Illinois Press, 2011), 19-22.

[10] Jessica Ann Cannon, "Lincoln's Divided Backyard: Maryland in the Civil War Era," PhD diss., Rice University, 2010, ProQuest (UMI 3421215), ii.

traces Maryland's cultural shift and "sheds light on the border state experience in the nineteenth century as well as on American and southern cultures generally as they were defined and redefined in the Civil War era," the study does not grapple with the question of why Maryland chose not to secede; rather, Cannon's work covers the ramifications of that decision.[11] Cannon also summarizes the institution of slavery as practiced in Maryland; however, slavery is not one of her prime areas of analysis in studying Maryland's cultural shift. In Maryland, like other states of the upper south, slaveholding was a fluid practice that differed from region to region and even from farm to farm, and paradoxically, existed alongside the wage labor of free blacks and poor whites, creating a labor system that was so varied it is almost impossible to encapsulate.

The paradox of slaveholding in the upper south was also readily apparent in mid-nineteenth century North Carolina. Ira Berlin's key distinction between a "slave society" and a "society with slaves" could be extrapolated to include "halfway slavery" in North Carolina.[12] While the nature and practice of slavery was transitioning to hiring-out and the transportation and sale of slaves to the cotton states, chattel slavery was still deeply imbedded in the state's constitution, culture, and racial attitudes. Marc Kruman's study of North Carolina political alignments, *Parties and Politics in North Carolina, 1836-1865,* is careful to note that "slave owners in North Carolina clearly wielded power far disproportionate to their numbers," yet the state still maintained a vibrant two-party identity throughout the secession winter.[13] Kruman also argues that the strong party

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[11] Ibid., 8.
[12] Ira Berlin, *Generations of Captivity: A History of African-American Slaves* (Cambridge: Harvard University Press, 2003), 209-230.
[13] Marc W. Kruman, *Parties and Politics in North Carolina (*Baton Rouge: Louisiana State University Press, 1983), 49.

organization in North Carolina focused attention on state issues, and less so on the national issues of slavery and secession and the stance of the national party organizations. This localism created an interior-focused North Carolina that existed somewhat outside the swirling politics of the 1850s and early 1860s, which was certainly different from North Carolina's more southern neighbors.

Another facet of the scholarship on secession in North Carolina is Paul Escott's study of antebellum and postbellum North Carolina, *Many Excellent People*, in which he argues that an elite class dominated North Carolina politics and economies before, during, and after the Civil War and that this elite class manipulated the secession crisis to their own means, preserving their own assets while exhibiting a "let them eat cake" attitude toward the vast majority of the state's residents. Escott expertly traces the long struggle between North Carolina's elite, which he calls the "squirarchy," and the huge yeoman farmer population in the state that propped up the existence of a two-party system in the state long after it had ceased to be relevant on the national level. [14] Escott's research is in-depth and unquestionable; however, his thesis is that North Carolina's elite patriarchy and industrial investors in the post-war period could be traced back to the antebellum period, but it does not include an analysis of why the secession convention chose to secede from the Union in 1861.[15]

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[14] Paul Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850- 1900* (Chapel Hill: University of North Carolina Press, 1985), 19.

[15] Other works to focus on North Carolina during secession include, Wayne K. Durrill, *War of Another Kind: A Southern Community in the Great Rebellion (*New York; Oxford University Press, 1990), which focuses on the crisis in Washington County in the northeastern part of the state; John C. Inscoe, *Mountain Masters, Slavery, and the Sectional Crisis in Western North Carolina* (Knoxville: University of Tennessee Press. 1989), which focuses a micro lens on the unionist pockets of Western Carolina, and William C. Harris, *North Carolina and the Coming of the Civil War*, (Raleigh: Division of Archives and History, N.C. Dept. of Cultural Resources, 1988) presents various documentary evidence of North Carolina's fractious secession debates.

Another state study is Stephen Ash's *Middle Tennessee Society Transformed, 1860-1870: War and Peace in the Upper South*. Ash's book is a valuable study of how a wealthy, prosperous, and substantial slaveowning section of the upper south developed a Confederate consensus during the secession winter of 1860-61. The voices of the residents of middle Tennessee are firmly rooted in the muddy waters of upper south politics, as Ash summarizes the feelings of the elite Tennesseans towards secession: "the course pursued by South Carolina is one of madness, demented folly" and "a state legislator castigated abolitionism and secessionism in the same breath; both, he sneered, `are the remedies of political quacks.'"[16] Ash's middle-Tennesseans sought the political middle, and had several key commonalities with upper south sectionalists in Maryland and North Carolina; however, Ash's analysis suggests that Tennessee was not wholly moved into the Confederacy just by Sumter, but also by manifest racism: "secession reaffirmed the primacy of race over class as a social force."[17] Ash argues that secession won over in Tennessee because when faced with a choice between allegiance with fellow slave holders who had domination over the large slave population or preserving the Union but possibly living with the large slave population as free blacks, Middle Tennesseans chose the former. Ash succinctly summarizes a contradiction that undoubtedly faced many residents of Maryland and North Carolina as well as Middle Tennesseans: that no matter what unified Confederate enthusiasm residents publicly paraded, the underlying reality was that "whether the consummate unanimity they

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[16] Stephen Ash, Middle *Tennessee Society Transformed, 1860-1870: War and Peace in the Upper South.* (Baton Rouge: LSU Press, 1988), 70.
[17] ibid., 72.

celebrated was lie, myth, or mirage, their people were in truth divided, and most of them discerned the rift, acknowledged it, loathed it, and feared it."[18]

This "rift" is the subject of Daniel Crofts's 1989 work, *Reluctant Confederates: Upper South Unionists in the Secession Crisis,* which presents an examination of the three upper south states that became part of the Confederacy: North Carolina, Virginia, and Tennessee. Crofts theorizes that the secession winter occurred in "three waves of change, each successively larger than the other": Lincoln's election in November 1860, the unsuccessful upper South secession conventions during the winter of 1860-61, and Lincoln's call for troops in April 1861. To Crofts, the first two waves of secession each also touched off strong anti-secession counter mobilization.[19] In Crofts's analysis, the ideals of the upper South are hard to pin down, for "the Union coalition in the upper South was not all of one mind. The spectrum of anti-secessionist ideas ranged from unconditional Unionism to a qualified willingness to remain in the Union for a short time in the hope of major Republican concessions."[20]

Crofts's study employs a two-part explanation as to why the upper south did not immediately follow the lower south into secession—first, the varied practice of slavery and second, the presence of strong political parties. The upper south had a smaller slave population, and in general the states were not as driven by the fear of slave insurrection and loss of property as were lower south residents. It stands to reason that if the lower south, as Stephen Channing concludes in *Crisis of Fear: Secession in South Carolina,*

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[18] Ibid., 75.
[19] Daniel W. Crofts, *Reluctant Confederates: Upper South Unionists in the Secession Crisis* (Chapel Hill: UNC Press. 1989), xvii.
[20] Ibid., 104.

rushed into secession due to fear of slave insurrection, low-slaveholding areas had a lot less to fear, and to lose, by staying in the Union.[21] Paired with the remnants of the Whig party in the upper south creating viable opposition to the prevailing Southern Democrats, secession fever was understandably cooler north of South Carolina. Just as the North had attempted to politically manipulate the upper south Unionists, the upper south in turn flexed its political muscle on the secessionists of the lower south. Much to "the surprise and horror of the southern rights leaders in the upper south, the Unionist groundswell in January and February 1861 jeopardized their power at home just as Lincoln had jeopardized their power in the nation."[22]

Crofts addresses the theory that secession was a rich man's foolish attempt to retain a dying and antiquated way of life at the expense of the lower classes by noting that suspicions existed among upper south yeoman farmers about the true motives of deep south politicians who favored secession, and that "some Unionists contended that a hidden agenda lay behind the secession movement—that the conspiratorial core of deep south leaders consciously decided to play on popular fears to secure their own selfish objectives."[23] Again in contradiction to Crofts, Ash specifically states the opposite, that "middle Tennesseans high and low were on the whole conservative until Fort Sumter but turned radical in the main thereafter, executing a volte-face as instantaneous as to negate the possibility of aristocratic manipulation."[24] The interplay of disagreements between Crofts and Ash only amplifies the role of slavery and politics in the upper south; it was

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[21] Stephan Channing, *Crisis of Fear: Secession in South Carolina.* (New York: Simon & Schuster, 1970).
[22] Crofts, *Reluctant Confederates*, 193
[23] Crofts, *Reluctant Confederates,* 112.
[24] Ash, *Middle Tennessee Society Transformed,* 73.

fluid, changing, and specific to region and interpreted differently section by section in the rush of war fever.

A geographic reality for Maryland and North Carolina that was that Virginia, the Old Dominion, the cradle of slavery, eventual home to the Confederate capital and the home of many of the founding fathers, was a not only a physical borderland for each, but it also exerted a political pull on these bordering states. Historiography on Virginia secession is legion, and more recent works such as William Link's *Roots of Secession: Slavery and Politics in Antebellum Virginia* portray a Virginia that differed from the cotton states: "in contrast to South Carolina, in Virginia the dynamic emanating from slavery did not lead inexorably toward disunion" rather, the more subtle dynamic of economic forces complicated the secession debate.[25] Virginia's political and social structure was more fully explored in Peter Carmichael's *The Last Generation: Young Virginians in Peace, War, and Reunion*, where the author blends together economics, politics and social status to portray the secessionist Virginians not as fire-eating demagogues, but rather, as ambitious men full of Virginia's past prominence in national affairs, who thoughtfully and rationally believed in southern nationalism.[26] Like Carmichael and Link's Virginians, North Carolinians and Marylanders were seeking a thoughtful course, a way through the vast web of economics, politics and diversity of opinion that entangled the secession debate.

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[25] William A. Link, *Roots of Secession: Slavery and Politics in Antebellum Virginia*, (Chapel Hill: University of North Carolina Press, 2003), 244.
[26] Peter S. Carmichael, *The Last Generation: Young Virginians in Peace, War and Reunion* (Chapel Hill: University of North Carolina Press, 2005).

Adding to the debate on slavery, secession, and the tenuous position of the upper south, William Freehling explores the path to secession in *The Road to Disunion*: *Secessionists at Bay*, and *The Road to Disunion*: *Secessionists Triumphant*. *The Road to Disunion* is a sweeping, general, yet richly detailed survey of the path of secessionist politics from the Jeffersonian era to the secession of the upper south after Fort Sumter. Freehling's books are divided into several sections, beginning with a sketch of the physical and social status of the Old South, followed by an analysis of the tenuous position of the upper south, the uniqueness of South Carolina, the crises that led to secession (the gag rule, nullification, the annexation of Texas, the Kansas-Nebraska Act, John Brown's Raid at Harper's Ferry, and the election of 1860) and the ensuing secession fever. Freehling's first three sections do much to illuminate the fact that there was no one cohesive, solid South before the war. From mismatched railroad tracks, to different patterns of slaveholding, the South was "a collection of localized neighborhoods, poorly connected by railroads, poorly integrated by geography, poorly united by ideology."[27] Even legal servitude, the one constant, created widely-varied sectional viewpoints, as Freehling's examples of conditional emancipation in the upper south compared to "perpetual slavery" in South Carolina make clear.

In part two, *Secessionists Triumphant*, Freehling's closing chapter, "Upper South Stalemate" clearly underscores the dilemmas of the upper south. Slavery was the central, deciding factor, for even in the upper south "the largest generalization about the secession crisis allegiance held firm: the more and the thicker the black belts, the faster and more

[27] William Freehling, *The Road to Disunion: Secessionists at Bay 1776-1854.* (New York: Oxford University Press, 1990), 564.

enthusiastically a neighborhood massed behind secessionists." [28] Beyond this generalization, Freehling is also quick to remind historians that the South, including the upper south, shared one common paradigm--that it was a localized, disjointed region, with myriad political ideas and practices, a "world so lushly various as to be a storyteller's dream," instead of a narrow and polarized version of "one" North and "one" South.[29]

These historian's treatment of the dilemmas of the upper south do all share one commonality—they are all firmly rooted in the slavery question. As one historian states in a historiographical review of Civil War causation literature, "In more recent works, slavery is unquestionably the cause."[30] Fields sees slavery as the central dilemma for the upper south; in contrast, Donald acknowledges slavery was relevant, but only in its effect on economics, and Stampp does not sufficiently address the issue. The political reality of slavery was even more fraught with contradiction, for "the South increasingly came to regard black slavery as the necessary base on which freedom must rest. For many in the North a commitment to slavery's ultimate extinction became the test of freedom. Each section detected a fatal flaw in the other—a betrayal of the principles and mission of the Founding Fathers."[31] After over a thousand pages in two volumes, Freehling concludes "*That* slavery above all else caused this historic war, both within the South and between

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[28] William Freehling, *The Road to Disunion: Volume Two, Secessionists Triumphant 1854-1860*. (New York: Oxford University Press, 2007), 530.
[29] Ibid., viii.
[30] Joe Gray Taylor, "The White South from Secession to Redemption." *Interpreting Southern History*. ed. John B. Boles and Evelyn Thomas Nolen (Baton Rouge: LSU Press, 1987), 162.
[31] David Brion Davis, *Inhuman Bondage: The Rise and Fall of Slavery in the New World* (Oxford: Oxford University Press, 2003), 296.

the Union and the Confederacy, seems indisputable…yet, how slavery caused the Civil War remains elusive."[32]

Aside from Barbara Fields's work, the scholarship has neglected Maryland's role in the secession crisis and in studies of Civil War causation. As an upper south state, Maryland found itself caught in the political middle in 1860. Geographically situated on the Mason-Dixon Line, mid-nineteenth century Maryland was an unusual mix: a slave state with a large free African-American population; an industrial center; a plantation state; a railway and shipping hub; and a large slave-trading center.[33] Contradictions abounded in antebellum Maryland: political leader Francis Preston Blair, Sr., owned slaves, yet was a confidante of Lincoln and a founder of the Republican party; a descendant of the state's colonial founder, Charles Benedict Calvert, owned slaves on multiple plantations, yet supported the founding of the University of Maryland to advance the state past the slave economy and into a new scientifically agricultural and professional one.[34] Maryland Unionist Reverdy Johnson, who on one occasion rallied a crowd to forsake the "heresies of political abolitionism," later urged upper south members of Congress to draft and propose constitutional amendments to preserve slavery

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[32] Freehling, *Secessionists Triumphant*, 531.

[33] For a summary of Maryland in the 1850s, see Christopher Phillips, *Freedom's Port: The African American Community of Baltimore, 1790-1860* (Urbana: University of Illinois Press, 1997), especially the chapter on "The Urban Mélange," also Robert J. Brugger, *Maryland, A Middle Temperament, 1634 -1980* (Baltimore: Johns Hopkins University Press, 1988), particularly chapters five and six, "Suspended Between Memory and Hope" and "A House Divided," additionally Barbara Jeanne Fields, *Slavery and Freedom on the Middle Ground* (New Haven: Yale University Press, 1985), most notably the chapter on "Two Marylands," and for first-hand experience of bondage in Maryland, Frederick Douglass, *Life and Times of Frederick Douglass*, revised ed. (New York: Crowell-Collier, 1962).

[34] For information on Blair, see Doris Kearns Goodwin, *Team of Rivals: The Political Genius of Abraham Lincoln* (New York: Simon & Schuster, 2005), 110-115, and for Charles Benedict Calvert, see Childs Walker, "Study Scours UM's Slavery Link," *Baltimore Sun*, October 10, 2009.

where it already existed. [35] During the years preceding secession, Maryland's political elite held opinions that could seem almost byzantine, creating an always fluctuating push and pull of partisanism and heated debate.

Partisan politics and regional alliances were also pulling North Carolina apart in 1860. One historian has characterized national politics of the 1850s and the secession winter as the "politics of impatience": Southerners grew impatient with having to continue to compromise with Northerners on national political issues, usually on what they perceived as the losing side.[36] The "politics of impatience" can be applied to all Southerners, and especially to describe political developments just in North Carolina in the late 1850s. Home to a strong two-party system of Democrats and Whigs during the Jacksonian era, the competing parties were both successful in statewide elections throughout the first half of the nineteenth century. However, as the national Whig party increasingly adopted a free-soil policy, its long-term existence in slave-holding North Carolina became less and less feasible. With the national collapse of the Whig Party in 1854, North Carolina Whigs struggled to find political alliances to challenge the pro-secession Democrats in the state, and this internal struggle contributed to the already existent political chaos in the state as the secession winter unfolded.

By 1860, North Carolina and Maryland were two states trapped in their own geographic realities. North Carolinians felt isolated and detached, wedged between their fiery neighbors in South Carolina and the aristocratic Virginians. Tarheels were

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[35] Frank Moore, *The Rebellion Record: A Diary of American Events, with Documents, Narratives, Illustrative Incidents, Poetry, etc., 12 vols. 1866-1869.* (New York: G.P. Putman, 1977), vol. 1, 199-201.
[36] Michael F. Holt, "The Politics of Impatience: The Origins of Know-Nothing-ism" *Journal of American History* 60 (1973): 310.

struggling to define the future of a state that was haphazardly settled by residents who adhered to the conflicting ideals of localized independence and chattel slavery. Marylanders, for their part, found their state becoming an industrial and shipping nexus while still retaining the fading tobacco-based economy of the early 1800s. At first glance, the two states might appear to have little in common; however, from Donald Meinig's geographical perspective, "although politically partitioned among the jurisdictions of Maryland, Virginia and North Carolina, this area had been created by similar peoples working in similar ways with similar results. It was in fact a remarkably uniform region."[37] Maryland and North Carolina had myriad likenesses—both slave states with vibrant two party systems, both states with a robust Whig/Opposition and Democratic press, both with significant populations of free blacks, and both with reticent governors in 1860 who disapproved of the rashness of the deep south's rush to leave the Union. However, the two states' deepest connection was their fragile geographic locations. In the words of Meinig, "in terms of cultural geography, Maryland was, broadly speaking, being transformed into half Pennsylvanian and half Virginian."[38] As for North Carolina, which was settled "in piecemeal and almost chaotic fashion under minimal oversight, a procedure certain to create a maze of disputes,"[39] strong and divergent opinion on the secession crisis existed across the state. Given their commonalities, Maryland and North Carolina became home to a unique sectional identity rooted in compromise, moderate Unionism, and the perpetuation of slavery.

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[37] D.W. Meinig, *The Shaping of America: A Geographical Perspective on 500 Years of History, Volume I: Atlantic America, 1492-1800 (*New Haven: Yale University Press, 1986), 153.
[38] Meinig, *The Shaping of America,* 159.
[39] Meinig, *The Shaping of America,* 147.

The upper south was a region that was in the literal and figurative middle during the secession crisis of 1860-1861. In the late antebellum period, the upper south was a region with diverse populations, economic growth and still-vibrant two-party politics, even after the collapse of the Whig party. As the North and the Cotton States descended into more radicalized political positions, the upper south maintained a strong regional identity that positioned the region as the only sane and rational part of the deteriorating nation. The upper south's sectional identity was rooted in general distaste for extremism of any sort, a political culture that could allow negotiation on the question of slavery in the territories, a willingness to give the Lincoln administration a chance, and the belief that the upper south states would provide the political and social leadership to forestall secession and war.

Maryland and North Carolina were two states that approached the matter of union and disunion with similar caution and that were the embodiments of the upper south sectional identity. Through a study of both the Unionist and secessionist leadership in each state, this dissertation reveals the development of the upper south sectional identity and the significant attempts at compromise that were present in Maryland and North Carolina during the secession winter. These two states provide excellent case studies of upper south sectional identity. As each state had populations and political leadership that was not tied to perpetual and unrestricted slavery, as well as leadership drawn from the slaveholding and non-slaveholding population. These two states both had large populations of non-slaveholding whites and also shared competing political parties that each drove state and national elections.

Although political leaders in Maryland and North Carolina worked extraordinarily hard to achieve it, compromise failed in 1861. With the coming of the war, Maryland's unlikely Union affiliation and North Carolina's reluctant participation in the Confederacy would end upper south sectional identity, which was split apart by secession. Even in its failure, upper south sectional identity as represented by Maryland and North Carolina provides an instructive perspective on the coming of the Civil War and the dissolution of the Union. This dissertation outlines how the existence of Maryland and North Carolina's upper south sectional identity influenced each state's politicians and informed the regional and national political discourse by attempting to halt secession through negotiation, persuasion, delay and political bargaining.

Why did Maryland and North Carolina make opposite decisions on the question of secession? Both states had powerful reasons for remaining in the union, yet, in the end, one state seceded, and the other did not. The political pressures, public opinion and debates on the crises that faced Marylanders and North Carolinians during the secession winter were multi-faceted and constantly evolving. The scope and goal of this study reveals a distinct upper south sectional identity and analyzes the role of that identity through an analysis of newspapers, collected papers of the key actors, and the state records of the secession debates and conventions. Conventional wisdom holds that Maryland remained in the Union because of Lincoln's heavy hand and the U.S. military presence in Baltimore and that North Carolina seceded because "as Southerners most whites chose the South without hesitation."[40] However, secession in the upper south is an

[40] Paul D. Escott, *Many Excellent People*, 35.

issue which defies any easy or obvious answers, and this study serves to illuminate the complexities of this debate in both Maryland and North Carolina.

Each state can, for the sake of methodology, be divided into three distinct regions—in North Carolina, the Coastal, Piedmont, and Mountain regions and in Maryland the Eastern Shore, Southern, and Northern regions.[41] Each region of each state had at least one, if not two or more, major local newspapers serving the area, providing an outlet for editorial and individual opinions on secession. These newspapers illuminate party ideology, strategy, and the opinions of civilians expressed through editorials and open letters. Much different from today where journalism seeks the appearance of political objectivity, papers of the antebellum era proclaimed loudly their political leanings in order to foster a following in their communities. Newspapers, often more than quantitative voting data, also underscore the existence of the political regionalism across the states and offer a rare window into the political thinking of residents.

For the purposes of this study, Virginia has been left out of the analysis because Virginians possessed a unique identity rooted in the state's deep connections to the Revolutionary generation and because of its important and lauded position as the state

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[41] The selection here of the regional interpretation in the secession crisis is a long-standing one. Sociologist and historian Guion Griffis Johnson, *Ante-Bellum North Carolina: A Social* History (Chapel Hill: University of North Carolina Press, 1937) presents statistical, social and census data and has the fullest discussion of the nature of North Carolina's sharp regional divide. Johnson's social data was further employed by J. Carlyle Sitterson, *Secession in North Carolina (*Chapel Hill: University of North Carolina Press, 1939), which opens with a chapter entitled "Socio-Economic Sectionalism," in which the geographic sections of the state are employed, and differences in landholding, the slave ratio, industry, agriculture, and the distribution of wealth are historically analyzed. In Charles C. Bolton, *Poor Whites of the Antebellum South: Tenants and Laborers in Central North Carolina and Northeast Mississippi* (Durham, NC: Duke University Press, 1994), Bolton continues this regional analysis by focusing on the poor whites of Piedmont region as a distinct subset of North Carolina as a whole during the 1850s and the secession crisis. In the Western region of North Carolina, John C. Inscoe, *Mountain Masters, Slavery, and the Sectional Crisis in Western North Carolina (* Knoxville: University of Tennessee Press, 1989) also reinforces the regional division within North Carolina For Maryland, Barbara Fields, *Slavery and Freedom on the Middle Ground: Maryland during the Nineteenth Century*, also employs a regional division, as does Jean Baker, *Ambivalent Americans: The Know-Nothing Party in Maryland* (Baltimore: Johns Hopkins University Press, 1977).

that was home of the Founding Fathers and many presidents. Virginia has also been studied a great deal, and little remains unexamined in the state during the secession winter. Kentucky was also a major upper south state that grappled with disunion; however, scholars have already studied Kentuckians, revealing a state that had a population that was simultaneously Southern yet also frontier-minded. Examined through biographies of John Breckinridge and John J. Crittenden, Kentucky's upper south position is also already well documented.[42] Taking another look at secession in Maryland and North Carolina produces a detailed analysis of two key states in the secession crisis that fostered a unique sectional identity, yet made different choices on disunion, creating a new viewpoint in the existent secession literature.

Much of the existing literature on secession is micro-focused—highlighting the role of the mountain region in North Carolina or how the Know-Nothings influenced secession. There are also macro-focused works, such as Freehling's fifteen hundred-page, two-volume work. However, this study contributes a more in-depth analysis of Maryland and North Carolina's unique upper south sectional identity and contextualizes it into the larger secession literature. The commonality of upper south sectionalism in these two states reveals a robust attempt at compromise and conciliation, and a unique, albeit lost, identity that defined a version of Americanism that adhered to union principles, while accepting the right of states to secede and the continuation of chattel slavery. The uniqueness of this work is its focus on two states and their two different decisions. The hows and the whys of those decisions reveals the existence of a unique upper south

[42] See Albert D. Kirwin, *John J. Crittenden: The Struggle for Union* (Lexington, University of Kentucky Press, 1962), William C. Davis, *Breckinridge: Statesmen, Soldier, Symbol* (Baton Rouge: LSU Press, 1974), Harold D. Tallant, *Evil Necessity: Slavery and Political Culture in Antebellum Kentucky (*Lexington: University of Kentucky Press, 2003).

sectional identity that attempted to find political compromise between the North and cotton states, and further outline the struggles the entire upper south faced, contributing a new perspective to the existent literature on Maryland and North Carolina in the secession winter.

The upper south was trapped in the nexus where two worlds met: the agricultural slave world and the burgeoning capitalist free-labor society of the nineteenth century north. Unavoidably, when societies exist in the geographic borderlands, they become social anomalies, a combination of both regions, all the while something unique in themselves. Maryland and North Carolina were unique partners during the secession winter, as each state attempted to be something that was simultaneously Northern, Southern, and neither. In attempting to find the literal and figurative middle ground of neitherness, Maryland and North Carolina would also find themselves becoming centers of debate that resulted in John Pendleton Kennedy's hoped for "arbiters of compromise."

CHAPTER II

TWO BORDERLANDS: SECTIONAL IDENTITY AND POLITICS IN MARYLAND AND NORTH CAROLINA TO 1860

> A slaveholding State by inheritance…bound by conditions, usages and law; a border State between those now forbidding slavery and those retaining it; allied to all the States with equal sympathies and by her various interests.
>
> --From the inaugural address of Maryland Governor Thomas Hicks, January 13, 1858

> The Northern Whig party has unquestionably betrayed its southern supporters. The American Party is impotent save for division and destruction. The democracy have not as yet a powerful national organization….what I can do in this crisis I know not.
>
> --North Carolinian James W. Osborne, July 10, 1857

In 1860, seventy-year-old planter and politician Henry G.S. Key was the elder statesman of his southern Maryland community of Leonardtown. Distantly related to *Star Spangled Banner* composer Francis Scott Key, Key's family had been in Maryland since the proprietary colony was established by the first Lord Calvert. A former surveyor, attorney, and member of the House of Delegates, by 1860 Key had retired to his plantation, Tudor Hall to enjoy his twilight years. However, the political unrest created by Lincoln's election pushed Key out of his pastoral surroundings and back into the limelight, when on November 20 he attended a meeting of the citizens of St. Mary's

County to encourage Governor Thomas Hicks to call the Legislature into a special session to consider the state's position in the secessionist fray.

According to newspaper accounts, the meeting was well attended and "considerable excitement was manifested" over the secession question. Henry G. S. Key was nominated by his neighbors and colleagues to lead the county citizenry's assembly. Regardless, the elder statesman wanted no part of the political melee-Mr. Key rose and stated that he declined to "preside over the meeting, and that it had been called without consultation with himself--that he was opposed to any immediate action on the point of Maryland looking to secession, and that he had thought she [Maryland] should await some movement in her sister states of Virginia and North Carolina." [1] Key's age and experience told him that the states of the upper south had much in common and much to fear during the tumultuous secession winter.

Maryland and North Carolina political and social leaders developed a unique upper south identity in the late 1850s and early 1860s that was rooted in a shared distaste for extremism of any sort. Maryland and North Carolina had myriad similarities in the antebellum era, as each state was home to impassioned political rallies, involving quarreling and non-extreme, yet secessionist-leaning residents, as well as staunch Unionists. Key and other Maryland and North Carolina leaders were facing an impending upheaval of politics and the social order--their own irrepressible conflict in the secession crisis. Approaching the matter of union and disunion with similar caution and

[1] "Secession Movements: Position of Maryland-An Exciting Meeting in St. Mary's County," *The Montgomery Sentinel*, November 30, 1860. General information on Henry G.S. Key from the Henry G.S. Key Papers, 1630-1913, MS 649, Maryland Historical Society, Baltimore, MD.

conciliatory rhetoric, Henry Key's words reflected upper south sectional identity, including a willingness to negotiate on the extension of slavery to the territories, and an openness to giving the Lincoln administration a chance. Key, and other leaders in Maryland and North Carolina were by late 1860 seeking the third way in the divisive politics of disunion, a hope that the "sister states" of Maryland and North Carolina could emerge as a national voice for compromise. Key, however, did not emerge in a vacuum but drew his comments from the general political climate of his state, and by extension, that of North Carolina as well. This chapter will analyze the political and social environment that was developing in each state prior to Lincoln's election and reveal the roots of upper south sectional identity.

Borderland: Maryland

Geography was Henry G.S. Key's worry and cruel reality. From his home in southern Maryland's St. Mary's County, Key undoubtedly understood that even in his relatively small state, geographic distinctions existed, cleaving the state into three distinct regions: the Northern, Eastern Shore, and Southern regions. During the 1850s, northern Maryland was a singular mix of free black, slave, rural, agricultural, and industrial labor communities. Baltimore, the urban center of Northern Maryland, was an industrial city with a peculiar feature—the presence of slavery. With a population that included recent European immigrants, free blacks, hired-out slaves, international maritime traders, merchants, and old-line revolutionary families, Baltimore was an extremely diverse city.

The port of Baltimore was a major shipping center for goods to European markets, and many Northern and Southern businessmen transported goods through the

Chesapeake Bay and across the Atlantic. Northern Maryland also housed important routes for transportation into the American interior through the Chesapeake & Ohio and Baltimore & Ohio canals, further increasing the region's focus on trade and transportation. Along with waterborne transportation, Baltimore was becoming a major rail center as well, with increasing lines being established from New England and the South. Contributing to Baltimore's unique commercial identity was its position as a railroad transfer point for Northern and Southern commodities, since Baltimore's rail lines ran throughout the nation, not just the surrounding region. As a transportation and manufacturing center, Baltimore was quickly coming to rival New Orleans as the major city south of the Mason-Dixon Line.[2]

Contributing to Baltimore's distinctiveness as a Southern city was the large population of Irish immigrants, who settled in the city during the 1840s and 1850s. By the eve of the Civil War, Baltimore's population was approximately one-quarter foreign-born, mostly Irish and German immigrants. Attracted to the city due to abundant opportunities for work in the railroad, canal, and shipping industries, the Irish in Baltimore grew into a large and active community. The Irish tended to live in tight-knit groups in the city's eighth and tenth wards, and by the 1850s the Irish constituted a voting block with a growing presence in the city. Victim to the ethnic prejudices that were endemic in the antebellum era, the Irish in Baltimore were a continual issue of concern for the non-Irish population of the city. A significant anti-Catholic rhetoric

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[2] For description and data on the Port of Baltimore and the city's growing diverse population, see *Freedom's Port: The African-American Community of Baltimore, 1790-1860 (*Urbana: University of Illinois Press, 1997), especially chapters 6 & 7.

appeared in the political discourse in the state, and "many associated the high levels of intemperance" of the Irish community as a cause for the growing pauperism and political corruption throughout the city. Rapid migration and close-knit living quarters led to crowding, epidemic disease, and the formation of Irish street gangs, who quickly gained a reputation for violence and intimidation.[3]

Baltimore also boasted a strongly partisan and active political community that capitalized on the anti-Irish and anti-immigration sentiments to form a new political coalition. The Know-Nothing, or American Party, an outgrowth of the nativist movement, was founded in Baltimore, and enjoyed its most loyal following there. Born in secret lodge societies, the Know-Nothings represented those who "discussed the threat to the old ways that accompanied the influx of immigrants, to ask what had happened to the former influence of the native-born."[4] With the city's population continually being swelled by immigration, native Baltimoreans continually were disquieted as they watched their old Methodist and Protestant churches being sold to new Catholic parishes, and synagogues and Orthodox temples cropped up and flourished throughout the city. Know-Nothings, aside from being strongly, and often vehemently, nativist, were also protesting against the great changes coming in Maryland in the mid-nineteenth century. The state's former dependence on tobacco was being supplanted, rapidly replaced by the railroad-

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[3] For discussion of the Irish migration to Baltimore, see Dean R. Esslinger, "Immigration Through Baltimore," in M. Mark Stolarik, *Forgotten Doors: The Other Ports of Entry into the United States.* (New Jersey; Associated University Press, 1988.) 63-69, and Tracy Matthew Melton, *Hanging Henry Gambrill: The Violent Career of Baltimore's Plug Uglies, 1854-1860*. (Baltimore: Maryland Historical Society, 2005), 40-58. Direct quote on page 40.

[4] Robert Brugger, *Maryland: A Middle Temperament, 1634-1980.* (Baltimore: Johns Hopkins University Press, 1988), 259.

striped, telegraphed, and industrial society of Northern Maryland in the late 1850s.[5] As a sign of the resonance of the nativist message, in 1855, Know-Nothings swept the Baltimore elections, and won half of the Maryland congressional seats.[6]

Appealing to former Whigs and many Democrats as well, Know-Nothings had a special appeal to non-slaveholders in urban Maryland, uniting them against the slaveholders on the Eastern Shore and in Southern Maryland. Curiously, in Maryland, Know-Nothings seemed to attract more disaffected Democrats rather than Whigs, the opposite of the rest of the South.[7] The Know-Nothings were so attractive to Maryland Democrats not only because the anti-immigrant message was particularly applicable in Baltimore, but because slavery was not the glue that stuck Democrats together, as it was in the Lower South.

Slavery was not the unifying force of the state's Democratic Party because the nature of slavery in Maryland was one of the most striking things that set it apart from other slave states. In the early part of the century, the profitable tobacco economy of the Chesapeake region created a large slave population, much like the rice-based economies of the low country south. Some counties, such as Prince George's, had larger slave than white populations. However, by the 1850s, tobacco cultivation had depleted the soil in Maryland and agricultural diversity became a necessity, slavery became a less and less

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[5] For discussion of the decline of the tobacco economy, see Barbara Jeanne Fields, *Slavery and Freedom on the Middle Ground: Maryland during the Nineteenth Century*, (New Haven: Yale University Press, 1985), particularly chapter one and two.

[6] For election results in Baltimore in 1855, see Brugger, *A Middle Temperament*, 270-275.

[7] This particular assertion is the one of the theses in Jean Baker, The *Politics of Continuity: Maryland Political Parties from 1858 to 1870* (Baltimore: Johns Hopkins University Press, 1973). Also see William J. Evitts, *A Matter of Allegiances: Maryland from 1850 to 1861* (Baltimore: Johns Hopkins University Press, 1974) for a general discussion of the political conflict in antebellum Maryland.

viable force in the state. The census of 1850 revealed that in all regions of the state, slavery was slowly eroding. Either due to individual manumissions, slaves "buying" their own freedom by side work, or through the erosion of the tobacco industry, the slave population was on a steady and continual decline.[8] As the slave population declined, the free black population swelled. Manumitted slaves found plentiful work in the industrial and shipping industries, and very few were compelled to leave the state for the non-slaveholding North. Even on the Eastern Shore, the free black population was on the rise. In Talbot County, the free black population increased exponentially, growing by an almost-shocking 534% during the first half of the nineteenth century.[9] While the free black population was growing in other areas of the South, Maryland was something of an anomaly, as manumitted slaves became a vital part of the economy and skilled labor force of the state. The slowly-eroding slave society of Maryland provides an example of the gradual manumission and conditional termination ideas that Jefferson had endorsed thirty years earlier.

During the state constitution-revision convention of 1850-51, Thomas Holliday Hicks, a delegate from the Eastern Shore's Talbot County, proposed that an amendment be included in the new state constitution that asserted the right of parts of the state to secede from the state of Maryland.[10] Hicks was aggrieved by the growing marginalization of the agricultural Eastern Shore by the industrializing and population-

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[8] On the Eastern Shore, slavery declined by 32.6% from 1790 to 1850 and in the southern region slavery declined by 16% in the same period. Statistical information is from the 7th census, analyzed in Barbara Jeanne Fields, *Slavery and Freedom on the Middle Ground: Maryland during the Nineteenth Century* (New Haven: Yale University Press, 1985,) 12-13.
[9] Ibid, 12.
[10] Fields, *Slavery and Freedom on the Middle Ground: Maryland during the Nineteenth Century*, 20.

rich Baltimore district; however, these words are highly ironic, for only seven years later Hicks was elected governor and would shepherd the state through the national secession crisis. Hicks's path to the governor's mansion started in his own backyard, when he became a town constable at the young age of 25. By 1836, Hicks was a member of the State Electoral College, and was a strong member of the Whig party, and particularly idolized Henry Clay. With the decline of the Whigs Hicks migrated into the Know Nothing Party, and carried his political leadership to the state constitutional convention, and then was elected, for the second time, register of wills for the state in 1855, as part of the Know Nothing electoral success. [11]

Like many other Marylanders and many North Carolinians as well, Thomas Hicks had migrated out of the Whig party and into the Know Nothing party by the mid-1850s. Although the party's name suggests secrecy and circumspection, elections in Baltimore by 1857 were ruled by violence and riots, when vigilantes who called themselves "Ranters," "Pug Uglies," and in a curious North Carolina connection, "Regulators" prowled the streets of Baltimore threatening and intimidating voters, particularly the foreign-born. [12] Mob violence was hardly a recent development in Baltimore, for the city had established a reputation for rowdiness as far back as the Revolution, a reputation that

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[11] Biographical information on Thomas Holliday Hicks is gleaned from a variety of sources, including Frank F. White, Jr., *The Governors of Maryland 1777-1970* (Annapolis: The Hall of Records Commission, 1970), 153-157; George L. Radcliffe, *Governor Thomas Hicks of Maryland and the Civil War* (Baltimore, 1901), and the papers of Thomas Holliday Hicks (1798-1865), MSA SC 3520-1462. To date, no full biography has been completed on the controversial Governor. Curiously, Christopher Phillips *Freedom's Port: The African-American Community of Baltimore, 1790-1860* never mentions the Governor by name.

[12] Information on the violence in the 1857 municipal and 1858 gubernatorial elections were recounted in a biographical and first-hand remembrance published in the *The Sun*, April 14, 1907, and Melton, *Hanging Henry Gambrill.*

was enhanced during the War of 1812 with anti-British violence and the successful repelling of British forces.[13]

In 1858, Hicks was recruited by the Know-Nothings to run for Governor, against a courtly gentlemen lawyer, Democrat Colonel John C. Groome of Northern Maryland's Cecil County. The outgoing Governor in 1858, Thomas Ligon of Howard County, was a Democrat who had had a tumultuous term with his Know-Nothing Legislature, and the nativist party was determined to not have four years under another Democratic Governor, at all costs. [14] The Governor's election in 1858 was a continuation of Know-Nothing extremism, voter fraud, and open violence and intimidation that was later reflected upon as "we do not choose to recall the spirit that reigned in Baltimore at that time which rendered a fair election in that city impossible."[15] Clearly, the intimation worked, for Hicks won the gubernatorial election with a 6,000 vote majority, and was also given a majority in the state's General Assembly by the Know Nothing electorate.

In his inaugural speech on January 13, 1858, Hicks's words focused on local issues, curiously spending little time on the national crises already swirling around the rights of slave holders and the extension of slavery in the territories. A Know Nothing at heart, Hicks's speech opened with a long screed against foreigners, denouncing immigration and lamenting that "our native population is industrious, enterprising, and prosperous: yet their industry is burdened and their accumulations eaten up by the support of foreign paupers, annually cast on our shores." Only after lambasting the

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[13] Phillips, *Freedom's Port*, 190-199.
[14] See Frank F. White, Jr., *The Governors of Maryland 1777-1970*, 147-151.
[15] "Obituary: Col. John C. Groome," *The Cecil Democrat*, December 8, 1866.

immigrants, discussing the need to control rampant crime and violence in Baltimore and reform in the state penal system, did Hicks finally come around to national politics. Hicks began with the Kansas-Nebraska Act, and surmised that in his opinion, the Act was "ill-timed, useless, and inexcusable measure" to which Marylanders were "utterly opposed to." Hicks ended his inaugural address voicing his support for Liberian colonization, warning citizens that "on the matter of her free colored population the State of Maryland is deeply concerned." [16]

Hicks's desire for Liberian colonization hardly placed him as an outlier in Maryland politics, for the large free black population in the state unsettled the whites of Maryland. Former Baltimore slave holder Roger Taney, who presided over the *Dred Scott* case in the US Supreme Court, felt as early as 1832 that "the African race in the United States even when free are everywhere a degraded class…the privileges they are allowed to enjoy are accorded to them as a matter of kindness and benevolence rather than of right." [17] Taney supported colonization, and later, on the court, would restrict citizenship and freedom of African-Americans.

However engrossed in state-specific issues Hicks may have been, his speech did have nuggets of upper south sectionalism--"The people of Maryland have never listened to suggestions of disunion from Southern States…Her [Maryland's] people will hearken to no suggestion inimical to the slaveholding states, for she herself is one of them…They regard alarmists as political adventurers, who live by subsidizing the fears and enlisting

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[16] Hicks's inaugural address was reprinted, in full, in "Inaugural Address of the Governor," *The Sun*, January 14, 1858. All direct quotes from the inaugural address are from this source.
[17] Phillips, *Freedom's Port*, 187-188.

the prejudices of a sectional party whose hopes they are the first to betray when they have gained place and power by the cheat." Hicks outlined hopes for an administration that would focus on strife in Maryland--and stay out of the gathering fray.[18]

At first pass, Hicks's address had many peg him as a Southern sympathizer--after all, he was from the slaveholding Eastern Shore, and back in 1850 he favored the right to secede in principle. This supposition was strengthened by the political elite of Baltimore, who often took open offense to being categorized as "northerners." Baltimoreans struggled with their identity, creating a city where "ambivalence between a Northern life style and southern sentiment always plagued Baltimore--and Maryland as a whole." [19] After Lincoln's election, Hicks wrote to a friend in Prince George's County, stating that should secession come, "I shall be the last one to object to a withdrawal of our State from a confederacy that denies to us the enjoyment of our undoubted rights…when she moves I want to be side by side with Virginia." [20] Hicks could not predict the future, but one thing is for sure—Hicks became Governor of a state that struggled with multiple identities. In many ways, there were two Marylands—slave and free, northern and southern, eastern shore and western shore, industrial and agricultural. In such a milieu, Hicks would find that consensus would not come easy.

Bisected by the Chesapeake Bay, Maryland was geographically divided in two, an apt metaphor for the political divisions in the state, for across the Chesapeake Bay, an entirely different Maryland existed from urban, pre-industrial Baltimore. Populated by

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[18] "Inaugural Address of the Governor," *The Sun,* January 14, 1858.
[19] Evitts, *A Matter of Allegiances,* 12.
[20] Heinrich Buchholtz, "Governors of Maryland: A Series of Biographies," *The Sun,* April 14, 1907.

several families of large plantation owners, the eight counties on the Eastern Shore much resembled Tidewater Virginia. With the Tilghman, Lloyd and Goldsbourgh families controlling not just the majority of land but the majority of newspapers and politics as well, the Eastern Shore was a rural, agricultural and patriarchal society. Easton, in Talbot County, was the most populous of all eight counties of the Eastern Shore. Located in the middle of the peninsula and easily accessible by water to Annapolis and Baltimore, Easton was also an important route for overland transportation of goods to Philadelphia and other Northern markets. Easton was the home of the principal bank, school, and the most influential newspapers on the Eastern Shore. Even though it had a relatively small population (1,413 in 1850) it was nonetheless the largest town on the Eastern Shore.[21]

One of the largest land and slaveholders in Talbot County, former Governor and United States Senator Edward Lloyd, owned a slave that would later gain great notoriety--Frederick Douglass. In his autobiography, Douglass recalled the violent, bloody life of deprivation that slaves endured on the Lloyd plantation. From Douglass's narrative, the Lloyd plantation was representative of the highest tiers of slave ownership and paternalism: "To describe the wealth of Colonel Lloyd would be almost equal to describing the riches of Job…He was said to own a thousand slaves, he owned so many that he did not know them when he saw them."[22] Aside from being home to a great many plantations, Easton was also home to many slave traders. Largely because the town had excellent transportation routes as well as proximity to potential slave buyers, the Eastern

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[21] The general history of Easton during this period has been written by county native Oswald Tilghman, *History of Talbot County, 1661-1861* (Baltimore, Regional Publishing Co. 1967).
[22] Douglass, Frederick, "Narrative of the Life of Frederick Douglass" in Henry Louis Gates, Jr. T*he Classic Slave Narratives* (New York: Penguin Group. 1987), 265.

Shore of Maryland boosted a heavy volume of intra- and inter-state slave trading. Regular advertisements in the *Easton Star* taken by traders stated that "I wish to inform the slaveholders of Talbot and adjacent counties that I am in the market for purchasing Negroes for Southern markets" or that an auction was coming of "thirty Negroes of both sexes who were of good families and character."[23]

The politics of the Eastern Shore also resembled its more Southern neighbors as well as their slave and plantation economies. The Eastern Shore slaveholders had for many years held an unfair and biased share of representation in the Maryland General Assembly (similar to biases in the North Carolina Assembly). When the General Assembly convened in 1860, the counties of the Eastern Shore and southern Maryland held over half of the seats, even though these counties represented much less than one half the population of the state.[24] The speaker of the house in 1860-61, Democrat Elbridge G. Kilbourn, was from southern Maryland's Anne Arundel County, and Governor Hicks came from rural Eastern Shore Dorchester County. No member of the state's political leadership came from populous Baltimore; hence, state laws often appeased the minority on the east side of the Bay. The Eastern Shore, formerly a Whig stronghold during the early part of the nineteenth century, became more and more a Democratic territory after the demise of the Whigs in the early 1850s.

On the other side of the Bay, the counties of Montgomery, Prince George's, Charles, Calvert, St. Mary's, and Anne Arundel were home to the "tobacco" belt of

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[23] Advertising, *Easton Star*, February 8, 1859.
[24] Ralph A. Wooster, "The Membership of the Maryland Legislature of 1861," *Maryland Historical Magazine* 56 (March 1961): 99-102.

Maryland, and these counties comprised 52.9% of that state's slaveholdings in 1850.[25] Therefore it was not surprising that as early as March of 1860, the *Montgomery Sentinel* was already strongly secessionist, printing editorials that urged "Maryland will be prepared to meet her sisters of the South,"[26] and proclaiming that "the people of Maryland…are most vitally interested in the protection of slave property and in the faithful observance of all the guaranties of the federal constitution, and that they denounce as wicked and treasonable all attempts by political or other organization, or by individuals, in the nonslaveholding States."[27] During its coverage of the fractious Charleston Democratic Convention in the Spring of 1860, the *Sentinel* denounced Douglas's candidacy for the nomination, asserting that "the South will never agree to endorse him, or his outrageous squatter-sovereignty hearsay, which denies to the people of the Southern states equal rights with the North to enter the Territories of the Union with their property."[28] Perhaps the most political of the *Sentinel's* activities was its regular organization of political rallies. In October 1860, the *Sentinel* advertised its organization of a Democratic Mass Meeting and Barbecue, complete with speakers and a band, and even invited the ladies of the county to attend.[29] The successful rally, which attracted the "bone and sinew of the county…. in a fine turn out" was reported back in Baltimore in the *Sun*, which predicted that "Montgomery [County] will do her part in swelling Breckinridge and Lane's majority."[30]

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[25] Fields, *Slavery and Freedom on the Middle Ground*, table 1.4, 10.
[26] "Letter from Washington," *The Montgomery Sentinel*, March 16, 1860.
[27] "Maryland Democratic State Convention," *The Montgomery Sentinel*, March 30, 1860.
[28] "Editorial," *The Montgomery Sentinel*, May 25, 1860.
[29] "The Mass Meeting and Barbeque," *The Montgomery Sentinel*, October 19, 1860.
[30] "The National Crisis," *The Sun*, October 29, 1860.

Not content just to support the Democratic Party, the *Sentinel* used a great deal of column inches to lambast opponents—and not just the Republicans. One of the favorite targets of abuse was Consitutional Unionist candidate John Bell—the editors of the *Sentinel* placed him with noted abolitionists, insinuating that "John Bell voted for the admission of California, with an anti-slavery Constitution, in company with Seward and Hale and other Abolitionists, and against the South."[31] Editorials also accosted the Republican Party, calling the party platform of anti-slavery as being a "most palpable falsehood" that "taints the whole structure erected upon it."[32] The *Sentinel*, unlike the Eastern Shore papers, had little to no competition in the County. Judging by its weekly length and copious advertising, it was quite popular among the citizens of Montgomery County as the printed version of their political ideals.

In neighboring Prince George's County, the major paper, the *Planter's Advocate*, was also a Democratic and Breckinridge paper. In its reporting of the Constitutional Union convention in the spring of 1860, the *Planter's Advocate* accused the compromise party of being "the last of the many dodges of the opposition."[33] The *Planter's Advocate* published weekly a column entitled "Breckinridge: the Only Hope of Defeating Lincoln," in which it lobbied diligently for the Breckinridge vote in Prince George's County. The acid-tongued editorials attempted to scare voters into voting for Breckinridge, by predicting that "Put this Republican Party into the White House, and before it can be ousted it may compass the control of every department of the federal government. Then,

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[31] "Facts for the People," *The Montgomery Sentinel*, September 7, 1860.
[32] "Editorial," *The Montgomery Sentinel*, June 1, 1860.
[33] "Editorial," *The Planter's Advocate*, May 16, 1860.

the Republican doctrine of Negro equality would be apt to assume a shape so revolting as to precipitate the South into a revolution, the terrible consequences of which would defy all human calculations."[34] This harsh anti-Republican stance would continue even after the election, in fact, the editor of the *Planter's Advocate* would later be arrested by Federal troops in 1861 for his rabid anti-Lincoln rhetoric.

As the fall of 1860 progressed, Maryland newspapers were scurrying to support their candidates and urge voters to the polls. The pre-election rhetoric was grave, urging the readers of the importance of the upcoming election. With the exception of the *Baltimore American*, a small Union paper and the sole Maryland supporter of the Lincoln candidacy, papers in Maryland vied for the three-way race between the two Democrats and the Constitutional Unionist candidate.

When the Democratic Party's national convention opened in Charleston in April of 1860, it was evident from the outset that things were not going to go well. Before the Southern representatives arrived in Charleston, the delegates made clear that they were ready to walk out in protest the moment any discussion of the restriction of slavery came forward. William Lowndes Yancey of Alabama drew first blood, demanding to know, in floor debate, "what right of yours, gentlemen of the North, have we of the South ever invaded? … Ours are the institutions which are at stake…we yield no position here."[35] A member of the Democratic delegation from Maryland, Robert Brent, warned Southerners, in prototypical upper south sectionalist speak, that their extreme and

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[34] "Breckinridge: the Only Hope of Defeating Lincoln," *The Planter's Advocate*, September 5, 1860.
[35] Speech of W. L. Yancey of Alabama to the National Democratic Convention, April 28, 1860, quoted in James McPherson, *Battle Cry of Freedom* (New York: Oxford University Press, 1988), 215.

vehement views would divide the party and propel a Black Republican president that was opposed to slavery into office.[36] By May 3, sectional issues blew the convention apart, and the pro-southern rights minority abruptly left Charleston, agreeing to reconvene in Richmond in a few weeks. Moderate Democrats, still not happy with Douglas' views, but not willing to join with the firebrands, made plans to reconvene in Baltimore later in the summer.

The *Sun* was doubtful of the chances of success for the "Northern" Democrats re-convening in Baltimore. The only chance for success, the *Sun* wrote, would be for "the convention to do honor to itself and justice to the party, by uniting upon some worthy, unobtrusive, honest and substantial man, who…will be acceptable to the South and command the confidence of the North."[37] But who was this nominee? Unfortunately, for the Democrats, no one with these qualifications existed. Douglas narrowly received the nomination in Baltimore, and when his capture of the nomination was announced, the remaining 105 Southern delegates walked out of the convention hall and adjourned themselves to another hotel, where they promptly nominated Breckinridge and Lane for the presidential ticket.[38]

As the Democrats were trying to hold together their embattled party, John J. Critttenden of Kentucky invited non-partisans, as well as remnants of the Whig and Know-Nothing parties to a third-party convention in Baltimore. This new party, the

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[36] For discussion of the Maryland delegation at the Charleston convention, see Charles W. Mitchell, "The Madness of Disunion: The Conventions of 1860." *Maryland Historical Magazine* (Summer 1997), 183-205.
[37] "Local Matters: The Adjourned Democratic National Convention," *The Sun*, June 18, 1860.
[38] For more detail on the Democratic conventions of 1860, see Roy F. Nichols, *The Disruption of American Democracy* (New York: Macmillian & Co. 1948), or Allan Nevins, *Emergence of Lincoln: Prologue to Civil War, 1859-1861* (New York: Scribner's 1950).

Constitutional Unionists, proclaimed themselves committed to the ideals of "the removal of the slavery question from party politics, development of natural resources, the maintenance of honorable peace, strict enforcement of the laws and the powers of the Constitution, and respect for state's rights and reverence for the Union."[39] While at first a fringe party, the Constitutional Unionists found particular popularity in Maryland, as they attracted the non-slaveholders, Whigs, and other Unionists who were unwilling to go with the anti-slavery rhetoric of the Republican Party or the Douglas wing of the Democratic Party, yet just as unwilling to support the secessionist ideas of the Breckinridge camp.

The election results in Maryland included a few, though not many, surprises. It was no surprise that Lincoln was the least popular candidate by far, obtaining as little as one vote in some counties and less than 3 percent total throughout the state.[40] The more unexpected facet of the election was that Breckinridge and Bell practically split the majority of the state's votes. The new Constitutional Unionist party, created in Baltimore, was exceptionally successful in Maryland and gained a surprising margin of support, even in slave counties like Worcester and Dorchester.[41] The Constitutional Unionists captured the essence of upper south sectionalism that so many Marylanders wanted to be a part of: not openly derisive of slavery, yet not anti-Union either. As the

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[39] Mitchell, "The Madness of Disunion," 193.
[40] "The Election Returns," *The Sun*, November 12, 1860.
[41] In Hicks's home of Dorchester County, Bell received 1264 votes to Breckinridge's 1183; in Worcester Bell received 1,059 votes, only trailing Breckinridge by 300 votes. In each county, Douglas languished far behind with only 31 and 90 votes respectively. Certified election returns printed in "Election Returns," *The Sun*, November 12, 1860.

winter of 1860 wore on, the compromise position that attracted Maryland voters to the Constitutional Unionists became less and less difficult to stick by.

Very few in Maryland were happy with the results of the election, and Lincoln's rise to the presidency. Prince George's County's *Planter's Advocate* derided the election results, placing the blame for any future disunion on the North: "In their pursuit of nationalism, they have missed the most obvious plan for preserving the integrity of the Union. By a blind devotion to the Union under all circumstances, they have rendered it doubtful if it can be preserved under any…by their horror of sectionalism, they have plunged the South into secession."[42] *The Planter's Advocate* was right, for the South was plunged into secession. However, the General Assembly was in an off-year in 1861, and under the terms of the Maryland Constitution, only the Governor could call a special session. Governor Hicks was not at all inclined to take such a step. The Governor was compelled "by my sense of fair dealing and my respect of the constitution of our country to declare that I see nothing in the bare election of Mr. Lincoln which would justify the South in taking any steps tending toward a separation of these States."[43]

Regardless, Hicks's addresses to the people of Maryland began to take on a grave note, warning of the imminent war and acutely aware of the Maryland's tenuous position: "As a border slaveholding State, she would specially suffer in the utter destruction of a cherished domestic institution, with which all our sympathies are firmly united… and suffer war and its usual accompaniments—loss of life, destruction of all domestic peace,

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[42] "The Impending Crisis," *The Planter's Advocate*, November 21, 1860.
[43] "Letter from Governor Hicks, Refusing to Convene the Maryland Legislature," *The Sun*, November 29, 1860.

oppressive taxation, ruinous depreciation of property and almost universal bankruptcy."[44] The prominent Baltimorean John Pendleton Kennedy agreed with Hicks to wait, possibly for the time when "distinguished citizens and wise men" could be given the opportunity to participate in national debate to find a compromise on the secession issue.[45] Who would the "distinguished citizens and wise men" of Maryland be?

Borderland: North Carolina

Mecklenburg County lawyer James W. Osborne took a break from his law practice in 1857 to write to his friend, Edward J. Hale, the publisher of the *Fayetteville Observer*. Osborne, a former Superintendent of the United States Mint in Charlotte, a future judge and member of the General Assembly, wrote to Hale to vent his political worries. "I have bestowed much anxious reflection upon the political condition of our country and I am distressed with apprehensions for her future safety," Osborne began, continuing on that "the Northern Whig party has unquestionably betrayed its Southern supporters. The American Party is impotent save for division and destruction." [46] Through the rest of his letter to Hale, Osborne began painfully revealing that he felt compelled to leave the Whig Party and join his former political enemies, the Democrats.

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[44] "Inaugural Address of the Governor," *The Sun*, January 12, 1861.
[45] Charles H. Bohner, *John Pendleton Kennedy: Gentleman from Baltimore* (Baltimore: Johns Hopkins University Press, 1961), and also Stefan Nesenhoner," Maintaining the Center: John Pendleton Kennedy, the Border States, and the Secession Crisis" *Maryland Historical Magazine* (Winter, 1994), 413-426.
[46] John Hill Wheeler, *Reminiscences and Memoirs of North Carolina and Eminent North Carolinians*, (Columbus, Ohio: Columbus Printing Press, 1884) accessed electronically at *http://docsouth.unc.edu/nc/wheeler/wheeler.html*. Letter from Osborne to Hale, July 10, 1857, .Edward J. Hale Papers, North Carolina Archives, Raleigh, reprinted in Lindley S. Butler, ed, *The North Carolina Experience: An Interpretive and Documentary History*. (Chapel Hill: UNC Press, 1984), 262-263.

"For look at the matter as we may, the Democratic party is the only one affording any formidable resistance to the Black Republicans."[47]

James W. Osborne was a North Carolina Whig, hoping to find a way to express and advance the ideals of upper south sectionalism in the difficult climate of the late 1850s. Osborne's dilemma was to live in North Carolina, a state that was home to a strong two-party system of Democrats and Whigs since the Jacksonian era. However, as the national Whig party slowly crumbled throughout the late 1850s, the party's existence in North Carolina became less and less feasible. Whigs in the state grew impatient, consistently regrouping and realigning their attacks against the Democratic Party. With the national collapse of the Whig Party in 1854, North Carolina did not simply fall into the secessionist, Democratic tide and join the states of the lower South in one-party Democratic domination. Although some historians have theorized that after the fall of the Whigs the state "has been predominantly a one-party state ever since," antebellum North Carolinians struggled to find a political party that could accommodate their upper south sectionalist identity.[48]

Before their national demise in the mid-1850s, the Whigs had enjoyed a long and successful history in North Carolina politics. Between 1836 and 1848 the Whigs regularly elected governors, defeating the Democratic nominee in seven gubernatorial elections. During the same twelve-year period, the Whigs also controlled the state legislature, and in 1840, 1844 and 1848 North Carolinians voted for Whig presidential

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[47] ibid.
[48] Max R. Williams, "Reemergence of the Two-Party System" in Lindley S. Butler, ed, *The North Carolina Experience: An Interpretive and Documentary History*. (Chapel Hill: UNC Press, 1984), 252.

candidates William Henry Harrison, Henry Clay and Zachary Taylor. However, beginning in 1850, the Democrats, strengthened by growing national controversy over the extension of slavery into the territories, began to have greater success in state elections. The Whigs, however, were not dead; they were merely re-grouping, renaming themselves as the "Opposition" after the collapse of their national party. The opposition party in North Carolina would dominate the politics of the late 1850s and also reach out across the three diverse regions of the state.

Eastern North Carolina was one of the earliest parts of British North America to be settled, and in the antebellum era, the colonial heritage of individualism and plantation farming still persisted. The settlement of the Albemarle region in the seventeenth century ushered slavery into the Carolina colony, and established a planter economy, based on slave-produced agriculture. Even by 1860, much of Eastern North Carolina still retained its rural culture. Towns were small, and Wilmington was the largest city with ten thousand residents, while the capitol Raleigh only boasted a population of approximately five thousand.[49] The great majority of the population resided on small and isolated farms, and most people knew little of the world outside of their own county and were fiercely localist. Lacking a major east-west river system, much of the trade in Eastern North Carolina flowed into Southeastern Virginia.[50] The Cape Fear Region of Eastern North

[49] The exact figures in 1860 were 9,552 for Wilmington and 4,780 for Raleigh. Statistical figures are reported in Guion Griffis Johnson, *Ante-Bellum North Carolina*, 551.
[50] The descriptive material on Eastern North Carolina is taken both from Johnson, *Ante-Bellum North Carolina*, chapter 2, and McKee Evans, *Ballots and Fence Rails: Reconstruction on the Lower Cape Fear*. (Athens: University of Georgia Press, 1995 ed.), chapter 1.

Carolina contained a "vast majority of planters" who "adhered to the ultra-wing… of the party of the militant slavery interest, the Democrats."[51]

As in Eastern Shore Maryland, Eastern North Carolina enjoyed a dominance of political power due to its unequal representation in state politics that began during the Jacksonian period. North Carolina's state constitution of 1776 established the county basis of representation which was fairly equitable at the time. However, as population grew in the western regions of the state, apportionment became lopsided at best. By 1815, the thirty-seven eastern counties of North Carolina sent 116 representatives to Raleigh, while the twenty-five western counties, with the majority population, only sent 77 legislators.[52] Not until 1835 did the state adopt constitutional reforms, creating a House of Commons that was apportioned according to federal population data, and a senate based on state tax districts. While an improvement to the earlier constitution, the constitutional reforms of 1835 would still preserve the power of the East, and still provided for apportionment based on non-voting slave populations as well. It is interesting to note, however, that the tensions over apportionment and constitutional reform were much more of a sectional debate than a partisan one.

During the antebellum period, the East was home to many prominent Whigs as well as Democrats. It is easy to assume that since the East was a slaveholding region, it was a Democratic stronghold; however, the Whigs enjoyed a large following, even among the planter class. Daniel Walker Howe's definitive analysis of the Whig Party

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[51] Evans, *Ballots and Fence Rails,* 9.
[52] Thomas E. Jeffrey, *State Parties and National Politics: North Carolina, 1815-1861*. (Athens: University of Georgia Press, 1989), 53.

revealed that "Whigs were in all occupational groups, economic classes, social strata, geographic regions, and religious dominations" and that "people with greater income, education, and respectability were more likely to be Whig."[53] In coastal plain Cumberland County, Whigs tended to be merchants and other professional men in urban areas and planters in the wealthiest, most commercially oriented parts of the more rural counties.[54] Strong in the West and the Piedmont, the Whigs also enjoyed support in the planter-dominated East. The Whigs support for internal improvements and government spending, however, opened the party up to Democratic criticism, and by the early 1850s, the Whigs were denounced for high taxes and reckless expenditures. While the Whig party was largely moribund in the South by 1855, a new opposition force coalesced among the former Whigs into a new sort of opposition party.[55] This development could be seen among many in the Coastal Plain region, such as Kenneth Rayner. Rayner, a former state and U.S. Congressman, had long been a leader of Whig politics in the East. Owner of a Hertford County plantation, slaveholder, and the husband of a wealthy Raleigh socialite, Rayner was the outlier among eastern planter Democrats. A strong proponent of Whig (and Jacksonian) principles of internal improvements and government

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[53] Daniel Walker Howe, *The Political Culture of the American Whigs* (Chicago: University of Chicago Press, 1979), 13.
[54] Harry L. Watson, *Jacksonian Politics and Community Conflict: The Emergence of the Second American Party System in Cumberland County, North Carolina* (Baton Rouge: LSU Press, 1981). J. Mills Thornton found much the same breakdown of alliance to the Whig party in his study of Alabama, *Politics and Power in a Slave Society: Alabama, 1800-1860* (Baton Rouge: LSU Press, 1978).
[55] The argument that the Whig party died in the South is argued in William J. Cooper, *The South and the Politics of Slavery, 1828-1856* (Baton Rouge: LSU Press, 1978), 340-362.

support of the agricultural-based state and Union, Rayner was far out of step with the highly individualistic, laissez-faire philosophy of so many slaveholders.[56]

Rayner published an editorial in 1859 in the *Fayetteville Observer* calling for the "organization of the opposition" by "referring all who are weary of the misrule of the Democratic Party" to organize the Opposition party in "every city and every precinct in every county." Rayner further publicized that the opposition is "against any coalition, not only with the Democrats, but also with the Republicans," and that their goal "was to have reproach…on Buchanan and the hordes of bloodsuckers whom he has quartered on the treasury."[57] John Pool, the Opposition's candidate for Governor in 1860, also hailed from Eastern North Carolina's Pasquotank County, and while a slaveholder, his political record suggests that his sympathies always were with the nonslaveholders. Elected to the state senate for concurrent terms in 1856 and 1858, Pool was consistently a friend of expenditures for internal improvements and a supporter of *ad valorem* taxation. Pool was a strong Unionist and would even, after the war, support the Radical Republicans and be elected to the United States Senate as a Republican in 1868.[58] Although both wealthy slaveholders, Pool and Rayner both exemplified not only the existence, but persistence of Whig politicians in the planter-dominated Coastal Plain.

William Holden's Democratic *North Carolina Standard* and the Whig *Raleigh Register*, were the largest public voices in the East (and the state as a whole), and each enjoyed a large following. Holden's editorship of the *Standard* essentially made him the

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[56] Cantrell, *Kenneth and John B. Rayner and the Limits of Southern Dissent*, chapters 1-3.
[57] "Editorial," *Fayetteville Observer*, October 10, 1859.
[58] Dumas Malone, et al, eds., "John Pool," *Dictionary of American Biography* (New York: Schribner's), 1935. Vol. XV pg. 64-65.

de facto leader of the party throughout the state, while John Syme's *Register* propelled him into the same leadership role for the opposition. A native of Hillsborough, Holden had been an apprentice newspaperman and lawyer when he purchased the *Standard* in 1843. Widely regarded and feared, Holden was considered to be a master of sarcasm and subtle insinuation against his enemies. His political astuteness helped him to mastermind the Democratic revival in the state in the late 1840s and 1850s through his ability to build party strength among slaveholders and non-slaveholders. On the issue of internal improvements, Holden was able to spin the successes of the Whig-dominated legislature's appropriations for railroads, by reminding his readers that the projects went ahead under Democratic governors, so the party gained somewhat undeserved credit.[59]

Holden, however, was an interesting statewide leader of the Democrats, for he often did not wholly support main-line Democratic issues. On the question of taxation for internal improvements, which Democrats had voted against in the 1857 House of Commons session, Holden attempted to mitigate his position by stating: "There are Democrats who are for internal improvements in the States; and the Whigs and 'Americans' are divided in the same way. No one party can be justly held responsible for the failure or success of particular schemes…let us hear no more of the stale and unfounded charge that a Democratic Legislature refused to redeem its pledges."[60] Holden was above all a national party man—he believed that it was the duty of every Democrat to support the party platform, no matter how unpopular that might be in the South. Holden proclaimed in 1858 that "Let the Democratic people on all occasions compel

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[59] Crofts, *Reluctant Confederates*, and Ashe, *Biographical History of North Carolina*, vol. 3, 183-194.
[60] *North Carolina Standard*, February 25, 1857.

aspirants for office to subordinate their own wishes and their own hopes to a wholesome and unbending party organization, for … if any favor is shown to self-seekers and disorganizers, we may expect defeat."[61] During the fractious election of 1860, Holden refused to support what he called "the irregular ticket" of Southern Democrats Breckinridge and Lane, and announced his editorial support for the "regular nominee of the national Democracy," Stephen A. Douglas.[62]

Under Editor John Syme, the *Register* supported the Opposition, advertising the meetings of the party and denouncing the proliferate spending of the Democrats. The *Raleigh Register* was committed to editorializing on the inconsistencies of Holden's leadership of the Democratic Party to strengthen its own opposition position. An 1859 editorial in the *Register* noted the "queer state of affairs" of the state's democracy that "the Raleigh *Standard*, the organ of the party, is opposed to every prominent measure advocated by President Buchanan" while Democratic leaders across the state resolved to support the Buchanan administration.[63] In criticism of Holden's decision to support Stephen A. Douglas if nominated by the national party in 1860, the *Register* chided that "The *Standard* will support Douglas, his squatter sovereignty and all" and that by making the tragic mistake of supporting Douglas, "Citizen Holden is now playing the part of Saturn and devouring his own offspring."[64] The *Register* would strongly support opposition candidate Duncan McRae for governor in 1858, former Whig John Pool in the gubernatorial election of 1860, and the Constitutional Union ticket of Bell and Everett in

[61] ibid, April 28, 1858.
[62] ibid, July 11, 1860.
[63] *Raleigh Register*, April 9, 1859.
[64] Editorial, *Raleigh Register*, June 29, 1859.

the presidential election of that year, serving as an effective Eastern voice for opposition to Democrats.

By the time of the congressional elections of 1855, the Know Nothing party had spread into North Carolina. While the Know-Nothings attracted many former Whigs in North Carolina, several important state Whig leaders agreed that "the American party is not the Whig party either open or disguised, but boasts of having risen upon the 'ruins and corruptions' of both of the old parties."[65] The Know-Nothing movement quickly grew under the leadership of prominent political figures in North Carolina and was not, as one historian noted, "initiated by obscure individuals with only tenuous connections to the two established parties."[66]

The currency of the Know-Nothing party in Maryland was nativism and anti-Catholicism, and given that North Carolina was not a center of immigration and home to a miniscule number of Catholics, it seems somewhat curious that the Know-Nothings gained a foothold in North Carolina at all. However, the main attraction of the Know Nothings to Carolinians was not the nativist message, but rather the hope for a strong, national alternative to the Democratic Party. North Carolina Whigs were searching for another anti-Democratic national party to replace the Whig party. Attracted to the power of, if not necessarily the full message of, and subsequently aligned with the American, or Know-Nothing party, old Whigs did not simply go away after 1854. The Whigs almost elected John Pool as Governor in 1860, and were elated at the prospect for their future

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[65] Thomas E. Jeffrey, "Thunder from the Mountains: Thomas Lanier Clingman and the End of Whig Supremacy in North Carolina." *The North Carolina Historical Review* 56 (October 1979), 393.
[66] Jeffrey, *State Parties and National Politics: North Carolina, 1815-1861*, 246.

success. Either united under the name American Party, Know-Nothings, or the Opposition, large percentages of North Carolinians were attempting to organize themselves as anti-Democrats as the sectional politics of slavery divided the national Democratic Party.

While there was much support for the Know-Nothing message across North Carolina, Democrats were quick to denounce them as nothing more than Whigs by different names. According to an editorial in the *Elizabeth City Democratic Pioneer*, "The foolish and unmeaning cry of danger from foreigners is but a scheme to rebuild the defunct Whig party, and to resuscitate, under a new name, what has been considered as worthless under an old."[67] In the *North Carolina Standard*, William Holden argued that "the Whig politicians of the South, conscious that their party was in the last stages of decline, were ready . . . for any movement that promised place and power, and they dropped at once the name of their old party and took the one of the new."[68] Holden further blasted the Know-Nothings for the party's propensity to find disaffected Democrats and Whigs to run as Americans in traditionally Democrat or Whig Districts: "the new party, though it preaches the doctrine of excluding from office old party hacks, seldom fails to bring them forward as candidates."[69]

The central Piedmont region of North Carolina was adjacent to the Coastal Plain geographically, yet thousands of miles away in terms of political and social culture. The conservative yeomanry of the backcountry was aptly described by geographer D.W.

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[67] *Elizabeth City Democratic Pioneer*, March 6, 1855.
[68] *North Carolina Standard*, April 4, 1855.
[69] ibid., June 20, 1855.

Meinig's summation that the Piedmont's settlement was made "by peoples whose origins, social character, economic interests, and political concerns differed sharply from those of the older coastal societies."[70] The region was chiefly settled by Scotch-Irish, Quakers, Moravians, German Lutherans and other separatists from central Pennsylvania and Virginia, who settled into the sparsely populated area from the 1750s to 1770s. Landholding in the Piedmont was smaller and slave labor less profitable, for the topography was better suited to the farming of corn and cereals than rice or cotton.[71] Economics and geographic circumstances convened to make the area strongly Whig in political affiliation. The citizens of the Piedmont were also extremely republican and deeply connected to the founding generation, drawing on a sense of pride from the Battle of Guilford Courthouse during the Revolution. Religion also played a contributing factor, as the Piedmont was also home to many antislavery Quakers and Moravians, who tended to be small, family subsistence farmers or merchants.

The major newspapers in the region, the *Greensborough Patriot* and the *Hillsborough Recorder*, were each fiercely independent papers that opposed the Democratic rule of the Eastern part of the state. The *Patriot* often lamented the rule of the Eastern Democrats, condemning them as "a mongrel crew" who "commanded things to be done." Prior to the 1858 gubernatorial elections, the paper encouraged voters to resist the Democrats, hoping that the upcoming election "will show whether the people of North Carolina are yet independent and free, ready to make their own selections and to do

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[70] D.W. Meinig, *The Shaping of America: A Geographical Perspective on 500 Years of History, Volume One: Atlantic America, 1492-1800.* (New Haven: Yale University Press, 1986), 292-293.
[71] Johnson, *Ante-Bellum North Carolina*, chapters 1-3.

their own voting."[72] The public land distribution issue was a major issue in the Piedmont, further strengthening the region's support for the opposition parties. The *Greensborough Patriot* encouraged "every friend of Distribution—all who oppose the policy of giving the public lands to the New States without giving a portion also to the old states…to come forward in their might, and assert their rights now!"[73] The Piedmont was the independent middle of North Carolina, and to the west of the Piedmont a still more divergent region of the state contributed to the upper south sectional identity of the state.

Historians have long regarded antebellum Southern Appalachia as a strange, isolated region dominated by poverty and lack of economic sophistication. Completely lacking the social hierarchies of the rest of the South, Appalachian regions have historically been portrayed as exempt from the social politics of the late antebellum era. Mountain residents were thought to have remained outside of the sectional controversies of the 1850s, free of slaveholding and the rule of the slaveocracies, and therefore, when secession came, they sided with the Union. However, one study of the North Carolina Mountains reveals that during the late 1850s, Western North Carolina was far from the backward, isolated area that earlier historians described. The antebellum mountain west was a "vigorous and multi-faceted society…made up of affluent resort communities, small, rough, but lively commercial centers and county seats, and productive, comfortable farms, where very few if any of its residents would have characterized western North Carolina as plagued by serious economic or social problems."[74] Slavery

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[72] "Let the East Know It," *The Greensborough Patriot*, July 9, 1858.
[73] "Mr. McRae—His Prospects," *The Greensborough Patriot*, July 30, 1858.
[74] Inscoe, *Mountain Masters, Slavery, and the Sectional Crisis in Western North Carolina*, 58.

was also present in Appalachian North Carolina, with counties such as Burke that boasted an almost shocking 31.6 percent slave population.[75] By the late 1850s, slavery was becoming just as entrenched in western Carolina as it was anywhere else in the South, and slavery had its undeniable effect upon the political nature of the region.

Just as debate flourished in the Appalachian counties of Washington and Allegheny in Maryland, North Carolina's Southern Appalachia counties were completely engaged in the bitter sectional political fights of the 1850s. In North Carolina, two competing newspapers served the mountain west, The *Asheville Spectator* and the *Asheville News*. *The Spectator* was the Whig paper for the region, countered by the Democrat-controlled *News*. Although the papers were brief and often filled with material reproduced from the Raleigh papers, they were nevertheless the partisan organs in the region to focus on state and national issues, which contributed to a heightened political awareness among the western population. The Whig platform of reform and internal improvements won them much support in the mountain regions, and the Whigs carried the majority of the gubernatorial elections in the region from 1840 to 1860. With the collapse of the National Whig party over the Kansas-Nebraska Act, the *Asheville Spectator* dutifully made itself the Know-Nothing party paper, printing on its front page the Know-Nothing principles of the repeal of naturalization laws and various other immigration restrictions.[76] Western North Carolina also contained communities of strong Democrats, for the periods of instability of the Whig party and its various transformations during the 1850s provided promising inroads for two-party politics in North Carolina's

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[75] Inscoe, *Mountain Masters, Slavery, and the Sectional Crisis in Western North Carolina*, 60-61, table 3-1.
[76] *Asheville Spectator*, April 12, 1855.

mountains. Western Democrats such as U. S. Congressman Thomas Clingman was a strong states-rights politician deeply concerned with the future of slavery in the South, was reelected to Congress throughout the 1850s by his Western constituents, who paradoxically owned the smallest percentage of slaves in the state, although gains in slave ownership during the 1850s would suggest an aspirational hope among Western North Carolinians to move into the slave society.

A key political issue in the West, more so than slavery and far more than other regions of the state, was the construction of railroads. Anxious to be connected, culturally as well as economically, with the rest of the state and country, western Carolinians, Whigs and Democrats alike, were strong supporters of state-sponsored internal improvements. Editorials in the Democratic *Asheville News* lauded the railroad's coming with romantic rhetoric, such as "bore a tunnel through the ridge, let daylight shine under the mighty backbone and the iron horse break through to startle the peaceful valleys of the west into a new more vigorous life, and the revolution that would follow would outstrip the wildest dreams of the most visionary among us."[77]

Coming into the state gubernatorial elections of 1858, the issues of internal improvements were on the top the state political agenda. The need for internal improvements of railroads, roads, and canals was vital to the state, for the “most striking feature of North Carolina’s transportation problem was the fact that various sections of the state were more isolated from one another than from neighboring states.”[78] However,

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[77] *Asheville News*, January 8, 1858.
[78] Guion Griffis Johnson, *Ante-Bellum North Carolina*. (Chapel Hill: University of North Carolina Press, 1937), 23.

the electorate was at cross purposes, for while the state was already deeply in debt and many citizens opposed higher taxation, proponents of the Western North Carolina Railroad and other infrastructure projects were demanding a commitment for the completion of the public works. Retiring Governor Thomas Bragg warned of a difficult election, stating that "there will be extremes for and against Internal Improvements and unless there shall be some middle ground assumed upon which all can stand, we shall probably have some trouble."[79]

Many newspapers throughout the state lobbied for the issue of railroad expansion to be the primary issue in the gubernatorial contest. *The Greensborough Patriot* urged the western part of the state to vote against the Democrats, noting that "they have suffered themselves to be too easily led away by democratic promises, and have placed too much confidence in men whose past history should have taught them that they were not to be trusted…the West has nothing to expect from that party." The *Patriot* further argued that "it will afford us the greatest pleasure…in extending our Rail-Roads until our mountain barriers are unlocked."[80] It was reported in the Democratic *Asheville News* that prominent Buncombe County politician and old-school Whig Judge Augustus S. Merrimon believed that "the election here will turn solely upon Internal Improvements," further stressing that for all parties, internal improvements would be the key issue.[81]

The Democrats and the Whigs both attempted to find a candidate who could bridge the West's demands for state-supported railway construction and the East's

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[79] Jeffrey, *State Parties and National Politics in North Carolina, 1815-1861,* 265.
[80] *Greensborough Patriot*, April 16, 1858.
[81] *Asheville News*, May 16, 1858.

demand for no further increases in taxes. Duncan McRae of New Bern was the Opposition's rather odd choice for Governor. McRae had been active in state Democratic politics since the 1840s, and in 1852 had served as the chairman of the state Democratic convention. McRae's split with his party, however, came in 1857 when he broke with the Democrats over the issue of distribution of public federal lands. McRae favored that the proceeds from sale of public lands by the Federal Government be distributed equally among the original thirteen colonies.[82] This twenty-year old issue was revived by McRae in light of the fact that, by 1857, the Federal Government was accumulating a large surplus from the sale of public lands, and North Carolina's share of this revenue could help finance internal improvements without increasing the state tax rate. The *Raleigh Register* quickly aligned itself with McRae, editorializing that "we hope that some patriotic Democrat, whose feelings are right about this, and who has pluck enough to say that he feels, in defiance of party madness and tyranny will speak out, and put himself in the field of opposition. Such a man can embody many noble spirits in that party who will act with him, and do right, whatever may be the consequences to themselves… we think we may safely say that the Whig and American party…waiving all minor questions, would cheerfully and with patriotic ardor support any Democrat who would thus bravely prove that he loves his country better than his party."[83] McRae's candidacy was based on "real, internal improvements and solvent banks," along with the distribution issue.[84]

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[82] In 1837, North Carolina received $1.5 million from the federal treasury under the terms of the Distribution of the Surplus Act of 1836, which was Jackson's payback to the states for the vast surplus in the treasury produced by the sale of public lands.
[83] *Raleigh Register*, November 12, 1857.
[84] These spinets of McRae's platform are taken from articles and speeches published in the *Greensborough Patriot*, July 10, 1858.

McRae's emphasis on the distribution issue was not a sufficient distraction to cover his rather murky position on internal improvements. While he declared himself "an advocate of the completion of our present system, and of extending aid to other more important works now slighted or neglected," he at the same time was "opposed to any increase of the State debt, or any addition to her liability for works of internal improvement."[85] McRae also decided to campaign as "a states-right democrat of the strictest school" and to support the national administration of democrat James Buchanan, a position that put him at odds with the anti-Democratic Opposition that he was representing. However, John Symes' *Raleigh Register* continued to campaign on McRae's behalf, as did other Opposition papers, such as the *Salisbury Watchman*, which brought the question of the election down to taxation: "the great question to be decided…is high or low taxes…if you want low taxes, and our rights in the public lands, then vote for McRae."[86]

McRae's Democratic competition was Judge John W. Ellis of western Rowan County, who, like McRae, had traveled a rather irregular course to be his party's nominee. Prior to the state convention in 1858, William Holden was clearly the front runner to be the Democratic gubernatorial nominee. The powerful editor of the *Standard* had unfortunately acquired many enemies throughout the state over the years with his often sarcastic editor's pen. The delegates at the convention, by a rather narrow margin, ended up nominating John Ellis over Holden.[87] Holden accepted his defeat graciously

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[85]"Letter from Duncan McRae to the People of North Carolina," *North Carolina Standard*, May 12, 1858.
[86] *Salisbury Carolina Watchman*, August 3, 1858.
[87] *The Raleigh Register* of April 17, 1858, reported that Ellis received 25,051 votes to Holden's 21,594, also noting that 40 counties supported Ellis, while only 27 supported Holden.

through his editorials in support of Ellis, calling him "an able statesman, and a worthy and deserving man." Holden, always the party man, further urged that as "brother Democrats, we owe it to ourselves, to our principles, and to the cause…to present a solid front to the common adversary."[88]

John Ellis was certainly an able nominee; well-educated and a member of the law profession, he had also served in the state legislature from 1844-1848. After his term in the House of Commons, he was elected a judge in the Superior Court, where he had served up until his nomination. A life-long Democrat, Ellis also was characterized as coming from the "slaveholding class."[89] Perhaps this fact more than others made Ellis the more attractive Democratic candidate than Holden, since Holden, of more humble origins, was not a slaveholder. The *Raleigh Register* noted that at the convention "the lawyers and upper crust generally were for Ellis, while the unwashed multitudes were for Holden," as of course their own attempt at repudiating Ellis as the elitist candidate for the governorship, but also hitting upon a salient point.[90] The slaveholders of the East and the majority of the more elitist party simply could not view a newspaper editor has governor material.

The Democratic platform that Ellis campaigned upon was relatively simple, based upon support of the Buchanan administration, a general approval of internal improvements, and denouncing any plan for the distribution of public lands or their proceeds. Ellis' campaign was very successful, as he took the election by over sixteen

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[88] "To the Democratic Party of the State," *North Carolina Standard*, April 21, 1858.
[89] For biographical information on Ellis, see Samuel A. Ashe, ed. *Biographical History of North Carolina.* (Greensboro: Van Noppen Publishers, 1908), 94-105.
[90] *The Raleigh Register*, April 14, 1858.

thousand votes, the largest percentage that a gubernatorial candidate had received in over twenty years. However, the ease of the election should not be accredited to Ellis' strengths, but rather to McRae's weaknesses. Unable to secure the full support of the old Whigs or the American party members, McRae's candidacy was weakened from the outset. As a supporter of the Buchanan administration and not fully committed to funding internal improvements, McRae was a less than textbook oppositionist. Regardless, compared to the national debate in 1858, neither Ellis nor McRae engaged in lengthy campaign speeches about the extension of slavery, popular sovereignty, bleeding Kansas, or the threat of abolitionist violence. Even as late as 1858, Carolinians were still deeply involved in their state issues and not the national political unraveling.

In the 1858 race for the governorship, McRae was the winner in several Piedmont counties, including Guilford, Davidson, Chatham, Randolph and Orange, yet ultimately he lost to the courtly and educated Ellis.[91] Soon after the election, *The Greensborough Patriot* scolded the Democratic Party and the *North Carolina Standard* for their complacency on the issue of rising disunion across the Deep South: "The Democratic party in the South must separate themselves from these men, and act with other conservatives or be bound by what they do and say. Why is the *Standard* silent? Is this movement against the Union of so little consequence as to be unworthy of its notice?"[92] The newspapers of the Piedmont, after McRae's loss to John Ellis, immediately began to take up the cause of the next election. Again, internal improvements were one of the

[91] The election results for these counties were reported in the August 6, 1858 edition of the *Greensborough Patriot.*
[92] *The Greensborough Patriot,* August 6, 1858.

main issues. The *Greensborough Patriot* was more dedicated to regional needs than party loyalty when in 1858 the editors took exception to their fellow Whig paper's objections to railroad expansion. In response to an editorial against expansion published in the *Raleigh Register*, the *Patriot* accused the Raleigh paper of promoting sectionalism within the Whig party: "We are aware that the present dominant party have, for many years, entertained a prejudice towards the citizens of Guilford County, and that with the leading members of this party, there is an odium which attaches to any bill or measure which is originated in Guilford, or which is supposed to confer any special benefit to her citizens."[93] *The Patriot* expressed its hope for defeating the Democratic hold over state politics once and for all, predicting that: "It is time for the Whig party of North Carolina to show itself once more as a power in the State, to buckle on its armor for future struggles and future triumphs, to regain the ascendancy which it ought never to have lost."[94]

After the election of 1858, Democrat John Ellis's governorship seemed to place North Carolina in the thick of strong Democratic Southern states. The Opposition, however, retrenched in 1858 to regroup their attacks against the Democrats. The spring of 1858 presented an opportunity for the opposition, when Democratic U.S. Congressman Thomas Clingman was appointed U.S. Senator to fill the seat of Senator Asa Biggs, who had been appointed to a federal judgeship. A special election to fill Clingman's House seat followed, resulting in the surprise victory of Opposition candidate Zebulon Vance over prominent Democrat William Waightstill Avery. Spurred by Zebulon Vance's

[93] ibid, December 10, 1858.
[94] ibid, August 12, 1859.

impressive victory, the Opposition capitalized on Vance's campaign message of massive Democratic expenditures, turning the tables on the Democrats by using an old argument against the Whigs on them. The Buchanan administration provided an easy target, for the national democratic congress was rampantly and irresponsibly spending the federal treasury, leading to a series of investigations that revealed that "Washington seemed to be a sink of graft and a den of shame."[95] The Whigs capitalized on the scandals of the Buchanan presidency by widely distributing a pamphlet entitled *What It Costs to Be Governed* in 1859. The pamphlet accused the Buchanan government as being "the most wasteful, extravagant and corrupt now in existence. Never has there been so shameless a prostitution of official power."[96] Even Democratic newspapers were forced to address the Whig's accusations, some even supporting the criticism of their own president: "the high taxes, as they are termed by the Opposition…have been principally instrumental in producing a disastrous result."[97]

The opposition was also strengthened by a waning Democratic Party commitment to the funding of railroad construction. Prior to 1850, no political party in North Carolina was against a program of internal improvements of road building, railroads and linkages among communities; however, the parties were always divided over how projects should be funded and what routes should be constructed. However, in the later part of the decade, there was division in the Democratic Party over the issue. While the Democratic Party had long made contributions to internal improvements with favorable legislation

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[95] Information on the Buchanan administration is from Roy F. Nichols, *The Disruption of American Democracy*. (New York: Macmillan, 1948). Direct quote, page 191.
[96] Quotes from *What It Costs to Be Governed*, as re-published in Kruman, page 185-187.
[97] *Elizabeth City Democratic Pioneer*, August 16, 1859.

and commitment, many party leaders began to back away from the issue. During the General Assembly session of 1858-59, the issue of the Danville connection became a bitter one for the Democrats. The Danville Connection was a proposed railway line between Danville, Virginia, north of the central piedmont, which was to run from Danville through Charlotte and on to South Carolina. Many Democratic legislators caucused to vote down the bill, insisting that the Danville Connection was actually counterproductive to improving North Carolina's infrastructure, since the project would instead benefit other states and would work to put much of the North Carolina Railroad out of business. Another thorny issue was the "Westward Extension" of the North Carolina railway, which the Democratic legislature also failed to pass. *The Asheville News*, while a Democratic paper, could not help with express its outrage with the party: "After a session of three months, they have returned whence they came, unwept, unhonored, and unsung…the people of the west have got nothing, but an increase of taxation."[98]

The opposition was presented another rare opportunity to recover politically with the introduction of the *ad valorem* taxation campaign in 1859. *Ad valorem*, literally translated as in proportion to the value of a property or goods, was proposed by Whigs and urged that all property, including slaves, be taxed according to its value. However, the North Carolina Constitution of 1835 provided that African-American slaves be subject to the poll tax at the same rate as free males between twenty-one and forty-five years, so changing the taxation system would require a constitutional amendment.

[98] *Asheville News*, February 24, 1859.

Basically, by increasing the value, and therefore, the taxes on, slaves, the Whigs wanted to place the states increasing tax burden more squarely on the shoulders of the wealthy slaveholders. [99]

In the summer of 1859, elections for the state's eight U.S. Congressional seats were held, and while two years earlier the Opposition party had only captured one of the eight seats, in 1859 they won four of the five seats that they contested, defeating two Democratic incumbents. The Opposition's impressive victories prompted the *Fayetteville Observer* to gleefully note that the Democrats were on the downswing: "The corruptions and extravagance of the democracy are telling upon the public mind…with such effect as to foreshadow a similar downfall of the corrupt party."[100] The gubernatorial elections of 1860 would be even more focused on the *ad valorem* and statewide issues, rather than the exploding national politics. The Opposition party, against the wishes of its Eastern slaveholder members, endorsed the *ad valorem* issue, and nominated John Pool, a planter from Pasquotank County, for Governor. The Piedmont papers, the *Patriot* and *Recorder*, were each strong supporters of John Pool's candidacy for Governor in 1860, and the *Patriot* often reprinted speeches of each candidate with such comments as "Pool Triumphant! And Ellis Completely Used Up!"[101] The editors of the *Recorder* let their readers know that "the prospects of the Whigs in this State are far from being discouraging…in politics, as far as I can hear, both East and West, every indication in our

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[99] An analysis of the ad valorem issue and its impact on the 1860 is contained in Donald C. Butts, "The Irrepressible Conflict: Slave Taxation and North Carolina's Gubernatorial Election of 1860." *The North Carolina Historical Review* 58 (Jan. 1981), 44-66.
[100] *Fayetteville Observer*, August 8, 1859.
[101] ibid, May 11, 1860.

state is encouraging to the Whigs. Our platform is well received throughout the state; and we have much to encourage us to redouble our exertions."[102]

The Democrats nominated incumbent John Ellis, who announced that the party opposed changing the constitution of 1835's provisions of how slaves were taxed. In a published debate, Democratic incumbent John Ellis was quoted as being against *ad valorem*, since "the measure was peculiarly Western in its origin, and that the plank in the platform of the opposition was made of mountain oak, and that it would result in pecuniary injury to the East." Opposition candidate John Pool would counter by saying that he was "in favor of *ad valorem* taxation, and stood squarely upon the platform of his party" on the issue.[103] Ellis' political rhetoric against *ad valorem* taxation was zealously watched by the opposition press, who believed this issue to be Ellis' downfall. The *Greensborough Patriot* happily reported that "John Ellis compares the West to a 'horse-leech' whose eternal cry is 'give, give' and the East to a goose that permits the West to take all the eggs she lays."[104]

The controversy over the taxation issue was even apparent within party ranks. Diehard Whig and Know-Nothing planter Kenneth Rayner found himself in the anti-Whig position of agreeing with the Democrats and opposing *ad valorem* taxation; for he believed that "it represented the… attempt to reorganize state politics on the basis of a slavery-related consideration, and threatened to array slaveholder against yeoman, rich

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[102] *The Hillsborough Recorder*, April 4, 1860.
[103] The report of the debate between John Ellis and John Pool in Murfreesborough was reported in the *Fayetteville Observer*, April 10, 1860.
[104] "Discussion at Graham," *Greensborough Patriot*, June 1, 1860.

against poor, neighbor against neighbor."[105] Rayner, a slaveholder himself, was undoubtedly aware that the attack on slaveholder power was now coming from within his own state, not from some Northern enemy. Another interesting defection from party ranks over the slave taxation issue was William Holden. Holden refused to accept the Democratic Party's stand on *ad valorem* and published editorials throughout the spring and summer of 1860 stressing the notion that "good Democrats could be found on either side of the taxation issue."[106] This divide, even within the parties in North Carolina, is indicative of the burgeoning upper south sectional identity, for the discussion on slavery was not an extremist one based on abolition or unlimited expansion, but on how to control, tax, and legislate slavery in ways that benefitted both the slaveholder and non-slaveholder.

August 2, 1860 would be one of the closest races in North Carolina history for Governor. With almost four-fifths of the eligible electorate voting, John Pool lost to the incumbent Ellis by only 6,000 votes, receiving more votes than any Whig gubernatorial candidate had ever won before. Holden editorialized in the *Standard* that the outcome of the election reinforced the state's two-party competition, and "probably exhibits the strength of the parties more accurately than any that has occurred since 1850."[107]

When, in 1860, the national movement of Constitutional Unionism began under the leadership of Kentuckian John J. Crittenden, anti-democratic North Carolinians felt they had found a political home with national representation. Old-line Whig William

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[105] Gregg Cantrell, *Kenneth and John B. Rayner and the Limits of Southern Dissent.* (Urbana: University of Illinois Press, 1993), 121.
[106] "The Impending Campaign," *North Carolina Standard*, March 14, 1860.
[107] "The Result," *North Carolina Standard*, August 8, 1860.

Graham gathered lost Whigs into the new Constitutional Unionist party, and informed Crittenden that he had enlisted the support "of every man of the opposition of whom I have heard any expression of opinion."[108] The last hope of defeating the Democrats, the Constitutional Unionists would make impressive gains in the national elections of 1860. The Constitutional Unionists plan was to oppose the Democrat's hold on the South, rather than to promote a distinctive political platform. In North Carolina, the party had roots prior to the election of 1860 in the alignment of the Know-Nothings and Whigs into the Opposition, and the opposition parties of the 1858 and 1859 elections became the Constitutional Unionist parties of 1860. One tactic of the Constitutional Unionists was to constantly accuse the Breckinridge party of plotting secession, and the Douglas party of adhering to "squatter sovereignty" in the territories, both highly successful political ploys in slave, yet pro-Union North Carolina.[109] Encouraged by divisions in the state Democratic Party, oppositionists in North Carolina would gather under the Constitutional Unionist name, continuing their attacks on the Democratic administration and confronting the Democrats on Unionism and slavery. The opposition platform argued that since slavery had already been excluded in the territories because of unfavorable geography and climate, the Democrats were just exploiting the issue for partisan gain. John Pool, during the 1860 gubernatorial campaign, decried that the Democratic "agitation of the slavery question had begun to stink in the nostrils of the people of North

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[108] Marc W. Kruman, *Parties and Politics in North Carolina, 1836-1865.* (Baton Rouge: LSU Press, 1983), 196.

[109] Examples of historical treatments of Constitutional Unionism in Southern States include David M. Potter, *Lincoln and his Party in the Secession Crisis*. (New Haven: Yale University Press, 1942), Avery O. Craven, *The Coming of the Civil War* (New York: MacMillan, 1942) and John V. Mering, "The Slave-State Constitutional Unionists and the Politics of Consensus" *Journal of Southern History* 43 (August 1977), 395-409.

Carolina."[110] The *Raleigh Register* rallied behind the candidacy of Constitutional Unionist John Bell for president, as did the *Greensborough Patriot*, the *Fayetteville Observer*, the *Asheville Spectator* and the *Hillsborough Recorder*. The *Register* denounced the Southern Democratic candidate Breckinridge as a secessionist, and warned voters that "it is certain that every vote for him will help the cause of Disunion, and every disunionist in North Carolina or elsewhere is warmly supporting him."[111]

As North Carolinians voted in November of 1860, they were confronted with the choice of two Democrats for president, or one Constitutional Unionist, a party that had not even existed in the presidential election four years prior. The upstart party, the Republicans, could not and did not place Lincoln on the ticket in North Carolina, and few in the state seriously considered Lincoln a contender. Governor Ellis received a letter in August of 1860 advising him that the national election was a close race between Bell and Breckinridge, with Bell most likely picking up disgruntled former Douglas supporters and securing the victory. The letter, echoing the thoughts of many North Carolinians, did not seriously consider Lincoln's ability to win at all.[112] In the end, adherence to the perpetuation of the status quo of slavery and southern rights prevailed, but only slightly. Similar to the results in Maryland, Breckinridge and Bell spilt the majority of votes, with Breckinridge carrying 53.4 percent of the vote, and John Bell close behind with 46.6 percent. Despite the powerful early advocacy of Holden, Douglas only carried 2.8 percent of the vote in North Carolina.[113] Forty-eight percent of North Carolinians voted

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[110] *Raleigh Register*, July 25, 1860.
[111] *Raleigh Register*, July 29, 1860.
[112] Edmund Ruffin to John W. Ellis, August 29, 1860, in Tolbert, *The Papers of John W. Ellis*, 454-455.
[113] Voting data is extracted from Crofts, *Reluctant Confederates*, 82, table 3-1.

against the Breckinridge party's adherence to secession and state's rights, underscoring that a great many North Carolinians hoped to be anything but fire-eating Democrats. How maintaining an upper sectional identity would be possible, however, after Lincoln's election would be the tightrope Carolinians would have to walk.

Two Borderlands

After the presidential election of 1860, Marylanders and North Carolinians were deeply torn by the results, and little consensus existed in either state about the consequences of Lincoln's victory. Even though the major papers in each state had supported the failed candidacy of Stephen Douglass, the states' elections were controlled by Breckinridge and Bell votes. As the last two months of 1860 progressed, it was anyone's guess how Marylanders and North Carolinians would react to the fractious political events ahead.

Each state was home to vibrant political parties, large free black populations, a border state mix of slavery and hiring out alongside the labor of free blacks, and to Governors who walked a fine line between secession and Unionism. Upper south sectionalist ideals are also apparent in the vibrant two-party systems in each state. While in the post-Reconstruction era the Democratic Primary would be the only race of consequence in either Maryland or North Carolina, the late antebellum elections were hard-fought races based on internal debates over taxation and internal improvements in North Carolina and over nativism and the rural/urban conflict in Maryland. Whether united under the American Party, Know-Nothings, or the Opposition, large percentages of Marylanders and North Carolinians attempted to organize themselves into alternative

political parties as the politics of slavery divided the national Democratic Party. Politicians in each state attempted to create an alternative vision of upper south sectionalism that rejected both the Republican Party and the Democratic Party.

These two states constituted not only a geographic borderland, but a political one as well. During the late antebellum period, each state was developing the shared identity of upper south sectionalism. With elections in 1858 and 1860 that were focused more on the interior politics of each state than the crumbling national political landscape, Maryland and North Carolina political leaders seemed to be, in retrospect, frighteningly naïve about the coming of secessionism and war. Read differently, it was not naiveté about disunion, but rather, a shared belief that whatever national crisis might arise, the calm wisdom of the upper south states would prevail and tamper down the extremism of the North and cotton states. Upper south sectionalism would be put the political test after the election of Lincoln, and the political leadership in Maryland and North Carolina would be challenged in the coming months to see if they could balance the fiery South and the dogmatically driven Northern states with a blend of compromise politics that rejected the labels of Northern or Southern.

CHAPTER III

"I CANNOT BRING MYSELF TO LOOK UPON THE POSSIBILITY OF ITS DESTRUCTION WITHOUT THE EXTREMIST SORROW": THE UNIONISTS IN MARYLAND AND NORTH CAROLINA

> He who says there is no hope is a disunionist. He who will not work to save the Union is an enemy to the Union, no matter what he may say to the contrary.
> -William Holden's editorial in the North Carolina Standard, February 27, 1861

> We, in Maryland, will submit to no attempt of a minority or a majority to drag us from under the flag of the Union.
> -Hon. Henry Winter Davis before the US House of Representatives, February 7, 1861

In the months preceding Lincoln's election in 1860, Marylander Reverdy Johnson travelled to New York City to strategize with his fellow Democratic Party and Stephen A. Douglas supporters. Johnson, a former Whig, had been a United States Senator and Attorney General under Presidents Taylor and Fillmore and was a widely respected, distinguished and shrewd national politician. Born in the previous century, Johnson was in his sixties when Douglas ran for president, yet the elder gentlemen worked tirelessly for Douglas' candidacy. In his June 1860 visit to Manhattan, Johnson was treated as a celebrity, and according to the local press, "a crowd of 500 or more persons soon collected about the Hotel, and calls began to be made for "JOHNSON." These increased with frequency and force, until at length Mr. Johnson made his appearance on the balcony." From his perch, Johnson made an impromptu speech, supporting Douglas and strongly defending popular sovereignty -- Douglas' controversial proposition in the

Kansas-Nebraska Act that attempted to serve as a middle position on the slavery issue. The act, popularly, and somewhat derisively, referred to as squatter sovereignty, was actually popular sovereignty, meaning that residents of territories should be able to decide by a referendum whether or not slavery would be allowed in the territory. "Slavery in the States is universally admitted, expect by a few fanatics," Johnson began, and he continued on to castigate those who questioned Douglas' commitment to slavery, since "in this he has been just to the South, and we believe in the future, as in the past, he would be faithful to all her rights." [1] Johnson's extemporaneous comments revealed a great deal of his politics—he hoped for the preservation of the Union but also was comfortable with the continuation of slavery.

While Johnson campaigned for Douglas in New York City, back in North Carolina William Holden was also pushing the Douglas agenda— by writing pro-Union editorials and letters for publication in his newspaper, the *North Carolina Standard.* From the Democratic National Convention in Charleston, Holden dutifully reported that things were not going well—"several meetings have been held by the delegates from Texas, Alabama, Mississippi, Florida and Arkansas. North Carolina declined to recognize officially this movement, but some of her delegates attended one of these meetings with the view of pouring oil on the troubled waters." [2] Holden fought for the Union throughout the conventions of 1860, writing to a friend that "when I see you I will

[1] "Serenade to Hon. Reverdy Johnson," *New York Times*, June 11, 1860.
[2] "Letter from the Editor," *North Carolina Standard,* May 6, 1860.

give you a full account of the Charleston Convention. I regard the Union as in imminent peril. It must be saved, if at all possible."[3]

Reverdy Johnson and William Holden were both pro-slavery and pro-Southern, but were also two of the most prominent examples of upper south sectionalists and Southern Unionists. Southern Unionism, semantically, almost appears to be a contradiction in terms, an oxymoron of sorts. This complex political stance included Southerners who wanted to stay in the Union, but just focusing on those individuals yields too narrow a definition. Southern Unionists would also include Southerners who tried to stave off secession by seeking compromise. Even this definition is too narrow, however, as it leaves out those who were devoted to Union, but found themselves living in states that were caught up in secession and political vitriol, or those who professed to love the Union but held significant slave property. Southern Unionism is difficult to define because of the interpretation of Union, and what it meant to individuals in the mid nineteenth century. Unionism was a deeply felt passion to the inheritors of the Revolutionary generation--the idea and concept of Union far surpassed any simple political understanding--it was almost a religious fervor. When North Carolinians and Marylanders spoke of Union, they were deeply heartfelt in their statements and distraught on a personal level that the Union was on the verge of collapse.

While the definition of Southern Unionism might be a bit slippery, what is clear is that there were a great many Union-leaning Southerners. In late January of 1861, the citizens of Clear Spring in western Maryland held a mass meeting supporting Governor

[3] Letter from William Holden to Rev. C.H. Wiley, May 9, 1860 in Horace W. Raper, ed, *The Papers of William Woods Holden, Vol. 1 1841-1868.* (Raleigh: NC Department of Cultural Resources, 2000), 108.

Hicks' refusal to give into the Cotton States, and put forth numerous resolves about the preservation of the Union and the evils of secession. One particular resolve best captures the feeling of Union that was prevalent in the 1860s: "*Resolve*, That we patriotically and religiously adhere to the Union of the States as the best form of government yet devised by man, that we will cling to it and stand by it to the last man with the firm conviction that within it is embraced all that is worth living for, national and individual honor, peace, security, the hope of prosperity, the hope of the world."[4] Zebulon Vance wrote to his fellow North Carolina barrister, George N. Folk, that "such has been my devotion to the Union and so deep my appreciation of the blessings it has showered upon the American people that I cannot bring myself to look upon the possibility of its destruction without the extremist sorrow."[5] Southern Unionists loved the idea and principle of the Union and deeply believed in the literal interpretation of the Constitution that protected not only the rights of property but also the free use of one's property. The Constitution was the tenet of faith as well as the weapon of the Southern Unionist. The words of the Constitution were irrevocable, and holding up those words, at all costs, was the only way to honor the Revolutionary patriots. Not unlike the adherents of the Second Amendment in contemporary society, the Southern Unionist believed in a Union where the right to hold slaves was a sacrosanct part of "life, liberty, and property." Southern Unionists did not want to see the Union dismantled over slavery; rather, they wanted to see the abolitionists

[4] "The Crisis Meeting: Separation and Grand Union Demonstration," *Herald of Freedom and Torch Light*, January 30, 1861.
[5] Zebulon Vance to George N. Folk, January 9, 1861, in Johnston, *The Papers of Zebulon Vance*, 81-83.

and free-soilers accept that their demands were unconstitutional, and therefore, unacceptable.

Upper south sectionalism was also expressed in the positions of the Southern Unionists. Upper south sectional identity was rooted in a general distaste for extremism of any sort, a political culture that could allow negotiation on the question of slavery in the territories, a willingness to give the Lincoln administration an opportunity to provide leadership acceptable to the slave states, and the belief that the upper south states would provide the political and social leadership to forestall disunion. Southern Unionists embodied the ideas of upper south sectionalism, as the Unionists saw themselves as the proper interpreters of the Constitution, and it was their job to educate the fire-eating Southerner and abolitionist Union man on the correct understanding. Reverdy Johnson and William Holden were two of the most influential Unionists in their respective states; Johnson had been a leading barrister and legislator for over thirty years, and Holden was a powerful, if somewhat acid-penned, newspaper editor. They were each also excellent examples of upper south sectionalists. As we will see in the next chapter, upper south sectionalists were not always Unionists per se, but this chapter details the upper south sectionalists in Maryland and North Carolina who were Unionist leaders.

The Anti-Secession Battleground-Maryland

The Union cause in Maryland, somewhat surprisingly, had many nationally recognized advocates, even if the advocates were not the best representatives of the majority of Marylanders. Maryland Unionism can begin to be understood by reaching back to the courtroom arguments in the *Dred Scott* case in 1856, where Reverdy Johnson

represented Dred Scott's owner while Johnson's neighbor fifty miles to the South, Montgomery Blair, represented the plaintiff, Dred Scott. At the time of case in 1856, Johnson and Blair were each highly respected lawyers who frequently appeared before the Supreme Court. Both took the case pro bono, representing their clients for free. While their motives may have been altruistic, both men also probably realized that the ultimate decision in the case would have far-reaching political implications for the future of slavery in the nation. Blair, vocally opposed to slavery, and Johnson, a believer that owning slaves was a constitutionally protected right, argued the case before their fellow Marylander, Chief Justice Roger Taney.[6]

The case, of course, did have national implications and did much to influence the future of slavery in the nation. Reverdy Johnson always believed that Taney's majority opinion in the case was legally and historically correct under article III of the Constitution; Dred Scott had no standing to bring the case before the high court because, as slave property, Scott was not a citizen of the United States. Johnson was an exceptional lawyer. His opposing counsel in the case later said of Johnson: "It was a forcible presentation of the southern view of our Constitution," and that "those who were opposed to him felt the force of his arguments and foresaw what their effect would be on a majority of the Court."[7] Montgomery Blair, by all accounts, was sharp and convincing in his defense of Scott, and his oral arguments before the court were said to be just as

[6] *Dred Scott v. Sanford,* 60 U.S. 93 (1857).
[7] Bernard C. Steiner, *The Life of Reverdy Johnson* (Baltimore: The Norman, Remington Co., 1914), 38.

legally crafted and sophisticated as Johnson's.[8] The case rested with the court and influential Chief Justice Taney, who was raised on a large Southern Maryland tobacco plantation as a Jacksonian Democrat friendly to Southern Democrats and slave owners. Taney's ultimate and controversial decision was yet another piece of the political kindling in the already fiery late 1850s.

The strong presence of two Maryland political leaders with very different definitions of Unionism was reflective of the divided population of their state. Johnson believed in slavery and Union, Blair in Union and the eventual end of slavery; they and other Marylanders would express similar Unionist sentiments throughout the secession winter of 1860-61. The variety of opinions expressed in the *Dred Scott* case underscores the divided and difficult-to-define nature of upper south Unionism.

Along with Blair and Johnson, Baltimore's John Pendleton Kennedy was also prepared to take up the Union mantle for the state. A public figure in Baltimore since his meritorious service in the War of 1812, Kennedy's public career included posts in the Maryland State Legislature, the U.S. House of Representatives, and as Secretary of the Navy under Whig President Millard Fillmore. Kennedy was also a notable literary figure, writing popular fiction and biographies, including a best seller, *The Swallow Barn*. Informally, Kennedy brought Edgar Allen Poe's work to a publishing house and also helping Thackeray research and write *The Virginians.*[9] Both in political and literary

[8] For a general interpretation of the Dred Scott case and description of arguments, see Don E. Fehrenbacher, *Slavery, Law, & Politics: The Dred Scott Case in Historical Perspective*. (New York: Oxford University Press), 1981.

[9] General biographical information on Kennedy can be found in Charles H. Bohner, *John Pendleton Kennedy, Gentleman from Baltimore* (Baltimore, Johns Hopkins Press, 1961).

circles, Kennedy was a well-known and respected figure in Maryland and the nation. Sixty-five-years old and semi-retired in 1860, Kennedy was a pillar of Baltimore society and a former Henry Clay Whig, who despised the divisive politics of the late antebellum period, feeling that political power had "been usurped by a miserable array of charlatans, make-believe statesmen, and little clap-trap demagogues."[10] Unlike many Maryland Whigs, he had not filtered into the American party; rather, he became a vocal opponent to the Buchannan administration, and for a short period, a man without a political party.

However, Kennedy was not allowed a full retirement, for in January of 1860 he was invited by Senator Crittenden to serve on the central committee of the Constitutional Unionist party. Kennedy and Crittenden had much in common, both having been leading Whigs in the United States Congress and appointees in President Fillmore's administration. Kennedy brought the convention to Baltimore in May of 1860, leaving his retirement to take up the cause of John Bell's candidacy. With Crittenden's invitation, fifty senators and congressmen who could best be characterized as adrift Whigs descended to Baltimore to form a new party with respect for states' rights and a reverence for the Union. [11] The representatives from twenty two states sensed both a split in the Democratic Party and the Republican Party (over Lincoln and Seward). Senator Crittenden was a guest in John Pendleton Kennedy's home for the duration of the convention, and Kennedy's brother, Maryland's sitting U.S. Senator Anthony Kennedy,

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[10] Bohner, *John Pendleton Kennedy,* 227.

[11] There are many analyses of the Constitutional Union Convention, among them Murat Halstead, *Three Against Lincoln: Murat Halstead Reports the Caucuses of 1860,* ed. William B. Hesseltine (Baton Rouge: Louisiana State University Press, 1960); Roy F. Nichols, *Disruption of Democracy* (New York: Macmillan, 1948) and Doris Kearns Goodwin, *Team of Rivals: The Political Genius of Abraham Lincoln* (New York: Simon & Schuster, 2005).

was also in attendance. Anthony Kennedy was elected to the Senate on a Know-Nothing platform in 1856; regardless, he was interested in helping his brother affect a Union compromise with a guarantee of slavery from the Constitutional Unionists.

The Kennedys were not the only prominent Marylanders in attendance; convention-goers included Baltimore Mayor Thomas Swann, and State Treasurer Dennis Claude. Governor Hicks was not in attendance, and offered no support—unlike his fellow Know-Nothing, Senator Anthony Kennedy, Hicks was far from the political wrangling over the election of 1860. The Constitutional Unionists, with the support of the Maryland leadership, would nominate John Pendleton Kennedy's old colleague from the U.S. House, John Bell of Tennessee as their candidate, and Kennedy would doggedly campaign for the Bell ticket.

While Kennedy forged ahead with the Constitutional Union convention and campaigned for Bell in Maryland, Reverdy Johnson prepared to welcome the Democrats to Baltimore for their second attempt at a national convention, in hopes to remedy the disastrous Charleston convention in April 1860. From his home on the centrally located Monument Square in downtown Baltimore, Johnson hosted Douglas supporters, and throughout the June, 1860 convention crowds gathered in Monument Square to see the progress of the Democrats. [12] The editors of the *Sun* wondered why the Douglas Democrats were even in Baltimore, for "the adjournment has been made to a city in

[12] Charles W. Mitchell, "The Madness of Disunion" *Maryland Historical Magazine*, Vol. 92, No. 2 (Summer 1997).

which popular sentiment is as staunch in support of the South as in any of her sister cities."[13]

Reverdy Johnson worked against popular opinion in his home city, for many of the crowds gathered in hopes of seeing Douglas fail and the pro-Southern Democratic faction prevail. Omens seemed to be everywhere—on the fourth day of meetings, the floor of the Front Street Theater where delegates were gathering collapsed, with no injuries but much physical damage to the Theater. The newspapers could not resist, and satire about the party's weak support abounded. A representative from Delaware engaged in a fist-fight with a representative from Ohio at their boarding house, and an Arkansas delegate wielded his pistol at a meeting. [14] Although Johnson would prevail and Douglas would be nominated, 105 of the pro-secession Democratic delegates walked out of the meeting, adjourning to Institute Hall in Baltimore to nominate John Breckinridge for the presidency in opposition to Douglas.

Opposition to Douglas, and any other variety of Democrat, was Montgomery Blair's position for long before secession threatened in 1860. Blair, the Kentucky-born son of Andrew Jackson's confidante Francis P. Blair, was a privileged, West Point-educated lawyer who rose to the position of Solicitor General by the mid-1850s. The Blair family owned an elegant townhouse across Pennsylvania Avenue from the White House, from where they entertained all the first families and their cabinets from the Jackson administration forward (today, Blair House is the official guest house for visiting

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[13] "The Democratic National Convention," *The Sun*, June 18, 1860.
[14] For convention coverage, see "The Democratic National Convention," *The Sun*, June 18, 1860 and "Democratic National Convention: Fourth Day's Proceedings," June 22, 1860.

White House guests, diplomatic or otherwise.). In 1852, the Blairs built a country house five miles north of the District of Columbia in the Southern Maryland countryside, which they named Silver Spring on the account of mica-flecked natural springs on the property. The family was a formidable political presence, as described by John Hay: "The Blairs have to an unusual degree the spirit of a clan. They have a way of going with a rush for anything they undertake."[15] Going forward with a "rush" was certainly Montgomery Blair's style, for although he was serving in an appointed position by Democratic President James Buchanan as Solicitor General, Blair agreed to serve as Dred Scott's pro-bono counsel against the wishes of his boss. In 1858 President Buchanan fired Blair from his government position for having represented Scott, which only pushed Blair further away from the Democrats and toward a more aggressive anti-slavery stance.[16] However, Montgomery Blair's politics had been for many years developing away from the Democrats and at first toward the free-soilers. For a brief period of his early career, Blair was a federal attorney in then-frontier St. Louis, and was taken with the openness and possibilities of the West, free of slavery and full of farmable land for the poor white settler. When his father broke with the Democratic Party after the question of slavery's expansion became paramount in the debates that led to the Compromise of 1850, Montgomery Blair followed, being present at a Christmas dinner at Silver Spring in 1855 where plans were made for the first Republican Convention in 1856.[17]

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[15] Goodwin, *Team of Rivals*, 314.

[16] There is currently no full biography of Montgomery Blair; basic biographical information taken from obituary published in *The New York Times,* July 28, 1883; Goodwin, *Team of Rivals*, 314-316, and William Ernest Smith, *The Francis Preston Blair Family in American Politics, Vol. I* (New York: Macmillan, 1933), 486-501.

[17] Goodwin, *Team of Rivals*, 24.

In April of 1860, Blair opened the Maryland State Republican convention in Baltimore, ushering in the fledging party's presence in a slave sate. While much of the convention was devoted to the business of choosing delegates to travel to the Chicago convention, Blair led the convention with a rousing speech that defined the new party's beliefs on slavery. Anxious to rid the party of the "black Republican" nickname, Blair's speeches went to great pains to define a Republican (and Abraham Lincoln's) position that were acceptable in Maryland. Blair spoke of a party that "whilst resisting every effort to Africanize the Territories," would "sternly rebuke every external effort to interfere with slavery in the States."[18] Blair's speech outlined the injustices in Maryland's representation system in the Legislature, calling the Legislature "a minority Government" and noting that "the Government of the State is not now a popular Government, in the proper sense of the term."[19] Blair had some compelling points in this argument, most notably that Southern Maryland's Calvert County had a white population of 3,630 (a majority slave county with a slave population of 4, 486) and had one member in the Maryland Senate--a match to Baltimore City's one Senator for 140,666 residents. The numbers here are Blair's admitted "projections" for the 1860 census; nonetheless, Blair used the data to push the Republican message.

Blair did not stop at lambasting the Maryland slaveocracy in the Republican convention; he continued to promote his deep belief in repatriating freed slaves to somewhere, anywhere, proposing "a plan of procuring, in some neighboring country, a

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[18] *Address of Montgomery Blair, Before the Maryland State Republican Convention,* April 26, 1860 (Washington, D.C., Buell & Blanchard, Printers), 1860. 4.
[19] ibid, 5.

region where the free people among us of the African race may…be given homesteads and a country of their own."[20] Blair may have been against "Africanizing the territories," however, the pledge of his party in Maryland included a great deal of white supremacist thinking, including "we are opposed to free negro equality, as having a tendency towards amalgamation" and that they supported the removal of free people because "holding the mingling of the free of the colored race with the slaves as threatening…with fatal consequences to the white race." Blair and Reverdy Johnson held something in common (probably to their own distaste, for they were known to dislike one another) in that no political party in Maryland could survive without acknowledging that slavery could continue where it already existed. The Republican pledge went as far as promising that "we leave it to the slaveholders and slaveholding States all the legislation necessary for the final disposition of this subject, which was surrendered to their jurisdiction." [21]

Blair's conciliatory attempts to inform Marylanders that the Republicans did not want to dismantle slavery apparently fell on deaf ears, for the Republican meeting was hardly a peaceful affair. At one point in session, "a large crowd of spectators, including a considerable sprinkling of roughs, commenced a disturbance."[22] Conventioneers were knocked down; the President's table turned over and papers destroyed, and police rushed into Rechabite Hall and began making arrests. As the members of the convention ran into the streets, Republican William Gunnison, known to be a vocal abolitionist, was taunted by the crowd, to jeers of "There goes the spirit of John Brown," and "lynch him!"

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[20] ibid, 1.
[21] Pledge of the Maryland Republican party, see page 7 and 8 of *Address of Montgomery Blair.*
[22] *The New York Times,* April 27, 1860, and "The Republican Convention-Excitement-The Proceedings," *The Sun,* April 27, 1860. Quote from *The New York Times* article.

For his safety, Gunnison "struck into a run, when the whole crowd of at least a thousand persons followed after him."[23] Gunnison eventually took refuge in a well-guarded bank in downtown Baltimore. The protests were so uncontrollable that the Republicans did not return to their original meeting place, but instead assembled at the insurance offices of delegate James Coale. Not deterred from their goal by the violence and protest, the Republicans finished their business quickly, formally thanking the police for helping them.

Montgomery Blair and ten other Marylanders, including his father Francis P. Blair, traveled to Chicago in July to attend the national Republican convention. It was no secret among the Marylanders that the Blairs strongly supported Edward Bates of Missouri for the nomination, and the Blairs attempted to coalesce the Marylanders to vote in a unanimous block for Bates. The representatives from Maryland came from all over the state: four from Baltimore, two from Northern Maryland, near the Pennsylvania border, two from the Eastern Shore, one from Western Maryland and the two Blairs from Southern Maryland's Montgomery County.[24] There was some question at the convention whether or not the Maryland delegation was legitimate, with David Wilmot of Pennsylvania questioning whether the "thirty gentlemen assembled in Baltimore" could possibly represent an organized party, since "they have never had a Republican Party in Maryland, and in my judgment there will be no such party until the people of the free

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[23] The *Sun,* April 27, 1860.

[24] According to Horace Greeley, *Proceedings of the First Three Republican National Conventions, 1856, 1860 & 1864* (Minneapolis, Harrison & Smith Printers, 1893), the Maryland delegation at Chicago was Francis P. Blair, Montgomery Blair, Judge William L. Marshall, Francis Corkran, James F. Wagner and William E. Coale of Baltimore, James Bryan of Cambridge, James Jeffrey of Churchville, William P. Ewing of Elkton, Charles Lee Armour of Frederick and D.S. Orman of Church Creek.

states shall place this government in different hands, and relieve them from the tyranny that now weights them down."[25] Charles Lee Armour of Frederick objected to Wilmot's disbelief that Maryland could assemble Republican votes, declaring "we have a party in Maryland, and we can poll from three to four thousand votes!" Armour went on to remind the Chicago convention how dangerous it could be to express Republican beliefs in Maryland. Armour reiterated how he had "faced a mob in Baltimore. I faced a mob urged on by the aristocracy of the custom house, menial hirelings of this corrupt Administration. I went to my home and found I had been burned in effigy, and suspended by the neck, because I dared avow myself the friend of freedom."[26] The Maryland delegation was recognized, and in the first polls voted for Bates. After it became clear that Lincoln was amassing more votes than Bates, the Blairs moved their votes and the Maryland delegation's to Lincoln and strongly supported his candidacy.[27]

Reverdy Johnson, John Pendleton Kennedy, and Montgomery Blair represented three separate, yet distinctly upper south, views on Unionism. The commonality between the three men was the continuation of slavery where it already existed coupled with adherence to the Union. Kennedy and his followers believed that Maryland was best served by the Whig-ish Constitutional Unionists and Johnson believed the "national" candidacy of Douglas best positioned Marylanders with the pro-business elements of the northern Democrats, while Blair, the outlier, staked his and Maryland's future with the new Republican Party. Interestingly, in the state where the Know-Nothings were most

[25]Greeley, *Proceedings,* 111.
[26] ibid, 113.
[27] *The New York Times,* July 28, 1883.

successful, the Know-Nothings were not strongly represented at any of the conventions. Governor Hicks was nowhere in attendance, staying maddeningly above the fray to many of his constituents.

Some Know-Nothings would jump into the fray, including Maryland's sitting third-district Congressman, Henry Winter Davis. Although it would be hard to put the free-thinking Henry Winter Davis into any conventional political framework, he was a national voice for the state. If Kennedy and Johnson represented the elderly Unionist statement of Maryland, and Blair the full shift to the Republican Party, then Davis represented the young, brilliant, yet unpredictable gadfly of Maryland Unionism. The son of a prominent Episcopal minister in Annapolis, Henry Winter Davis was an erudite, college-educated lawyer and famed orator when he was elected to John Pendleton Kennedy's old seat in the United States House of Representatives in 1855.[28] Elected as part of the Know-Nothing sweep in Baltimore, Davis was known for his keen intellect, belief in the common worker, and tactful and expedient silence on the slavery question. Prior to his election, Davis published an elaborate political analysis entitled *The War of Ormuzd and Ahriman in the Nineteenth Century*, in which he described the United States and Czarist Russia as the ultimate opponents in the struggles of humanity, using the allegorical figures of Zoroastrianism in a highly religious and complex work.[29] Davis's defining political character, however, was not his oratory or literary skills, but his deep

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[28] General biographical information taken from Gerald S. Henig, *Henry Winter Davis: Antebellum and Civil War Congressman from Maryland* (New York: Twayne Inc., 1973).

[29] Full text of Davis' work is available as a Google e-book at http://books.google.com/books?id=mJwBBaW0hLIC&source=gbs_navlinks_s, although, I wouldn't recommend it.

and abiding hatred for the Democratic Party; in fact, his biographer theorized that Davis was disposed to always "despise a Democrat as the meanest and most despicable of creatures."[30]

Henry Winter Davis rose to national notoriety in the winter of 1859, when he became a central figure in the sectional fight for the Speaker of the U.S. House. When the House convened in December of that year, the vote for the Speaker was deeply divided between a Southern Democrat, Thomas S. Bocock of Virginia, and Republican John Sherman of Ohio. Davis initially supported his Whig and Know-Nothing colleague, John Gilmer of North Carolina for the Speaker's seat, but was up to much more—an attempt coalesce the former Whigs, the Know-Nothings and old Free-Soilers in Congress into a coalition to oppose Bocock's nomination. Throughout the eight-week battle for the Speakership, Davis worked behind the scenes to build a coalition that, even with his tireless efforts, would not gel. In the end, Davis was convinced to vote for Republican William Pennington of New Jersey as Speaker, breaking a deadlocked tie with the Democrats. [31]

Davis paid for his free-thinking ways: the press in Baltimore was completely aghast that the Marylander would support a "black Republican." The *Sun* blasted that Davis was guilty of "a foul calumny, a reckless libel," and another publication lambasted "whatever may be the future of this gentleman, he will never represent any portion of this

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[30] Henig, *Henry Winter Davis,* 21.

[31] Ollinger Crenshaw, "The Speakership Contest of 1859-1860: John Sherman's Election a Cause of Disruption?" *The Mississippi Valley Historical Review,* Vol. 29, No. 3 (Dec., 1942), 323-338 and Gerald S. Henig, "Henry Winter Davis and the Speakership Contest of 1859-1860," *Maryland Historical Magazine*, Vol. 68, No. 1 (Spring, 1973), 1-19.

State hereafter."[32] The Maryland House of Delegates would weigh in their disapproval as well, formally censuring Davis' pro-Republican vote. The resolution stated that Davis' vote "for the candidate of the Black Republican party for the Speakership had misrepresented the sentiments of all portions of this state."[33] Unfazed and unapologetic, Davis continued to maintain that his vote for Speaker Pennington had kept the far more objectionable fire-eater Bocock out of the leadership role in the House, which was of benefit to all Marylanders and Southerners.

Although his name was bandied about at the Republican Convention in Chicago as a possible vice president candidate, Davis was reluctant to embrace the Republicans, and by spring of 1860 Davis was a reluctant supporter of the Bell ticket endorsed by John Pendleton Kennedy. However, Davis did publically deride the Constitutional Unionists as a "preposterous squad of antiques."[34] Even with his gifts of oratory and persuasion, Davis failed to create his anti-Democratic coalition, and in fact he would lose his seat in the House in the November 1860 election. However, that did not mean that he would disappear into the political ether—quite the opposite, for Davis's public appearances would only increase with the events of 1860-61, in which his speeches would find their way into the national press with his curious brand of upper south sectionalism.

When the election results found both the Douglas camp and the Constitutional Unionists in the losing column, Kennedy decided to return to his literary roots to continue to find a compromise that preserved slavery, authoring a mass-marketed pamphlet titled

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[32] *The Sun*, February 2, 1860 and *Baltimore American*, February 2, 1860.
[33] Henig, "Henry Winter Davis," 17.
[34] Ibid, 12. Many in the popular press also were fond of calling the Constitutional Unionists a squad of old, out of touch men, many of whom had begun their careers in the time of Henry Clay forty years prior.

"The Border States: Their Power and Duty in the Present Disordered Condition of the Country." Kennedy was not just writing his pro-union message in a vacuum—the pamphlet was reviewed and editorialized in newspapers, read from the pulpit, and discussed in public gatherings throughout the upper south and beyond.[35] Kennedy himself was bullish about the reach and power of his Unionist words, writing to his friend in Massachusetts, Robert C. Winthrop in January, 1861, that his pamphlet was so in demand that he was swamped by letters and orders, from Georgia, Kentucky, and even New York.[36]

Kennedy's pamphlet begins by allying the border states together--in his analysis, the border states are Virginia, Kentucky, Tennessee, Missouri, North Carolina and Maryland--as the only states in the Union that are the "most authentic representatives" of model states, because of "their various and equal relations to the North, the South, and the West, their social organization for the support of every interest connected with good government and permanent peace."[37] Kennedy deeply believed, and persuasively argued, that the upper south was the only hope for compromise, and moreover, the only states that could cry foul on the abolitionist cause, for "these states are the only sufferers from the inroad of organized abolitionists, who have stealthily abstracted their slaves.

Kennedy went further than just casting aspersions on South Carolina for the state's rashness in seceding. He suggested the methods that the border states should

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[35] John Pendleton Kennedy, *The Border States: Their Power and Duty in the Present Disordered Condition of the Country* (Philadelphia: J. P. Lippincott, 1861), 3-47.
[36] Thomas B. Alexander, "The Civil War as Institutional Fulfillment," *Journal of Southern History* 47, no. 1 (February 1981): 30.
[37] Kennedy, *The Border States,* 5. While in this dissertation I have consistently used "upper south" and not "border states," in these paragraphs Kennedy's use of "border states" will prevail.

follow to "solve" the problem of secession--a re-instatement of the Missouri Compromise line (36 30') to the Pacific, a reiteration of the Fugitive Slave Act, popular sovereignty for new territories and states, and a gag order on the abolitionists to cease "discussions of slavery in a tone offensive to the interests of the Slaveholding States." The Maryland Unionist deeply believed that these policies could avert war and persuaded his readers that this course was "the ready material for the construction of a new nation able to protect the welfare of its people."[38]

Kennedy, as an upper south sectionalist and a Unionist, had no problem reconciling the ideas of slavery and Union. For Kennedy and many Marylanders, the Constitution guaranteed slavery, and a pro-Union stance demanded a commitment to the continuation of the peculiar institution. Kennedy was willing to wait for Lincoln, convinced that the upper south would "establish the foundations of a secure and durable settlement, with every provision for the preservations of Southern rights."[39] Reverdy Johnson's upper south sectionalism and Unionism also came with a dose of the preservation of slavery, and Henry Winter Davis' position was to leave slavery out of the analysis as much as possible, although most knew that he was personally against the institution.

When his candidate Douglas failed, Reverdy Johnson did not give up the cause. In December of 1860, Johnson argued a case before the U.S. Supreme Court and began to

[38] Kennedy, *The Border States*, 31.
[39] ibid, 40.

wax nostalgic at the end of his oral arguments.[40] Johnson lamented that "this may be the last time that this court will sit in peaceful judgment on the Constitution, as acknowledged and obeyed by all." Johnson used the public venue of the Supreme Court more than once after Lincoln's election his voice his pro-Democratic views. After President Buchanan's executive decree on December 14 that declared January 4, 1861, as a day of fasting and prayer, in which he bemoaned that "hope seems to have deserted the minds of men. All classes are in a state of confusion and dismay; and the wisest counsels of our best and purest men are wholly disregarded," Johnson quipped in the Supreme Court, "I pray that heaven may silence the whining of imbecility now discouraging and sickening the public heart." [41] Picking up on Johnson's sarcasm, the *New York Evening Post* reminded its readership that "Mr. Johnson, is not, it may be remarked, a very ardent admirer of the President's." [42]

On January 10, 1861, the Unionists held a large rally at the Maryland Institute Hall in Baltimore, with Johnson as the principal speaker. With his usual style, Johnson spoke eloquently and at length, condemning South Carolina for the illegal folly of secession and promoting his Maryland brand of Unionism--preserving slavery and the Union together. In his lawyerly fashion, Johnson rallied his audience with some sophisticated pre-Fourteenth Amendment language, interpreting the Constitution as "the offending citizen cannot rely, as a defence (sic), on state power. His responsibility is to

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[40] As a premier attorney in the country, Johnson argued many cases before the high court during his long career. The particular case in question is *Chandler v. Von Roeder*, 65 U.S. 224 (1860). See Steiner, *Life of Reverdy Johnson,* 44.

[41] For full text of President Buchanan's decree, see *Richmond Daily Dispatch*, December 17, 1860. Johnson's comments from Charles Warren, *The Supreme Court in United States History, Volume 3* (Boston: Little, Brown, 1922), 85.

[42] *New York Evening Post,* December 17, 1860.

the United States alone."[43] Although the rally, in Johnson's estimation, was widely attended and his speech well-received, Johnson wrote to his friend, former President Martin Van Buren on January 14, lamenting that "I greatly fear the worst."[44]

Notably absent from Baltimore's Union rally was the Governor, Thomas Hicks. In fact, the Governor had not yet entered into the contentious battlefield of Maryland Unionism. In many ways, it is hard to call Hicks a Unionist at all—he was known to be in open conflict with Montgomery Blair and Henry Winter Davis and was at best regarded as a Know-Nothing placeholder in the Governor's Mansion by Reverdy Johnson. Governor Hicks was an enigma--from a slaveholding region of the state, Hicks had begun his political career as a Democrat, realigned himself to the Whig Party in 1836, then migrated to the Know-Nothings. Hicks called abolitionists "fanatical and misguided persons," who, by wishing to block the return of fugitive slaves, had committed "no grosser outrage, no more complete and disgraceful violation" of the Constitutional right to hold property. [45] Hicks was also no friend of Lincoln, stating that "the excitement now pervading the Southern States is the unfortunate result of the recent election, which has raised Mr. Lincoln to the Presidential chair. Personally, I was much opposed to his election." Who Hicks supported in the 1860 election is unknown; as a member of the American Party, Hicks was beholden to no organization fielding a candidate in 1860 and appears to have not campaigned for any candidate.

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[43] Steiner, *Life of Reverdy Johnson,* 45.
[44] Bernard C. Steiner, "Van Buren's Maryland Correspondents" *Maryland Historical Magazine* 9, no. 3, (September 1914): 259.
[45] *Message of the Governor of Maryland to the General Assembly,* January 1860.

Hicks was often called a "staunch Unionist" stemming from his refusal to call the Maryland legislature into a special session in the aftermath of Lincoln's election. Not that he was not petitioned to do so--in an open letter published in the *Sun* on November 29, 1860, Hicks rebuffed the pleas of a group of Democratic citizens demanding that the legislature immediately convene, stating that he was "compelled by my sense of fair dealing and my respect for the constitution of our country to declare that I see nothing in the bare election of Mr. Lincoln which would justify the South in taking any steps tending toward a separation of these States." Hicks was mindful of the state's precarious position in the upper south but wanted to wait, noting "that there are other border slave States as much interested in these questions as Maryland can be, which ought to be consulted before we take the initiative in this matter."[46] Hicks' decision to not assemble a special session does not in and of itself make him a Unionist; given that his state had just months before been home to numerous political conventions that had sparked violence and protests, Hicks could just as reasonably been making decisions based on public safety concerns. As a Know-Nothing, Hicks could also have been waiting to see Lincoln's position on nativism. He could have also been waiting to see what Kentucky, Virginia, North Carolina, and Tennessee would do in the crisis. Perhaps Hicks enjoyed the power he now had; under the Maryland State Constitution, only the Governor could call a special legislative session.

[46] "Letter from Governor Hicks, Refusing to Convene the Maryland Legislature," *The Sun*, November 29, 1860. The authors who petitioned Hicks were former Governor Thomas G. Pratt, State Treasurer Sprigg Harwood, attorney J.S. Franklin, N.H Green, State Building Superintendent Llewellyn Boyle and J. Pinkney

While Hicks waited, Maryland's citizens continued to publicly protest, petition, ask, beg, and cajole the Governor to call the Maryland Legislature into session. In late December of 1860, the Maryland State Senate self-convened a meeting at Barnum's Hotel in Baltimore to strategize the state's way forward and put pressure upon the Governor. The Senate then issued a letter to the *Sun*, reminding Governor Hicks that the Kentucky legislature was set to meet in January, as was Virginia and Tennessee's; if the Governor was serious about acting in concert with other upper south states it was time to act. A mass meeting in Southern Maryland's Prince George's County on December 27 also sent an appeal to the Governor, insisting on an immediate calling of the Legislature, reported in the *Sun* as "the most earnest, determined, enthusiastic meeting ever held in Prince George's County."[47] Hicks only dug in more and used the occasion of the traditional New Year's Day message to his constituents to further outline his Unionist, but Southern, positions.

The Governor's message of January 3, 1861, was published as a broadside—ready to be handed out among crowds and plastered across public squares. Boldly and eye-catchingly titled "TO THE PEOPLE OF MARYLAND," Hicks in four long columns of tight text, set out his still unwavering message against calling the legislature to session. Hicks' message, over one hundred and fifty years later, is almost impossible to unpack--he reminds Marylanders that "I am a slaveholder, not by accident but by purchase, out of the hard earnings of a life of toil…I have never lived, and would be sorry to be obliged to live, in a state where slavery does not exist, and I never will do so if I can avoid it." Hicks

[47] "The National Crisis," *The Sun,* December 31, 1860.

reaffirmed his stance that every person in Maryland in favor of calling the legislature into session was "a DisUnionist, and to our shame be it spoken, there are some such among us," and that he refused to cave under "the spirit of defamation." In favor of slavery but not for disunion, Hicks believed both the North and South would come to its senses and realize the upper south was the only sane region of the nation, for he firmly believed that "the salvation of the Union depends upon the border slave states. Without their aid, the cotton states could never command the influence and credit and men essential to their existence as a nation. Without them the northern half of the republic would be shorn of its power and influence." Hicks concluded his remarks by stating, "That Maryland is a conservative Southern State all know who know anything of her people or her history"; however, any effort at disunion was rejected by him because "I am fully convinced that an immense majority of people, throughout the whole state, are firmly opposed to such action." [48]

Hicks' inaction might have been maddening to many of his own citizens, but the national press began to hail him as a hero for his refusal to sway to public pressure. *Harper's Weekly* published a laudatory article on Governor Hicks, stating that "we know of no man who occupies a more prominent position at the present time than the Governor of the State of Maryland…to his wise and patriotic action, in firmly resisting the tide of partisan feeling in his States, he has so far averted civil war."[49] The *New York Times* reported that Governor Hicks had the support of the Bishop of the Diocese of Baltimore

[48] Copies of the original broadside abound, and have been freely reproduced. It is most accessible from the collection of the Maryland State Archives, digitized at http://msa.maryland.gov/msa/educ/exhibits/hicks/images/case1/broadside_scaled.pdf.
[49] *Harper's Weekly*, February 16, 1861, 109.

for his "noble persistency" of keeping Maryland above the disunionist fray, and that Hicks' strong Union position and broadside of January 3 lead to a large Union demonstration in Cecil County, where anti-South Carolina speakers "made an earnest and eloquent address to the vast assembly."[50] Whether or not Hicks was a Unionist at heart is unknown, nonetheless, he was now portrayed as one. Only the coming months would determine what Hicks would do. As Lincoln's inauguration loomed on March 4, Hicks's wait-and-see policies would be tested, as would the sentiments of all Maryland Unionists.

The Anti-Secession Battleground-North Carolina

John Adams Gilmer was a commanding presence. A large and imposing man with impressive mutton-chops and a direct and withering stare, Gilmer had been active in politics in his home county of Guilford since he began practicing law in 1832. Descended from Scotch-Irish backcountry settlers, and a Revolutionary War veteran, Gilmer was one of twelve children and was the epitome of a self-made man. As a young lawyer, Gilmer built a successful law practice, and through his marriage to a wealthy daughter of a minister, inherited land and slaves. Reflective of the backcountry region he represented, Gilmer began his career as a Whig in 1846 and was elected to the North Carolina Senate four times. Gilmer was also an ardent anti-Democrat; his parents reportedly named him John Adams Gilmer after Thomas Jefferson's Federalist opponent. In true Whig fashion, Gilmer was a strong proponent of internal improvements, and championed the North Carolina Railroad (making sure, of course, that the route arced through Greensboro in his home county of Guilford). Gilmer also personified the

[50] *The New York Times,* January 21, 1861.

contradictions rampant in Southern Unionism. He was a Southern Unionist who was also a strong supporter of slavery, to the extent that he led the prosecution of two Wesleyan ministers for the crime of dissemination of abolitionist literature in 1850. In the 1860 census, Gilmer owned fifty-three slaves with an estate worth $112,000, more than six times as much as the average for the county.[51]

Like Marylander Henry Winter Davis, Gilmer filtered into the Know-Nothing Party after the disintegration of the Whig party. In 1856, Gilmer ran as a Know-Nothing candidate for Governor against Thomas Bragg, the Democratic incumbent. Gilmer's plank for the Governor's race included the establishment of a partially state-owned bank and strong anti-Catholic sentiment, neither of which resonated with North Carolinians—Gilmer lost by almost twelve thousand votes. Gilmer's stances in the election certainly followed the Know-Nothing party line, but do show a strange disconnect from his own state's lack of Anti-Catholic fervor (since there were a statistically insignificant amount of Catholics or foreign-born in North Carolina) and North Carolinian's highly localized and anti-state bank sentiment. It would stand to reason that Gilmer's Governor's race in 1856 positioned him as a national member of the Know-Nothing party; Gilmer's past political successes prove that he was too smart to think he could win on a Know-Nothing ticket in North Carolina in 1856, yet he could still further his national ambitions.

Losing the gubernatorial race in 1856 did not extinguish Gilmer's ambitions, and he was elected to North Carolina's Fifth District seat in the United States House in 1857 and 1859. In the House Gilmer became a member of the Unionist faction and worked

[51] Current, Richard N. *John Adams Gilmer*, in NCpedia (NC State) accessed at http://ncpedia.org/biography/gilmer-john. There is no biography of Gilmer.

hard against the Buchanan administration's Lecompton Constitution, vigorously opposing the scheme to bring slavery to Kansas. [52] Gilmer's career in the House of Representatives was marked by his friendship and close working relationship with Henry Winter Davis; both tried to forge a uniquely Southern, anti-Democratic coalition in Congress.

At the beginning of the 1859 United States House session, Gilmer and Davis entered into an alliance to keep a fire-eating Democrat out of the Speakership. Davis repeatedly entered Gilmer's name into the Speakership race, although Davis and most likely Gilmer understood Gilmer would not win. The submission of Gilmer's name was simply to throw the votes and destabilize voting along party lines in the House, insuring no one candidate would win an obvious majority. The frontrunner, Ohio's John Sherman, was castigated early on in the process because he endorsed a book, and not just any book—Hinton Rowan Helper's *The Impending Crisis.*

Hinton Helper was a neighbor of Gilmer's as a resident of Davie County in the Western piedmont of North Carolina. Helper was from a family of modest means; his father was a furniture maker who was successful enough to send young Hinton to the Mocksville Academy, and then on to apprentice for a successful businessman in Salisbury. The lure of riches in California's gold rush in 1850 sent Helper west in search

[52] The Lecompton constitution was a plan, proposed and endorsed by President Buchanan, to continue slavery in Kansas, protect the rights of the slaveholders, and give the option for local referenda for even more slaves to be brought into the state. Although it was not successful, the debates over the admission of Kansas caused deep rifts in the Democratic Party, and only worked to strengthen the Know-Nothings and nascent Republicans. See Kenneth M. Stampp, *America in 1857: A Nation on the Brink* (Cambridge: Oxford University Press, 1992), 167-80.

of his own fortune, which did not materialize, bringing about his return to North Carolina.[53]

The Impending Crisis was a book about many things yet one major thing dominated—that slavery was a detriment to the economic development of the South and particularly harmful to the Southern yeoman. Helper's book was essentially a compendium of census data manipulated into his argument, and was often accused of being an abolitionist tract funded by the Garrison-ites (which it was not), and also of being a vicious white supremacist screed. Helper's real villain, however, was North Carolina's "squirarchy," the wealthy families who monopolized local governments, economic systems, and the courthouse, generation after generation.[54] Helper's book called for the end of slavery, the removal of the slave population, and the hope for improved economic opportunities in an open labor market. *The Impending Crisis* was particularly powerful upon its publication given that a native Southerner was attacking slavery.[55] Helper's arguments found him to be the darling of the national abolitionist organization and the budding Republican Party, including Montgomery Blair in Maryland, who was fond of distributing pamphlet-sized compendiums of *The Impending Crisis* throughout the upper south.[56]

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[53] David Brown, "Attacking Slavery from Within: The Making of The Impending Crisis of the South," *The Journal of Southern History* LXX, no. 3 (August 2004), 541-576 and David Brown, *Southern Outcast: Hinton Rowan Helper and the Impending Crisis of the South* (Baton Rouge: LSU Press, 2006).

[54] "Squirarchy" was a term used by Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina 1850-1900* (Chapel Hill: University of North Carolina Press, 1985), 16; and while the best expression used, the same idea is forwarded by V.O. Key in as the "Progressive Plutocracy" in V.O. Key, *Southern Politics in State and Nation* (New York: Knopf, 1949).

[55] Hinton Rowan Helper, *The Impending Crisis of the South*, (New York, A.B. Burdick), 1860. Shockingly, UNCG's library has an original copy.

[56] Brown, "Attacking Slavery,"554.

On December 5, 1859, Representative John B. Clark, a Democrat from Missouri, proposed an incendiary resolution on the House floor, denouncing Helper and calling his book "insurrectionary and hostile to the domestic peace and tranquility of the country" and proclaiming that "no member of this House who has indorsed and recommended it, or the compend from it, is fit to be speaker of the House."[57] While this resolution never came to a vote, it caused countless debates and bitter divisions in the House. John Gilmer found himself swept up in the rancor, even going as far as to offer an amendment to the Clark resolution, an amendment in which the wording was construed as Gilmer being soft on Southern rights and sympathetic to the Republicans. Gilmer's amendment, "it is the duty of every good citizen of this Union to resist all attempts at renewing, in congress or out of it, the slavery agitation, under whatever shape and color the attempt may be made," was more of a political move than a statement of support for Republicans. Gilmer was most likely trying to remove the slavery question as much as possible, which would certainly have made life in the House easier for him, considering he owned slaves himself.[58]

Vote after vote was taken for the Speakership, and time after time Henry Winter Davis voted for his fellow Know-Nothing Gilmer. What Gilmer had to gain in this losing battle was initially unclear, but when Davis cast the winning vote for William Pennington of New Jersey, the new speaker handed out committee assignments and gave Gilmer the chairmanship of the then-powerful House Committee on Elections.[59] Gilmer emerged in

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[57] *Congressional Globe,* 36th Congress, 1st Session, Part 1, 1-3.
[58] *Asheville News,* February 16, 1860.
[59] Henig, *Henry Winter Davis,* 122-131.

the House, with the assistance of Davis, as a leader of upper south sectionalism, and voice for a Southern Unionism. Davis, as earlier noted, was voted out of office for his "crime" of voting for a Republican for Speaker of the House. Gilmer, curiously, seemed to suffer no ill political effects for his participation in the highly charged speaker's race. Gilmer canvassed North Carolina during the presidential election of 1860 as a strong supporter of John Bell's candidacy. While Breckinridge would take North Carolina by a spare 3,071 votes, Bell's showing was impressive, and Gilmer did much to help the Constitutional Unionist cause in North Carolina.[60]

After the presidential election, a frustrated and worried Gilmer wrote to president-elect Lincoln on December 10, 1860, begging Lincoln to clarify publicly his views on slavery. The letter, beautifully and eloquently written, revealed Gilmer's heartfelt Unionism; "solicitous that the States many remain united if by any fair means possible, and the honor and constitutional rights of all maintained and secured." Gilmer, perhaps unknowingly, was educating the president-elect in the contradictory nature of southern Unionism, and in his letter laid out in six clear questions that plagued the Union-loving slaveholder: Would Lincoln abolish slavery in the District of Columbia? Would Lincoln employ slaves in the arsenals and dockyards of the slave states? Would he interfere with the slave trade among slave states? Would slavery be allowed in new states? Would Lincoln require that any officeholder in his administration be a non-slaveholder? And lastly, would Lincoln attempt to repeal slave codes in individual states? Gilmer closed his letter assuring Lincoln "but I am not without hope that a clear and definitive

[60] The exact numbers, again, are Breckinridge 39,711 votes, Bell 36,640, and Douglas 2,245. Numbers from deRoulhac Hamilton, *Party and Politics*, 200.

exposition of your views on the questions mentioned may go far to quiet, if not satisfy, all reasonable minds."[61] Gilmer held out hope that Lincoln could be reasoned with, and that upper south Unionism could offer a path for Lincoln to hold onto the slave states.

The president-elect's response to Gilmer was measured and politically masterful, careful to not offend the North Carolina House Member yet also careful not to appear wishy-washy or conciliatory.[62] Lincoln assured Gilmer on three points—"I have no thought of recommending the abolition of slavery in the District of Columbia, nor the slave trade among the slave states."[63] Lincoln wrote Gilmer that employing slaves in the arsenals and dockyards was "a thing I never thought of in my life," but then proceeded to chide Gilmer for not knowing Lincoln's public record—directing Gilmer to direct page references in the volumes of the Lincoln/Douglas debates and the Republican Platform, as if Gilmer was an errant schoolboy who had not done the background reading.

Gilmer's complete lack of knowledge about Lincoln and his platform is a telling undercurrent of the exchange of letters between the two. Lincoln was confused as to how a member of Congress could be so woefully misinformed as to the president-elect's positions, yet Gilmer was completely representative of the North Carolinians he served—Gilmer had not bothered to learn one thing about Lincoln or his policies, believing all along that the Republicans were a fringe extremist party that had no chance of winning, particularly since Lincoln was not on the ticket in North Carolina. Gilmer was

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[61] Gilmer's letter to Lincoln is available in digitized format from the Library of Congress at http://memory.loc.gov/mss.mal.mall/049/0494600/004.jpg

[62] Lincoln's response is in a variety of sources, here from J.G. deRoulhac Hamilton, *Selections of the Writings of Abraham Lincoln,* (Chicago: Scott Foresman & Co., 1922), 246.

[63] All quotes form Lincoln's response of December 15, 1860, published in de Roulhac Hamilton, *Selections of the Writings of Abraham Lincoln*, 246.

expressing the disbelief of his home state that this candidate has won—who was he and what did he stand for? To Gilmer and others, Lincoln was an unknown usurper from the West and the Southerners were deeply shocked. Gilmer's letter extended the olive branch, begging for a hopefully pro-Southern Lincoln to make public his positions.

Lincoln, however conciliatory, was careful to make one thing clear: "On the territorial question, I am inflexible….on that, there is a difference between you and us, and it is the only substantial difference. You think slavery is right and ought to be extended; we think it is wrong and ought to be restricted."[64] Gilmer believed that five out of six agreements were not a bad average, and would continue his correspondence with the president-elect in the coming months. Lincoln also extended kindness to Gilmer, reminding his colleague in the national government that even though they disagreed on extension of slavery into the territories, "for this, neither has any just occasion to be angry with the other."[65]

Gilmer continued to correspond with Lincoln during the uncertain winter of 1860-1861, but he was by far not the only Unionist in North Carolina. Gilmer's fellow member of the North Carolina delegation, Zebulon Vance, joined the public pronouncements of Union and its survival in post-election North Carolina. Vance, the young politician from western Buncombe County, had studied at Chapel Hill and was first elected to public office in 1852 as the Solicitor for his home county.[66] By 1854, Vance entered into state level politics, at more or less the time when the Whig party was

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[64] ibid
[65] Ibid.
[66] General biographical information on Vance from Frontis Johnston, *The Papers of Zebulon Baird Vance* (Raleigh: State Dept. of Archives and History, 1963), xxiv-xxxi.

disintegrating throughout the state. Nonetheless, Vance committed himself to the dwindling Whig party, for as he told his friend David F. Caldwell, he was "doing God a service" to be a member of the party that supported the Union, and not the ruinous Democratic party and its fervent sectionalism.[67] In August of 1854 Vance was elected to the North Carolina Assembly and began his long and storied political career.

Instead of becoming embroiled in sectional issues of the 1850s, Vance began his career by being, as did many North Carolinians, highly localized in his political issues. He was a tireless supporter of the French Broad Railroad, a private rail line serving the Western part of the state that would, in Vance's prediction, enhance and not compete with the publically-funded North Carolina Railroad. Vance also advocated for a distribution of the common school fund that would better benefit the West. As his stature in state politics grew, Vance was faced with the reality that the Whigs were failing as a political party. If John Gilmer found "Democrat" to be a bad word, apparently so did Vance, for he refused to filter into the Democratic Party as the Whigs failed. Vance, from 1856 to 1860, would become a member of the nascent Know-Nothing Party, and although he continued to call himself a Whig, the curator of Vance's papers argues that "Vance was in full association with the Know-Nothings." Later in life, Vance admitted in a personal letter that the reason he was opposed to the Ku Klux Klan was that "it was a secret society, and I never belonged to but one in my life and that was the Know Nothings." [68]

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[67] Zebulon Vance to David F. Caldwell, February 19, 1858 in Johnston, *Papers of Zebulon Baird Vance*, 32-36.

[68] Johnston, *Papers of Zebulon Baird Vance*, xxxii.

Vance's membership in the Know-Nothing party brought mixed benefits to him, since the party itself never truly could gain traction in North Carolina as it did in Maryland, where the large population of immigrants fueled the vicious xenophobia of the party. However, Vance was a canny politician, and was able to use the Know-Nothings as a way to coalesce the anti-Democrats as much as possible. Other political issues, however, starkly demonstrated the resistance to fire-eater democratic politics in the Western region. As the Kansas-Nebraska Act was dividing the national parties in two, Vance began an extended harangue against Thomas Clingman, the western region's Democratic U.S. Congressman. Through his position as the assistant editor of the *Asheville Spectator*, Vance called the Congressman a "liar and a scoundrel" and campaigned for himself by blasting that "unlike the mean and contemptible demagogue who has received the suffrage of the people of this district, I desire to maintain some visage of character and truth."[69] When Clingman was appointed to the Senate and Vance won the 1859 election to replace him in the House, Vance was immediately on the offensive, calling the Democrats in Congress "half-brained fire-eaters" and opposed everything they stood for, particularly "the sectionalism which it has engendered and fostered with paternal care, the wild, reckless, lawless, violent and loathsome corruption which has made it smell to high heaven."[70] Although Clingman defeated Vance in 1856 for a seat in the North Carolina Senate, Vance returned in 1858, defeating secessionist William Waightstill Avery for a seat in the US House, sending Vance to Washington. Only twenty-eight years old when he arrived in Washington to serve in the Thirty-fifth

[69] *Asheville Spectator*, March 14, 1858.
[70] *Asheville News*, May 4, 1858.

Congress, Vance found himself coming in midterm to a Congress that was bitterly divided by sectionalism, and Vance received a crash course in national politics. One member who served alongside him described Vance as "strong in integrity, wondrous in vitality…a strict Federalist after an intense Union pattern. His voice was never heard at Washington for disunion."[71]

Vance's actions in early 1860 were closely allied with his Unionist and Whig/Know-Nothing principles, and he was a tireless defender of the Union and opponent of rash behavior from any section of the country. Vance even made his debut in the Know Nothing political world of Baltimore, speaking publically at Carroll Hall on April 12, 1860.[72] Vance made a strong Union speech in Baltimore, and spoke again that same evening at Monument Square. Vance and the other Whigs and Americans at Baltimore were creating the groundwork for the Constitutional Union Party, and drumming up a platform that would reach beyond just Know-Nothing nativism and into something more nationally appealing. No direct transcript of Vance's comments were recorded, but given his usual fiery oratory and invitation to address two separate gatherings, Vance undoubtedly was whipping the faithful into a Union frenzy in Baltimore. In May of the same year Vance was back in Baltimore, representing North Carolina at the Constitutional Union party's formal convention. A supporter of Bell, Vance returned home during the election summer and fall, routinely addressing crowds around the state. In October of 1860 he was in Salisbury, where the *Fayetteville Observer*

[71] Johnston, *The Papers of Zebulon Baird Vance,* xxxvi.
[72] For the Baltimore rallies, see the *The Sun*, April 13, 1860.

reported that he was to be "praised for his enthusiastic Union efforts." [73] The newspaper also reported that over six thousand attended the rally, many standing in the drizzling rain for two hours to hear Vance's speech in favor of Union.

While the election of Lincoln took just about everyone in North Carolina by surprise, Vance, in his correspondence from Washington, still urged patience, thoughtfulness, and compromise. Vance was in North Carolina in late November, where he came across secessionist speeches being given in Raleigh by two South Carolinians; Vance immediately gave an impromptu contrary, pro-Union speech at the steps of the Wake County Courthouse, where the assembled audience could barely contain their excitement: "canes rattled and banged-the tenure by which boot-heels were held was severely tested- strong lungs were exerted to the full extent of their powers- white handkerchiefs were waved, and the gallery sent forth a full volume of bright eyes."[74] Vance wrote to his friend and fellow attorney William Dickson in December, 1860 that "fear of Lincoln when he comes into office is perfect humbuggery" and that the wisest political course was to buy time, for "we have everything to gain and nothing on the earth to lose by delay."[75] Vance believed, from his position in Washington, serving in the rapidly fraying Congress that North Carolina was vital to the survival of the Union. He told Dickson that "for when North Carolina gives away, they in the North almost look upon the sheet-anchor of conservatism as gone." Vance spent the winter of 1860-61 in

[73] *Fayetteville Observer,* October 22, 1860.
[74] *North Carolina Standard,* December 4, 1860.
[75] Zebulon Vance to William Dickson, December 11, 1860, in Johnston, *Papers of Zebulon Vance*, 72.

Washington, where he had front row sets to the crumbling Buchanan administration and growing sectional strife.

As the slavery and secession issue continued to bitterly divide the Democratic Party, five of Buchanan's pro-southern cabinet members resigned in December of 1860, causing Vance and other members of Congress to hurriedly bring proposed legislation forward in an attempt to forestall secession.[76] Vance wrote that "the crisis here is rapidly approaching its denouement," but hoped better for his home state, theorizing that "Must NC and the border states go with them is our question? We are not compelled to do so." Vance, like this colleague John Gilmer, was impressed with the political wit and power of Marylander Henry Winter Davis, and sent a Unionist tract along to Lenoir, "a pamphlet prepared by an eminent citizen of Maryland…it is the only way to prevent civil war I fear." [77]

While Vance and Gilmer were in Washington, Unionists in North Carolina were also working furiously in the state to promote the Unionist message. Jonathan Worth of Asheboro emerged as an eloquent, if somewhat unexpected, Unionist spokesperson in the state, organizing rallies and using his considerable legal and business influence to slow the tide of secession. Worth's career was long and storied, and if Vance was the young Unionist upstart still in his twenties, Worth was the old guard, almost sixty years old in 1860, a devoted Henry Clay Whig who had vowed to retire from politics after his two

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[76] Buchanan's Secretary of the Treasury, State, War, Interior and the replacement for the Treasury all fled the administration in December of 1860. For details of the Buchanan administration, see Jean H. Baker, *James Buchanan* (New York: Times Books 2004), especially the last chapter on the final days of the Buchanan Presidency.

[77] Zebulon Vance to W.W. Lenoir, December 26, 1860, in Johnston, *Papers of Zebulon Vance,* 77-78.

terms in the North Carolina House in the 1830s.[78] After many years as a successful attorney in Asheboro, the owner of a turpentine production plantation and a slaveholder, Worth was recruited for, and won, a seat in the North Carolina Senate in 1858. In the Senate, Worth chaired the powerful committee tasked to investigate the operations of the North Carolina Railroad, and his correspondence revealed that almost all of this tenure in the Senate was consumed with this investigation and trying to work through rampant allegations of corruption and mismanagement in the state's railroad administration.[79]

The larger national issues of abolition and disunion nonetheless grabbed Worth away from the Railroad Committee when in early 1860 Worth's first cousin, Reverend Daniel Worth, was arrested in Guilford County and charged with abolition and treason for the circulation of Hinton Rowan Helper's incendiary text, *The Impending Crisis*. Worth visited his cousin in prison, and helped him to secure legal counsel. Although born a Quaker, Worth was not as devoted to his faith as his minister cousin, and while Worth's tone in letters discussing his cousin's imprisonment was sad and dismayed, Worth believed in the right of the indictment, for "his zeal has had the better of his discretion. Nobody here will countenance the circulation of a book denouncing slaveholders as worse than thieves, murderers, etc."[80] Reverend Worth was eventually released on bail pending appeal, and while on bail escaped to the North and the abolitionist movement. Jonathan Worth's letters are curiously silent on this development

[78] For general biographical information on Worth, see J.G. deRoulhac Hamilton, *The Correspondence of Jonathan Worth Vol. 1* (Raleigh: Edwards & Broughton Co. 1909), v-xiii.
[79] The correspondence on the Railroad investigation is voluminous; see deRoulhac Hamilton, *Correspondence of Jonathan Worth*, 136-141.
[80] deRoulhac Hamilton, *Correspondence of Jonathan Worth*, 113. Interestingly, the attorney retained to defend Reverend Worth, Joseph T. Morehead, was also a large slaveholder, who, nonetheless "admirably" represented the accused Reverend.

– however the election of 1860 would propel other issues to the forefront. Worth's sorrow over his cousin's lawlessness did not override his brand of upper south sectionalism—that Union and the continuation of slavery must be preserved together.

Worth wrote to a friend from the Senate in Raleigh, expressing his thoughts on Lincoln's election in 1860, that he intended to adopt a wait-and-see attitude towards the new administration: "I hope no action will be taken on our Federal Relations before the Christmas holidays and then we shall adjourn until after Lincoln's inauguration. If he should pledge himself to execute the fugitive slave law, and do it, I care nothing about the question of Squatter Sovereignty." [81] Events in December, 1860 in Raleigh moved quickly, and calls for a convention by Governor John Ellis were brought before the legislature, drawing Worth's Unionist ire. Governor Ellis felt that the safety of North Carolina and southern rights overall were severely imperiled by Lincoln's election, and the state government should move to increase military preparation and the calling of a convention to consider secession.[82] Worth could not have disagreed more – in a public address before the citizens of Randolph and Alamance counties he blasted out against a convention, telling his constituents that:

> Such a convention is a modern invention of South Carolina, to bring about a sort of legalized revolution. It has been adopted in most of the Southern States. All its original advocates were disunionists. Wherever such a convention has assembled, it has asserted the power to sever the State from the Union, and declare it an independent government. Under my oath to *support* the Constitution

[81] Worth to JJ Jackson, November 29, 1860, in deRoulhac Hamilton, *Correspondence of Jonathan Worth*, 124.

[82] Governor Ellis addressed the legislature in December, 1860, and his remarks are in the *North Carolina Senate Journal, 1860-61*, 11-43 and are also contained in John W. Ellis Papers, #242, Southern Historical Collection, Wilson Library, University of North Carolina Chapel Hill. Many historians have felt Ellis to be a strong secessionist, and his somewhat contradictory policies will be explored in the next chapter.

> of the United States, I could not vote to call a convention to *overthrow* that instrument.[83]

Worth continued throughout the winter to support Union, and attempt to keep North Carolinians from following in South Carolina's footsteps.

Worth, Vance, and Gilmer all held important elective offices in North Carolina, and by the rights granted to them by the ballot box, were the voice of their constituents, the citizens of the state who attended their rallies and shared their Unionist ideals. However, the editor's pen and acerbic wit of William Holden, the editor of the Raleigh's mammoth paper, the *North Carolina Standard*, held the real center of persuasion and power in North Carolina. As discussed in Chapter One, Holden was the de facto leader of the Democratic Party, and a strong Douglas man in 1860. The other side of Holden, however, was his rampant personal ambition. A continual candidate for public office, Holden usually lost—but that never dampened his zeal, nor the persuasive power of his editorials in the *Standard.*[84] Using his paper as his platform, Holden's editorial writing and his letters reveal a very canny and experienced politician, who was able to survey situations objectively and for the most part, foresee the winning approach. Putting a label on Holden is difficult, for in the analysis of one historian, "The action of Holden from the

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[83] "Mr. Worth's address to the People of Randolph and Alamance," in deRoulhac Hamilton, *Correspondence of Jonathan Worth*, 130.

[84] Holden was elected to as the Wake County representative to the House of Commons in 1846, but served only one rather undistinguished term. Holden ran for Governor in 1858, losing the Democratic nomination to his friend John W. Ellis, and although he campaigned for the nomination, was also not chosen by the legislature to fill the vacancy in US Senator Asa Biggs' seat in 1858. Holden was briefly appointed Provisional Governor of NC in 1865, but would lose the popular election in December 1865 to fellow Unionist Jonathan Worth. Holden would finally be elected Governor of North Carolina in the popular election of 1868, in an election overseen by the Reconstruction Congress. He would, in the end, be impeached from the office by his own legislature. For general biographical information, see Raper, *The Papers of William Woods Holden*, *Vol. 1 1841-1868,* xvi-xvii.

time of the Charleston Convention until the secession of North Carolina is difficult to explain."[85] Holden's actions are enigmatic and inscrutable, much like Governor Thomas Hicks in Maryland. Both Holden and Hicks were opportunistic politicians making a clear political choice in 1860-to not make any strong, jingoistic public announcements that would pigeon hole them into a policy they could not get out of without damaging their political capital. Holden and Hicks waited to see which way the wind blew in many cases, making them both excellent examples not only of upper south Unionism, but also of the commonalities Maryland and North Carolina as two upper south statesmen waiting for public opinion to define the path to political success.

Holden waited for the political winds to blow his way, but he already had a good idea of the outcomes. Holden wrote to John Ellis in the aftermath of the 1856 elections that "Looking ahead four years, I have serious fears that the black Republicans will succeed in the Presidential struggle. The future is indeed gloomy. God defend and preserve the Republic!"[86] Holden did his best to stave off his own prediction, and worked hard through the spring and summer of 1860 for the Douglas ticket, writing to Douglas in June that "I am sorry to learn that your health has been affected by your recent effort in the Senate. Trusting that you may soon be restored to your accustomed health, and that you may triumph over all your enemies at Baltimore."[87] On August 30, 1860, a Douglas rally was held in Raleigh, with Douglas and Holden in attendance, as well as Robert

[85] J. Carlyle Sitterson, *The Secession Movement in North Carolina* (Chapel Hill: University of North Carolina Press, 1939), 162.
[86]William Holden to John W. Ellis, January 19,1857 in Raper, *Papers of William Woods Holden*, 86
[87] William Holden to Hon. S. A. Douglas, June 1, 1860, in Raper, *The Papers of William Woods Holden*, 111.

Paine Dick, the United States Attorney for North Carolina.[88] Prior to the rally, Dick had already written an open pro-Douglas letter in the *North Carolina Standard*, reminding the readers of the state that "the secession party is not the Democratic party. It is a *new born* party. It sprung from the heated brain of Wm. L. Yancey, and the first words it lisped were *discord, revolution, disunion.*"[89] The *Standard* reported that there were over one hundred delegates from thirty-three counties present, and Douglas delivered an impassioned Union speech in his usual lengthy and florid oratory. Subsequent Douglas rallies followed in Buncombe and Moore counties.[90] Even the Eastern establishment paper, the *New Bern Progress*, supported the Douglas ticket, castigating the Breckinridge faction of the Democratic Party as having been "gotten up for the purpose of destroying and not to save the Union."[91]

A close reading of Holden's letters following the Douglas rally reveal that something changed for the Douglas supporter in the late summer of 1860. The editor wrote to his wife on September 1 that "I write again today, though you will perceive I am a little nervous from taking morphine and quinine," and on September 2 he wrote to the chair of the state executive committee of the Democratic Party, Daniel M. Barringer, that "under the advice of my physician, which I am not at liberty to disregard, I will leave in the morning for Beaufort, and will be absent eight or ten days…I am too feeble to write

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[88] For general background information on Robert Dick, see Horace Raper, "Robert Paine Dick" in William S. Powell, *Dictionary of North Carolina Biography, Vol. II*. (Chapel Hill: University of North Carolina Press, 1986), 63.
[89] *North Carolina Standard*, August 22, 1860. (italics from original)
[90] *North Carolina Standard*, August 29 and September 5, 1860.
[91] *New Bern Progress*, October 10, 1860.

more, and this is broken by the morphine and quinine I have taken."[92] Holden could have simply been ill, needing the assistance of quinine and morphine, which are each powerful sleep aids, fever reducers, and pain killers. The timing of Holden's decline is coincidental with his change of heart.[93]

Douglas' exact words from the rally of August 1860 have proved elusive to find; however, it was stated in the *Standard* that it was a "strong Union speech." Holden seems to have concluded in September of 1860 that is was too strong a Union speech, and that he could not cajole and persuade North Carolinians to follow the "northern" Democratic candidate. On the other hand, Holden perceived the change of the political wind in North Carolina, and retired to his summer lodgings in coastal Beaufort to ponder his next move. Holden may have been trying to find a way to preserve party unity and bring the fractured state Democratic Party back together for the uncertain future, or perhaps he was worried about what his support of Stephen Douglas would do to Holden's own future political survival in the state. Could he ever become governor of North Carolina if he backed the wrong horse in 1860? Either way, on September 26, 1860, less than two months before the election, the *Standard* switched its powerful endorsement to the Breckinridge ticket. Holden eloquently defended his change, reminding North Carolinians that "votes of all parties should bear in mind that the question of Constitutional rights of the South is above party," and "we believe the safest and best course in North Carolina is to support Mr. Breckinridge – we still have confidence in the

[92] Raper, *The Papers of William Woods Holden,* 116.

[93] I cannot adequately comment on Holden's medical condition, however for the most part he was a robust and healthy man who was forty-two in 1860; he would live to be seventy-four, passing away in 1892 from complications of a presumed cerebral hemorrhage.

great body of Northern Democrats and we regret our partial separation from them." And perhaps in the most telling statement of motivation, Holden concluded "We assume, as a fixed fact, that Douglas men in any contingency cannot carry North Carolina." [94]

Supporting Breckinridge, surprisingly, did not quell Holden's Unionism. In October of 1860, Holden reminded North Carolinians in a *Standard* editorial to not fear the possibility of a Lincoln election; "It will not do for North Carolinians to abandon their own government—a government under which they have as many rights, and in which they have as deep an interest as the North—because one of its three departments has been turned against them."[95] After the election of Lincoln, Holden favored the Southern Unionist wait-and-see position on Lincoln's administration, printing that "it would be our duty to give Mr. Lincoln a trial, and to preserve the government, if possible, from disruption and destruction."[96]

A lifelong Democrat, Holden found himself in a surprising position in 1860—sharing a strong Unionism with the state's Whigs and Know-Nothings, two groups that he had continually derided over the years with his acerbic editorials. The Democratic administration of Governor John Ellis also began to distance itself from Holden, removing him as state printer and giving the contract to John Spelman.[97] Holden still held steadfast to his Unionism, now turning his paper against the sitting Governor, who he had enjoyed a long and productive friendship with over the years, revealed by warm letters

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[94] "A Word of Explanation," *North Carolina Standard*, September 26, 1860.
[95] Editorial, *North Carolina Standard*, October 24, 1860.
[96] "The Election of Lincoln," *North Carolina Standard*, November 14, 1860.
[97] Holden's break with the Democratic leadership is detailed in William C. Harris, *William Woods Holden: Firebrand of North Carolina Politics* (Baton Rouge: LSU Press, 1987), 96-97.

and correspondence dating back to the 1840s. If Holden was becoming a political island in late 1860, he could at least sustain himself with the support of his readership, evidenced by a letter to the editor from an Alamance County Democrat, C. B. Harrison, who praised Holden, "Hurrah for Holden! They cannot put you down. Let the fire-eaters fume and rage, but expose them, and we, the people, will sustain you."[98]

Zebulon Vance, Jonathan Worth, John Gilmer and William Holden would find themselves allies in the early months of 1861, when calls for a secession convention moved through the state, and each of the Unionists would campaign mightily for that not to happen. In February of 1861 North Carolinians headed to the polls to vote on whether or not to call a special convention to consider the secession question, and Holden's editorials took on a fevered tone: "Union Men to the Polls! Vote for no man who will not pledge himself to work hopefully and zealously for the Union."[99] Vance issued a message from Washington to his home district urging his fellow westerners to vote for the Union, and wrote to his friend George N. Folk from Washington on January 9, "such has been my devotion to the Union and so deep my appreciate of the blessings it has showered upon the American people, that I cannot bring myself to look upon the possibility of its destruction without the extremist sorrow."[100] On February 15, Jonathan Worth assured a New York firm that he did business with that "Among that portion of our people with whom I have intercourse, 19 of 20 are calm and talk only of Union, not

[98] "Letter to the Editor," *North Carolina Standard*, December 26, 1860.
[99] "Union Men to the Polls!," *North Carolina Standard*, February 27, 1861.
[100] Zebulon Vance to George N. Folk, January 9, 1861, in Johnston, *Papers of Zebulon Baird Vance*, 81.

disunion." [101] Worth also spoke against the calling of a convention on the Senate floor in Raleigh, "I cannot vote for it…such conventions have been nowhere called except for the purpose of carrying out secession."[102] The Unionist's pressure was successful, even if by a narrow margin, for on February 28, 1861 North Carolinians voted 47,338 to 46,671 against holding a convention at all.[103] Holden was giddy in the victory in the pages of the *Standard* but was careful to remind everyone of the limits of the victory and the definition of southern Unionism – "We must not be understood as saying that they will submit to the administration of the government on sectional or Black Republican principles, but that they are anxious to preserve the Union on a constitutional basis."[104]

As Lincoln's inaugural on March 4, 1861 approached, North Carolina Unionists felt secure in their position within the state—the recent vote on the convention quashed the secessionist tide for the moment. Well-attended rallies, the support of powerful politicians, and the continued harangue of the Unionist papers kept the secessionists at bay, awaiting the president-elect's inaugural remarks. In Maryland, Reverdy Johnson, John Pendleton Kennedy and Montgomery Blair represented three separate, yet distinctly upper south, views on Unionism, as did Gilmer, Holden and Worth. William Holden and Governor Hicks were making direct political choices to not be pigeon holed into any specific position, although each man was leaning to the Unionist side. The commonality between all of these Unionist leaders was the continuation of slavery where it already

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[101] Jonathan Worth to Hennys, Smith & Townsend, February 15, 1861, in deRoulhac Hamilton, *Correspondence of Jonathan Worth*, 121.
[102] Remarks of Mr. Worth to the Senate, January, 1861, in deRoulhac Hamilton, *Correspondence of Jonathan Worth*, 128.
[103]For results of the voting, see Kruman, *Parties and Politics*, 273-278.
[104] "The Result in this State," *North Carolina Standard*, March 2, 1861.

existed coupled with adherence to the Union, creating a unique upper south alliance between Maryland and North Carolina.

The Unionist leaders examined in this chapter considered themselves the strongest national voices for compromise and arbitration, true to their upper south sectional identity. Kennedy and Johnson spoke often on the problems the extremists were causing, and all the leaders showed a willingness to work with Lincoln in the early days of his administration. John Gilmer's letters to Lincoln reveal much about upper south sectional identity with their conciliatory, but firm tone on the slavery issue. Jonathan Worth hated extremism of any sort and attempted to keep his Piedmont North Carolina community in the Unionist fold. Montgomery Blair embraced the Republican Party, a decision that in true upper south sectionalist fashion had more to do with hatred of the Democrats than love for the new party of Lincoln. Even the Unionist firebrand in Maryland, Henry Winter Davis, supported the candidacy of Bell because, as an upper south sectionalist, he hoped for cooler heads to prevail. What Lincoln would say in his inaugural address would be a turning point for the upper south sectionalists who were promoting the Union cause.

CHAPTER IV

"SUCH AN OFFENSIVE TRIUMPH AS THIS": THE SECESSIONISTS IN MARYLAND AND NORTH CAROLINA

> I would not consent for my constituents to be governed absolutely even by a sectional majority, much less by a minority. The South would be then in the condition of Ireland, represented nominally, but really as powerless as if the semblance of representation was not given to it at all.
> -Senator Thomas Clingman, on the Senate floor, December 3, 1860

> The treason is not with the South. She is taught by bitter experience, under the exercise of a mere popular majority in one section of the Union, that she may be reduced and subjugated at will.
> --Editorial of The Sun, November 9, 1860

On a July night in 1858, on the Eastern Shore of Maryland, James Bowers was taken from his home by concerned citizens of Kent County, drug into the woods, and tarred and feathered. Bowers was further instructed to leave the county, as was a fitting punishment for his crime--aiding and abetting a slave to run away. Bowers, a Quaker farmer living in slavery-dense Kent County, assisted the runaway by providing the slave with a forged pass, giving the slave permission to move into Baltimore, presumably on his master's business but in reality to escape. Many in the county testified against Bowers, and while the court sentence for Bowers' crime was relatively minor, Bowers's own community decided to act more harshly, and in its mind, more justly, in the punishment of Bowers. At a mass meeting held in Chestertown, the problem of

"abolitionists" in the midst of Kent County was hotly debated, and Maryland's sitting U.S. Senator, James A. Pearce, rose to speak at the meeting to assure the county residents of his firmness on the slavery question. Senator Pearce was careful in his words to not condone the violence of tarring and feathering, yet he warned the slave holders of the Eastern Shore that this pro-abolition behavior should not be tolerated, for if the abolitionists were not quashed, "it was time for people to sell their lands…and look for homes where constitutional and legal rights were respected and enforced and where it was not permitted that the corruptor of slaves--the emissary of the abolitionists and the secret seducer should find immunity." [1]

Anti-abolitionist agitation was not confined just to Maryland. During the presidential election of 1856, University of North Carolina professor Benjamin Hedrick publicly supported the candidacy of free-soiler John C. Fremont. North Carolina newspapers got wind of this heresy, and began to launch an editorial campaign against the professor, stating that "no man who is avowedly for John C. Fremont ought to be allowed to breathe the air or tread the soil of North Carolina."[2] The students on campus agreed: when Hedrick attempted to defend himself, the students burned him in effigy and the Trustees of the University fired him. Almost captured and tarred and feathered in his hometown of Salisbury, Hedrick was forced to escape northward for his political views. Hedrick moved to New York City, where he became a patent official, and later, a close

[1] Description of the Bowers affair and notes of the speech of James Pearce are found in *The Baltimore American,* July 19, 1858.
[2] Horace Raper, ed., *Papers of William Woods Holden, Vol. I 1841-1868* (Raleigh: North Carolina Department of Cultural Resources, 2000), 247-248.

associate of President Andrew Johnson and a darling of the New York papers, who called him "a live Republican from North Carolina."[3]

The Bowers affair in Maryland and the dismissal of Professor Hedrick were just two of the multiple public and partisan outbursts of each state's anti-abolition, pro-southern, and secessionist factions. Just as upper south sectional Unionists in Maryland and North Carolina came in many varieties, so did upper south sectional secessionists. The differences between the secessionists and unionists in the upper south sectionalist ideology are subtle, for each faction shared a distaste for extremism. However, the secessionists in North Carolina and Maryland were more dogmatic in their defense of slavery, and more threatened by the notion of being coerced by a minority, Republican government. The secessionists were also deeply committed to immediately calling secession conventions or holding referendum elections on the secession issue, while Unionists in Maryland and North Carolina found these ideas nothing more than an opportunity for secessionist hotheads to take over the political discourse. The upper south secessionists were not always tied to perpetual and unrestricted slavery, but more concerned with the possibility of a coercing government: to them, slavery imposed on the white southerner, slaveholder or non-slaveholder. Unlike the fire-eating secessionists of the deeper south, the upper south sectional identity created a political space that was in favor of secession in the fear of the deeds of a "black Republican" president, but still held out a small window for compromise. This is the contradictory nature of upper south secessionism, for strong attacks on the North and its rampant violations of the

[3] J. G. deRoulhac Hamilton, *Benjamin Sherwood Hedrick* (Chapel Hill: University of North Carolina Press, 1910), 16.

constitutional rights to hold property were almost always tempered, at the end of speeches, with compromising "let's hope we can work it out" positioning.

Upper south secessionism was united in the preservation of slavery, state's rights rhetoric, a commitment to a literal interpretation of the Constitution, and a deep feeling that a pro-property rights stance was the only correct one under the sacred words of the Founding Fathers. Coercion was also the watchword in many secessionist speeches—calling any movement of the abolitionists or the Republican Party a move toward making the Southern states' change their ways was the automatic way to light up a crowd. Maryland's S. Teackle Wallis rallied a crowd at the Maryland Institute in 1861, preaching that "the idea of coercing a State, or its people, when that state has declared itself out of the Union, has no color or support whatever from the Federal Constitution."[4] North Carolina's Thomas Clingman stated on the floor of the Senate that the question now was whether or not his home state "will aid Lincoln in this policy of coercion, or join the Southern States in resisting it."[5] Secessionists frequently draped their speeches in revolutionary rhetoric, invoking the sacrifices of generations past in quashing tyranny.

From these shared points, however, divergent paths through the issues emerged in North Carolina and Maryland. Nationally recognized fire-eaters, like William Lowndes Yancey of Alabama or Edmund Ruffin of Virginia, could not be found readily in either state. Secessionists came from both the slaveholding and the non-slaveholding classes, as persuasively shown in earlier studies in North Carolina that the poor white was often an

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[4] S. Teackle Wallis, *Speech of S. Teackle Wallis, Esq., as Delivered at the Maryland Institute on Friday Evening, February 1, 1861*(Baltimore: John Murphy & Co, 1861), 14.
[5] *North Carolina Standard*, February 21, 1861.

ardent secessionist.[6] Urbanities in Maryland, invested in slavery very marginally, populated rallies and spawned the urban violence and eventual rioting in Baltimore. Secessionists came from many different political classes, and in each state were present in the East, Piedmont and West. The main commonality between the secessionists in each state was their strict constitutionalism and their fear of coercion. However, like the Unionists, the secessionists in either state were never firmly convinced they had the upper hand to win at the ballot box. In North Carolina, secessionists would fail to carry the referendum on calling a secession convention; in Maryland they could not persuade the Governor from his avoidance of the issue. Each state's secessionists where fighting in a more or less even battle with the Unionists, and would have to take their messages directly to their constituents, for in Maryland and North Carolina, it was any one's guess in late 1860 and early 1861 which party would succeed in winning over the public. Given this uncertainty, it seems that upper south sectionalism's desire for avoiding any direct balloting on convention melds the unionist and secessionists together, however, even within the prevailing upper south sectionalist identity, differences existed. The main difference was secessionists were willing to leave the Union from the beginning of their debating, though they hoped it would not come to that. The upper south sectionalist who leaned towards secession believed that the Constitution, if not strictly adhered to, demanded secession; the upper south Unionist believed secession to be illegal or worse, immoral. Still, as upper south sectionalists the secessionists in Maryland and North

[6] For a discussion of yeoman whites in the secession winter, see Charles A. Bolton, *Poor Whites of the Antebellum South: Tenants and Laborers in Central North Carolina and Northeast Mississippi.* (Durham: Duke University Press, 1994).

Carolina hoped to arbitrate compromise between the extreme secessionists and the North, however they just deeply disagreed on some fundamental issues with the upper south sectionalists who supported the Union cause.

The Secessionists of the Old Line State

As soon as the 1860 election results were final, the Baltimore *Sun* began lambasting Lincoln, despairing that "an exclusively sectional candidate has been elected to the chief magistracy of the country." The consequences for the South were also immediately apparent on the *Sun's* editorial page: "In the very flush of such an offensive triumph as this, when in her perplexity the South is at a loss what to do for her own safety…her citizens who talk of escaping from consequences which they believe threaten her integrity….the treason is not with the South."[7] Other Maryland papers derided the election results, placing the blame for any future disunion on the North: "In their pursuit of nationalism, they [the Republicans] have missed the most obvious plan for preserving the integrity of the Union. By a blind devotion to the Union under all circumstances, they have rendered it doubtful if it can be preserved under any…by their horror of sectionalism, they have plunged the South into secession."[8]

After the states of the Deep South began to secede, following the lead of South Carolina on December 21, 1860, Maryland's secessionist newspapers began editorializing about the state's role in the crisis. Two southern Maryland papers, the *Montgomery Sentinel* and the *Planter's Advocate* immediately assumed that Maryland would convene a secession convention, proving to the Union that "the Southern people

[7] Editorial, *The Sun*, November 9, 1860.
[8] *The Planter's Advocate*, November 21, 1860.

are in earnest and that their grievances are not mere abstractions and child's play."[9] The *Montgomery Sentinel* was a strong voice for secessionism, publishing letters from the state Democratic leadership pushing the Breckinridge ticket, declaring "let us all, as Maryland men, casting behind us the dead issues of the past, now stand side by side, and place our noble State first and foremost in the ranks of the South, by the unanimity with which our votes are cast for Breckinridge and Lane."[10] The *Sentinel* also heavily advertised mass meetings and political rallies, including one in neighboring Prince George's County in January of 1861, that " was most numerously attended, and represented the property and intelligence of the county," and where "the meeting, with great enthusiasm, unanimously adopted a resolution requesting the Governor to call an immediate session of the legislature of the State,"[11] As discussed in chapter two, Governor Hicks was holding the line, and utterly refused any talk or pressure to hold a convention. Priding himself as a protector of the Eastern Shore tradition of individualism and non-partisanship, Hicks was refusing to bow to what he saw as an "external" crisis. In a letter to Kentucky Governor Beriah Magoffin, Hicks asserted that "Maryland is conservative and to this time quiet, few, very few propose an extraordinary session of the legislature, while the masses advise against it for the present."[12]

The "masses" might have disagreed with Governor Hicks' assessment. The General Assembly had stated during the 1860 session that "if the hour ever arrives when the Union must be dissolved, we must cast our lot with our sister states of the South and

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[9] *The Planter's Advocate*, November 23, 1860.
[10] *The Montgomery Sentinel,* November 2, 1860.
[11] *The Montgomery Sentinel*, January 4, 1861.
[12] Thomas H. Hicks to Beriah Magoffin, December 10, 1860, in the Thomas H. Hicks collection, MS 2104, Maryland Historical Society, Baltimore, MD.

abide their fortune to the fullest extent."[13] The Speaker of the House of Delegates, Elbridge G. Kilbourn of Anne Arundel County, was an open secessionist and was ready to convene an emergency session immediately after Lincoln's election. Hicks, however, would not be dissuaded. A few weeks after the election of Lincoln, Hicks responded to secession convention supporters by publishing a letter in the *Sun*, telling Marylanders that even though he was "identified…by birth, and every other tie with the South, a slaveholder" he was compelled "by my sense of fair dealing and my respect of the constitution of our country to declare that I see nothing in the bare election of Mr. Lincoln which would justify the South in taking any steps tending toward a separation of these States."[14] Initially, the *Sun* agreed with the Governor, acknowledging that "the position of this State is one of great danger, but not of an influence proportionate to that danger. We must stand, to some extent, silent spectators of the scene progressing around us."[15] Other regions of the state also chimed in with similar biases, such as the *American Union* in Caroline County, which editorialized: "Let us who are far removed from the scenes of this wild excitement, and where better counsels prevail…look at this question from the only true standpoint of the Union, where we can impartially judge this question, and draw just conclusions in regard to the eventful future."[16]

Despite escalating events during the winter of 1860-61, Hicks remained steadfast in his refusal to call the legislature into session—quite possibly because he feared the overwhelming Democratic body would vote for secession, judging by their 1860

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[13] Robert J. Brugger, *Maryland: A Middle Temperament, 1634-1980* (Baltimore: John Hopkins University Press, 1988), 260.
[14] Baltimore *Sun*, November 29, 1860.
[15] Baltimore *Sun,* November 19, 1860.
[16] *The American Union*, November 13, 1860.

resolutions. Hicks was sitting on a pressure cooker, as the ire and political animosity of Maryland secessionists rose to a boiling point during the secession winter. South Carolina, Alabama, and Mississippi sent dispatches and emissaries urging him to call the legislature into session and let Maryland's true position be known. However, these pleas from the Confederacy only strengthened Hicks' resolve to wait, for as an upper south sectionalist, he hated above all to be coerced, as he felt that "Maryland should not seem to give countenance to these requests by convening her legislature at the bidding of South Carolina." When he received a telegram in January 1861 informing him that Mississippi had left the Union, Hicks in anger noted on the message that "Mississippi has seceded and gone to the Devil." [17]

Despite the seemingly well-thought out wait-and-see policies of Hicks, as the winter of 1861 progressed, Maryland editors and newspapers, even the moderate *Sun*, began to lose patience, urging the Governor to do something, perhaps to call for a vote on secession with a referendum election. By February, the *Sun* was calling the avoidance of Governor Hicks "utterly indefensible," and despairing that it was "a very great misfortune that the usual mode eliciting the expression of the popular sentiment of Maryland has not been resorted to by the Governor. This would at least have satisfied all fair and honest men, and such would have been also satisfied with the result, whatever it might be."[18]

Southern-rights rhetoric had always been a part of Maryland political discourse; however, the tone of the argument became sharper and more refined during the election

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[17] Brugger, *Maryland: A Middle Temperament, 1634-1980,* 273.
[18] *The Sun*, February 5, 1861.

cycle of 1860 and the winter of 1861. The *Daily Exchange* became the voice of the secessionists in Baltimore, and the new voice of urgency on the secession question. Edited by Francis Key Howard, a descendent of Francis Scott Key, the paper was pro-Southern, yet became even more so when purchased by the wealthy international trader and plantation owner William Wilkins Glenn. Glenn, the son of United States District Court Judge John Glenn, was part of the Maryland squirarchy and a very successful businessman in his own right. Glenn lived at the family's thousand-acre plus landholding, Hilton, outside Baltimore where he managed the farm and the family's twenty-six slaves.[19] Glenn was the rare multi-millionaire in antebellum America, and while he was never a politician or lawyer, he was in close contact with the political leadership in Baltimore, as Reverdy Johnson had once been his father's law partner.[20] Glenn also became a newspaper man by accident—in January of 1861, Glenn was approached by Francis Key Howard and asked to purchase the controlling interest in the *Daily Exchange*, which had never been one of the more profitable papers in the city. Glenn bought the paper, but not as wise business investment, but "solely and entirely for the 'Cause.' I saw how men hung back and refused to spend money, and I felt that if men of Capital were not willing to risk their money, what was to be expected of the rest of Society."[21] Glenn, in fact, had long been committed to "the Cause," for he notes in his self-authored narrative that he felt from 1856 that the Republicans and free-soilers would

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[19] Hilton is now on the National Trust's Register and is part of Catonsville Community College's campus, for more information on Hilton and the former plantation see Bayley Ellen Marks, *Hilton Heritage* (Baltimore: Catonsville Community College Publications, 1971).
[20] For general biographical information on Glenn, see Bayley Ellen Marks and Mark Norton Schatz, *Between North and South: A Maryland Journalist Views the Civil War—The Narrative of William Wilkins Glenn 1861-1869* (Rutherford, NJ: Fairleigh Dickinson University Press, 1982), preface.
[21] Marks and Schatz, *Between North and South,* 19.

eventually win the presidency, and began divesting some of his business interests that would be most affected. Glenn also believed that there was no publication leading the southern-leaning men in Baltimore, and the *Daily Exchange* could fill that void.

Both the newspaper and Glenn acted quickly to organize the secessionist-leaning citizens of the state. A rally was organized for February 1 at the Maryland Institute Hall, where pro-secession speakers rallied the faithful by picking up the upper south secessionist thread of the fear of coercion, with a resolution passed that reiterated the secessionist stand against armed coercion of the South, and urged local citizens to oppose by force "any employment of military force to coerce by bloody process the seceding States."[22] Glenn, however, felt that the organization of the secessionists was not going far enough in Maryland, and he lamented in his narrative that everyone, even the radicalized city ward pro-secession organizations, kept saying, "Wait for Virginia. See what she does." Glenn had no desire to wait for Virginia, for he felt the inaction in the early winter of 1861 was sending the wrong message: in Glenn's estimation, "the North was deceived by the attitude of the Border States" and "laughed at the idea of there being much real Southern sympathy in Maryland."[23] Glenn felt that waiting only postponed the inevitable, and that the "large majority of the young men sided with the South."

Glenn's ultra-secessionist views worked their way into the editorials of the *Exchange*, where by February 2, 1861, the paper was already flush with the opinion that the time for conciliation had passed, for "so long as the prejudices of these men are suffered all consideration of patriotism, all hope for the adoption of conciliatory measures

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[22] *The Sun,* February 2, 1861.
[23] Marks and Schatz, *Between North and South*, 26.

must be abandoned."[24] By the time of Lincoln's inauguration, Glenn's views were even clearer on the editorial page—that Lincoln's inaugural address was "a fearful error" and that Lincoln "meant war." Glenn hoped that "it may not be too late for the people of Maryland to do something that may prevent the rash and menacing position now assumed by the administration."[25] Francis Key Howard continued to work on the paper with Glenn, and was chronicling the events of the Confederacy forming in Montgomery, Alabama for the paper, and Glenn often enlisted the services of the "wonderfully clever and rapid writer" S. Teackle Wallis to contribute to the *Exchange* with leader articles weekly, extending the reach of the paper throughout Baltimore society and business communities.

Baltimore lawyer and reformer S. Teackle Wallis had built a notable and distinguished career in law and reform politics. As a young apprentice, Teackle Wallis had read law in Baltimore with the esteemed William Wirt, the attorney general during the Monroe and Adams administration and one of the premier lawyers in the nation.[26] Politically, Wallis had initially been a member of the Whig party, and with the decline of the Whigs, Wallis moved into the Democratic Party ranks.[27] A literate and well-read bachelor, Wallis authored several books on Spanish history and was not only a lawyer but a man of letters and high social standing in Baltimore, who was described as possessing "a certain refinement, which seemed to pervade the entire personality of the man, his

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[24] *The Daily Exchange*, February 2, 1861.
[25] *The Daily Exchange*, March 5, 1861.
[26] William Wirt was one of the first attorneys to appear regularly before the Supreme Court, and argued in the landmark cases *McCulloch v. Maryland* and *Cherokee Nation v. Georgia.* See Horace H. Hagan, "William Wirt" *Georgetown Law Journal*, Volume 8, Issue 4, p. 12.
[27] General biographical information on Teackle Wallis from Bernard C. Steiner, "Severn Teackle Wallis: First Paper," *The Sewanee Review* 15, no. 1 (January, 1907), 58-74.

dress, his bearing, and his manners."[28] As a resident of downtown Baltimore, Wallis became embroiled in, and deeply opposed to, the "mob town" practice of ward politics embroiled in the gangs and the rise of the Know-Nothings that was common in Baltimore in the 1850s. Wallis prided himself a reformer, and attempted to work with the gang leaders and nativist thugs to bring peace back to Baltimore politics. Wallis was so committed to this course that when in 1857 President Buchanan offered Wallis the position of United States District Attorney for the Third Circuit, Wallis declined the position, feeling he was instead making a real difference in local politics.

During the municipal elections of 1859, Wallis hoped to confront the American Party ward bosses directly and created a Reform Association in the Tenth Ward that challenged the election of the Know-Nothing candidate as fraudulent. He eventually went to court to invalidate the election.[29] In the aftermath of this successful challenge, Wallis was often in Annapolis, working with the Legislature on police reform bills and reformed election laws for the City of Baltimore. Wallis also became, after the conventions of 1860, a solid Breckinridge supporter and vocal opponent to Lincoln, and subsequently, Governor Hicks. On election night in 1860, Wallis addressed a celebratory crowd in on the streets of Baltimore soon after the Breckinridge victory was announced. Wallis

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[28] Introduction to *Severn Teackle Wallace: Memorial Edition Vol. I,* (Baltimore: John Murphy & Co., 1896), xiii.

[29] The best analysis of the Know Nothings in municipal government in Baltimore and the tie to the Ward bosses and gangs is Tracy Matthew Melton, *Hanging Henry Gambrill: The Violent Career of Baltimore's Plug Uglies, 1854-1860* (Baltimore: Maryland Historical Society Press, 2005). Melton's narrative positions S. Teackle Wallis as the patrician counterpoint to the street violence in Baltimore, and the elections of 1859 are covered in pages 340-348.

lauded the victory, congratulating the voters on voting to insure that "the place of the state of Maryland is by the side of her sisters of the South."[30]

Wallis felt that soon after the cotton states succeeded that Maryland should call a convention to consider the issues so the people could be heard. This position of course, put Wallis directly opposite Governor Hicks, who refused to have any sort of session. Hicks's inaction infuriated Wallis, and at a secessionist gathering on February 1, 1861, at the Maryland Institute, Wallis attacked Hicks, mocking his Unionism, "To tell Maryland to cling to the Union, then, is to bid her to cling to the North, and clinging to the North means clinging to the Republican Party."[31]

Wallis' upper south sectional brand of secessionism was defined by his legal education, for he felt that any sort of coercion of a state was not supported by any Constitutional precedent, and that he could not understand how anyone (particularly Unionists) could even consider "hanging and shooting men back into brotherhood and union with us."[32] Wallis ended his speech at the secessionist rally by pontificating against the abolitionists: "The people of the South won't—and the People of Maryland never will—submit to have religion and morality manufactured for them by Massachusetts. We will never consent to accept Plymouth Rock as the touchstone of right and truth."[33] Wallis was a savvy orator, for he was incensing his audience with anti-abolition, anti-extremist rhetoric, another tactic of the upper south sectionalist, for the origin of

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[30] *The Daily Exchange,* November 7, 1860. The paper reported that the returns from Baltimore's twenty wards were Breckinridge 14,950, Bell 12,619, Douglas 1,502 and Lincoln, 1,084.
[31] Steiner, "Severn Teackle Wallis: First Paper," 66.
[32] Steiner, "Severn Teackle Wallis: First Paper," 67.
[33] S. Teackle Wallis, *Speech of S. Teackle Wallis as Delivered at the Maryland Institute* (Baltimore: Murphy & Co., 1861), 9.

disunionism did not lie with slavery and its extension, but with the relentless, anti-Constitutional maneuvering of the Garrisonians in New England.

While Wallis and Glenn were promoting the secessionist cause in Baltimore, James Pearce was serving as Anthony Kennedy's partner in the United States Senate from Maryland, yet the two men were of very different minds. Kennedy, the urbane Baltimorean and brother to the literary John Pendleton Kennedy (see Chapter 2) was the counterpart to Pearce, a slave owner from rural Eastern Shore Kent County. As the Maryland legislature has long adhered to an unwritten pact in the appointment of Senators that one would be from each shore of the Chesapeake Bay, James Pearce was selected to the Eastern Shore seat in 1843 and would serve in the Senate for the next 20 years. Born into a moneyed family in Kent County, Pearce was educated at Princeton University and then apprenticed at law in Baltimore with Judge Glenn (William Wilkins Glenn's father), and then moved briefly to Louisiana to work with his father at the family's cotton plantation. Pearce was lauded by his friends and neighbors as a noted agriculturist, and even attempted, unsuccessfully, to grow cotton in on the Eastern Shore.

After returning to Maryland, Pearce settled in Chestertown and began to practice law, earning the respect of his local community for his intelligence and calm manner. [34] Pearce's political career began in 1831, when he was elected to the Maryland House on the Whig ticket. Like many of his contemporaries in Maryland, in his early career Pearce was a strong Whig and even served as a Van Buren elector. After two terms in the Maryland House Pearce moved to the Maryland Senate, and in 1843, the United States

[34] General biographical information on Pearce from Bernard C. Steiner, "James Alfred Pearce," *Maryland Historical Magazine* 16, no. 1(1921): 150.

Senate. Still a Whig at this time, Pearce would become a fixture in the Senate and maintain close friendships with powerful Senators, including William Fessenden of Maine. Pearce was a member of the Smithsonian Institution Committee with fellow Marylander and Supreme Court Justice Roger Taney, and Pearce was also deeply involved in the appropriations for the Navy and for the settlement of the territories. With the dissolution of the Whig Party in 1855, Pearce became a strong, pro-slavery Democrat, not surprising given that he owned slaves himself both in Maryland and at his father's estate in Louisiana.

Pearce's involvement in the territorial growth of the country brought his opinions on the Kansas-Nebraska Act into the public record, which he voted in favor of but would later regret. Pearce was later against the bills for a "free" Kansas, and found himself also embroiled in the caning incident of Preston Brooks and Charles Sumner in 1856. After Brooks viciously attached Sumner, the Senate convened a committee to investigate the incident. Pearce lead the committee to conclude that Sumner's remarks had contained "irritating and offensive epithets," and "was offensive in the highest degree to every one whose fortune it was to live within the limits of a slaveholding State." Ever the upper south sectional brand of secessionist, Pearce also declaimed all the irrational rhetoric surrounding the caning incident, chiding fellow Senator Robert M. T. Hunter of Virginia fiery speech against Sumner as inappropriate, adding "The Senate ought to discuss grave subjects, calmly and temperately." [35]

[35]Bernard C. Steiner, "James Alfred Pearce," *Maryland Historical Magazine* 18, no.4 (1923): 356.

Pearce might have argued for calm and temperate discussion; however, he was still very adamant in making sure that his constituents and the legislators in Annapolis understood his secessionist views correctly. In a public letter to the Maryland State Senate in 1860, Pearce's tone was agitated in response to the way he was being portrayed as "not candid in my support of the democratic party."[36] Pearce made clear that not could be further from the truth, and that "I have given to the democratic party a cordial and exclusive support since 1855." Pearce also took the public opportunity to make clear his opinion on the slavery question, stating that "No man in the Senate here would hazard any such assertion as that I was, in any respect, timid or wavering in support of the slavery institutions." Pearce concluded with a paradoxical reassurance--that he was not a secessionist, but he was "resentful enough towards every shade of anti-slavery to satisfy the prejudices of all Southern men." Pearce was parsing out words in creative ways, for it was very hard to not be a secessionist while also being unwavering in support of slavery. However, as an upper south sectionalist, Pearce wanted everyone to understand that he was not a man of extremes and he tempered any sort of incendiary language.

Pearce was also engaged in distributing pamphlets and letters for his constituents, including a professionally printed and widely read pamphlet on the subject of the 1856 elections authored with former Maryland Governor and United States Senator Thomas Pratt. Pratt had preceded Anthony Kennedy in the Senate, and was lobbying with Pearce in 1856 for the Buchanan ticket. Pearce took the campaigning opportunity to make clear to his constituents of his distaste for extreme politics, and that the rabid abolitionist must

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[36] "Letter from Senator Pearce, of Maryland, *The Sun,* February 24, 1860.

be silenced, or, in his scholarly way, "venit summa dies et ineluctabile tempus Dardanice," which Pearce did not translate for his presumably Latin-literate audience that the battle between the North and South was as old as the battle for Troy, and that soon Americans would be saying "then came the inevitable last day and time" of the Union.

The last days of the Union were certainly on the mind of Judge Alexander Hamilton Handy, a Mississippi jurist and native Marylander who was sent to Baltimore as a commissioner for secession, to lure upper south Maryland into allegiance with the secession-leaning cotton states. On December 19, 1860, Handy spoke to a crowd at the Maryland Institute Hall, where the Judge delivered a racially charged and doom and gloom message to the assembled Marylanders. Handy was taking his message directly to the people, for earlier that day he had had a wildly unsuccessful meeting with Governor Hicks. Hicks, as he did with everyone else (including his constituents), flatly refused all of Handy's suggestions to immediately call for a special legislative session. Handy's speech following his failure in changing the Governor's mind amped up the tension, warning Marylanders that the Republicans would "repeal the laws which prohibit circulation of incendiary documents, so that they may be sent among the slaves to excite them against their masters," and predicting that it was time for the South to try "amputation" to bring about "a healthy state."[37] In the next morning's paper, *The Daily Exchange* reported that a "very large crowd of 1,500 to 2,000 persons" were assembled, and when Judge Handy was announced, "vociferous cheers were given." It was also

[37] Handy's visit to Baltimore is expertly detailed in Charles B. Dew, *Apostles of Disunion: The Southern Secession Commissioners and the Causes of the Civil War* (Charlottesville: University of Virginia Press, 2001), 32-35.

noted by the paper that local attorney William Harrison had, while introducing the speaker, urged the crowd to convince Judge Handy to return to Mississippi convinced that "Maryland of 1860 is heir to its old line of 1776, and for weal or woe, is one with her sisters of the South."[38]

Maryland secessionists were a myriad group—wealthy business leaders, lawyers, Eastern Shore farmers, and the urban immigrants. Whether or not leaders like Glenn, Wallis, and Pearce would form a strong pro-secession coalition remained to seen, pending Lincoln's inaugural. Although secessionists, these men were also strong examples of upper south sectionalism, with their scorn towards extremism and their hope to find coalition on the slavery issue. The secessionist upper south sectionalists of Maryland were opposed to any sort of coercion and refused to budge on their Constitutional right to have slavery in their state, whether or not they owned slaves themselves.

The Secessionists of the Old North State

North Carolinians closely watched the secession conventions as they were called in the states of the lower south. Governor Ellis, a life-long Democrat, sent a message to the legislature soon after Lincoln's election urging them to vote for the assembly of a state convention on secession.[39] Governor Ellis's call was quickly repudiated by not only the Opposition and Unionists, but by the newspaper of his own party, the *Standard*. In a November 28, 1860, editorial, Holden stridently asserted a Unionist position and

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[38] "Meeting at the Maryland Institute," *The Daily Exchange,* December 20, 1860.
[39] Governor Ellis' message of November 20, 1860 is discussed in Joseph Carlyle Sitterson, *The Secession Movement in North Carolina*. (Chapel Hill: University of North Carolina Press, 1939), 183-87.

denounced the Governor's message. Union Democrats led by Holden increasingly pulled away from the national Democratic Party, identifying themselves as members of a Whig and Democrat Unionist coalition with no ties to past party affiliations. Holden declared on his editorial page that "we know no party, and we neither cherish nor remember any personal differences in this great struggle for the Union. We are for the country without regard to men or party."[40] Even Whig newspapermen, such as Edward J. Hale, editor of the *Fayetteville Observer*, supported their former enemy Holden, writing that "old party lines are forgotten, as if they had never existed."[41]

The election of Lincoln and the secession question divided North Carolina Democrats even further during the General Assembly session of 1860. The strong secessionists in the party pushed for a convention and quick secession; however, upper south sectional Democrats were able to align with oppositionists to block any such move. The *Wilmington Journal* reported that "the majority of the people in North Carolina still hope there will ultimately be an adjustment of the differences between the two sections," and that Tar Heels were still unwilling to call a convention to even discuss the possibility of secession.[42] Given the conflicting impulses of secessionism and the upper south sectional identity that embraced compromise and patience, the leadership of the Democratic Party had to align their constituents and refine their public discourse in order to coalesce the secession-leaning population.

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[40] Editorial, *North Carolina Standard,* February 13, 1861.
[41] *Fayetteville Observer,* February 25, 1861.
[42] Editorial, *The Wilmington Journal,* March 14, 1861.

North Carolina's senior United States Senator, Thomas Clingman, was a leading secessionist in the state, although much in his background might suggest the opposite. From the Piedmont's Yadkin County, Clingman was a graduate of the University of North Carolina and a lawyer in Asheville in the 1830s. An adherent of the Whig party at the beginning of his public career, Clingman was originally voted into the North Carolina House in 1835, to the North Carolina Senate in 1843, and then the U.S. House of Representatives in 1844. In December of 1844, Clingman lambasted the national Democrats, calling them election riggers and accusing the Southern wing of the party as "false watchmen of the South—traitor sentinels!" [43] Clingman's remarks brought about a rebuttal from a young William L. Yancey of South Carolina. The remarks were so personal that Clingman demanded an apology; Yancey would offer none. In early 1845, Clingman challenged Yancey to a duel, a challenge that Yancey accepted. The duel was set for January 13, 1845 in Baltimore, and after both men missed with their first shots they agreed to public apologies. As dueling was technically illegal in Maryland at the time, the whole event became tabloid fodder as the Maryland police were attempting to stop the duel and find its "secret location." Clingman's thwarted duel with Yancey was telling for two reasons—it revealed to the political world his soon-to-be renowned hot headedness, as well as his dogged ambition.

Clingman's ambition would be evident when with the collapse the Whigs in 1855, he moved not toward the Know-Nothings or opposition but to the Democratic Party,

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[43] General biographical information on Clingman in Thomas E. Jeffrey, *Thomas Lanier Clingman: Fire Eater from the Carolina Mountains* (Athens: University of Georgia Press, 1998). For the duel episode, see 44-50.

officially switching parties with the elections of 1856. Clingman would always be an outlier in the Democratic Party and a continual thorn in the side of the Buchannan administration, however an "independent" Democrat he was; Clingman joined what he perceived to be the winning side in North Carolina in the mid-1850s. His neighbor in Asheville, United States Representative Zebulon Vance, would choose the opposite path, pitting them and Western North Carolina voters against each other in the coming years.

Like his Democratic colleague William Holden, Clingman was initially for the Douglas nomination in 1860. Clingman had been in Washington off and on since 1844, and had developed a respectful working relationship with Stephen A. Douglas, one that his biographer characterized as a close friendship, noting that "congressional observers frequently noticed them shaking hands or chuckling together over something that seems to be highly relished on both sides."[44] Clingman campaigned for Douglas through the Charleston and Baltimore Conventions, and had, in his own zealously ambitious mind, nominated himself for Douglas' "southern" vice presidential running mate. Although Douglas chose another running mate (Sen. Benjamin Fitzpatrick of Alabama), Clingman continued to try to gain a leadership position in the national Democratic party and was in attendance at the Douglas rally held in Raleigh on August 30, 1860. The speech of his candidate, however, became a turning point for the Senator. Clingman, like Holden, came to the conclusion that Douglas went too far in his remarks, characterized as an "ultra Union speech" where Douglas disavowed any sort of peaceable secession compromise to the North Carolina audience.

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[44] Jeffrey, *Thomas Lanier Clingman,* 153.

Clingman was now forced to declare himself one way or another, and while like Holden he would endorse the Breckinridge ticket, he would also go further than Holden and declare himself a state's righter. As reported in the *Charlotte Democrat* on September 11, 1860, Clingman revised his public positions: he was completely opposed to "the doctrine of coercing States to submission…no States Rights man could consistently vote for Mr. Douglas after he had enunciated such a policy."[45] Clingman also vowed that North Carolina should never submit to the "practical workings of the Black Republican Party" and urged resistance. Clingman continued to publically break with the Douglas Democrats (and by association, his friendship with Douglas) and became an ardent secessionist, making a floor speech on disunion the day after Congress opened in December of 1860. Clingman's speech held nothing back: "It is not, for example, that a dangerous man has been elected to the Presidency of the United States. …I assert that the President elect has been elected *because he was known to be a dangerous man*. He avows the principle that is known as the 'irrepressible conflict.' He declares that it is the purpose of the North to make war upon my section until its social system has been destroyed."[46]

Clingman, of course, was not the only North Carolina senator, or secessionist, in residence in Washington at the start of the second session of the Thirty-sixth Congress. In January 1861, North Carolina's junior United States Senator, Thomas Bragg, Jr., sat down in his rooms at Brown's Boarding House in Washington and began chronicling the events swirling around him, writing that "for some time I have had it in contemplation to keep a diary or Journal. We are in the midst of great events and no one can tell what a

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[45] *Charlotte Democrat*, September 11, 1860 in Jeffrey, *Thomas Lanier Clingman,* 154.
[46] *Congressional Globe,* 36th Congress, 2nd Session, December 6, 1860, 3-5. Italics in original.

day or hour may bring forth."[47] Just as Zebulon Vance and John Gilmer were in the House; Bragg was also a daily witness to the decaying government and increasingly hostile environment in Congress. Bragg was different from Vance and Gilmer in one key way—he was a secessionist. Bragg, however, was a reluctant, upper south secessionist—his type of upper south secessionism was very different from the William Yancey and Robert Barnwell Rhett variety, less fiery and more cautionary and conciliatory. Bragg's 1861 diary is full of his conflicted secessionism, and one thing Bragg did share with the Unionists in his state was the hope that the Lincoln administration could find some way of reaching a compromise.

Bragg's path to the United States Senate began with service in the North Carolina General Assembly in the 1840s and two terms as governor, from 1855 to 1859. Bragg was a lifelong member of the Democratic Party and hailed from eastern Northampton County, where he had a successful law practice. Bragg's younger brother was General Braxton Bragg, a hero of the Mexican-American War. Bragg was the personification of the Democratic Party leadership in North Carolina—educated, erudite, and blessed with strong family connections and strong party ties.[48] Bragg was elected over Whig candidates in both 1854 and 1856 to capture the governorship, and in 1856 Bragg defeated fellow member of the state's Congressional delegation, John Gilmer, for Governor. Bragg's two terms in Raleigh were marked by focus on internal improvements and oversight and management of the North Carolina Railroad. Elected to the Senate in

[47] Diary quotes are all from Thomas Bragg diary, #03304-z in the Southern Historical Collection, Louis Round Wilson Special Collections Library, The University of North Carolina Chapel Hill. The diary is transcribed, and page numbered in the transcription. Quote from page 1.
[48] For biographical information on Bragg, see C.E. Pitts, "Thomas Bragg" in William S. Powell, *Dictionary of North Carolina Biography* (Chapel Hill: University of North Carolina Press, 1979), 209.

1858 in a somewhat suspect election, Bragg arrived in Washington as a professed states-rights advocate.[49]

Bragg was, somewhat surprisingly, a tepid supporter of the presidential candidacy of Stephen A. Douglas at the beginning of the Thirty-sixth Congress. Perhaps owing to party loyalty, or to the happiness Bragg got from watching Douglas battle the Republicans, Bragg's diary was full of positive commentary on the Illinois senator – of a floor speech on January 3, Bragg journaled, "Opposed as I had been to Douglas, I went to him and said 'that his speech was one of the noblest efforts of his life.' As coming from Mr. D. it was the best speech for the South that he could have made – He will be of infinite service to the South in stemming the Northern torrent which lately seems to have increased and to be more threatening."[50] Douglas even approached Bragg on January 21 with a resolution to be sent to the legislature in Raleigh, which stated that the National Democratic Party was willing to make some concessions on the slavery question if North Carolina would not secede. Douglas felt that North Carolina could have "much effect at the North, especially when coming from a State so conservative as No. Carolina, and would enable him to hold the Republicans in check and even break them down." Bragg promised to send Douglas' proposal along, but in typical upper south sectionalist distain

[49] Senator David S. Reid's term in the US Senate was expiring in 1858, and Reid had hoped to run for reelection. However, Reid had been felled by illness for much of 1858, and ambitious Democrats circled for his seat—including, for a time, William Holden. Bragg was chosen by the party as the nominee to break the conflict between Holden's and Reid's supporters. See Thomas E. Jeffrey, *Thomas Lanier Clingman: Fire Eater from the Carolina Mountains.* (Athens: University of Georgia Press) 1998, 127-128.
[50] Bragg diary, 3-4.

for extremes, he was not excited about its chances: "It is highly possible however that it will meet with opposition from the extremists. We shall see." [51]

Bragg may have been willing to work with Douglas to a certain extent, but he was distressed to see his fellow Southern senators slowly remove themselves from the Senate. On February 4, 1861, Louisiana Senators John Slidell and Judah Benjamin resigned, and Bragg was crushed: "Mr. B. [gave] one of the most eloquent speeches I ever heard—the Senate was hushed into positive stillness…there were parts of his speech most touching and pathetic, drawing tears from many – I confess myself to have been overpowered and could not restrain myself."[52] Earlier, when the Senators from Florida and Alabama withdrew, Bragg was equally humbled – "The Senators took formal leave of Senate, each delivering short speeches. The scene was a solemn one."[53] Bragg's tone in describing the departure of the Senators was a sad one, but not once did he question the motives and reasons why the secessionist Senators were leaving the body, nor once condemn their actions as disunionist and treasonous. Bragg supported the withdrawal, and while hoping North Carolina could avoid secession and subsequently, Bragg's own departure from Capitol Hill, he was impressed with the dignity and honor of his fellow Southerners.

While other Senators were withdrawing, Bragg was having his own difficulties with his partner in the Senate from North Carolina, Thomas Clingman. Bragg's diary reveals that he was somewhat deferential to Clingman, an odd stance for a former two-term governor to take. Bragg reported in his diary that in early January Senator Alfred

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[51] Bragg diary, 21-22.
[52] Bragg diary, 41-42.
[53] Bragg diary, January 21, 1861, 32.

Nicholson from Tennessee lobbied Bragg to sign on to a resolution from the upper south, advising that "the governors and people of the states of Delaware, Maryland, Virginia, Tenn., North Ca., Kentucky and Missouri for the purpose of avoiding Civil War…to send commissioners to Baltimore on the 13th of February."[54] Bragg had no problem with signing the resolution, provided that "my Colleague, Mr. Clingman would do so."

Thomas Clingman, however, would not. When approaching him with the Nicholson compromise, Bragg found Clingman in the midst of preparing letters to Raleigh urging the Legislature into session to call for a convention. Clingman instead convinced Bragg to not sign Nicholson's proposal but instead sign on to Clingman's letter to North Carolina also endorsed by Lawrence O'Bryan Branch of the fourth district, F. Burton Craige of the seventh district, and Judge Thomas Ruffin of the second district. Not surprisingly, Zebulon Vance and John Gilmer refused to sign on with the Washington delegation, although Bragg did feel that Vance could have been persuaded because Vance believed the people of North Carolina had the right to make their views known through the balloting for or against a convention, however, Vance eventually refused to join the secessionists.

Bragg continued to monitor the events in North Carolina while in the capitol, and in February of 1861 Clingman brought to him a pamphlet that Vance had prepared for this constituents that was "out and out against secession, and is very well calculated to produce some effect among his constituents….my impression is that the secessionists will

[54] Ibid, 2

be beaten in No. Ca."[55] While Bragg continued to support slaveholder's rights in the Senate and continued to ally with Clingman (even reservedly), he believed that his home state would remain in the Union, and that some compromise would still be reached prior to Lincoln's taking office. Bragg was the model of the upper south sectionalist—not a fire eater, nor a vocal opponent of the new President.

North Carolina's secessionist leadership was also led by the aristocratic, elegant, and Princeton-educated lawyer Lawrence O'Bryan Branch of northeastern Halifax County, who promoted a strong legal interpretation of the constitutional rights of the slaveholders. Branch had been raised in both Halifax County and in Washington, D.C. by his uncle, John Branch, who served as Andrew Jackson's Secretary of the Navy. When John Branch was sent in the 1840s to serve as the last territorial Governor of Florida, Lawrence went with him, briefly fighting in the Seminole Wars before law school and beginning his law practice in Raleigh. In the 1850s, Branch also served as president of the Raleigh & Gaston Railroad and became a wealthy and respected businessman and attorney. He moved into politics in 1854, with his election to the United States House as a strong Democrat. Branch was a large slave and plantation owner. In 1858 he wrote to his wife that he was headed to New Bern, as "I have just received a letter from Mr. Keerl…offering me 34 Negroes. Mr. Keerl's price is $20,000. I think I will buy them."[56] Such a large purchase, mentioned casually at the end of a letter, reveal that Branch was a large and moneyed member of the slaveholding class, and like Bragg,

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[55] Bragg diary, 55.
[56] General information on Branch in A. R. Newsome, "Letters of Lawrence O'Bryan Branch," *The North Carolina Historical Review* 10, no. 1 (January, 1933): 44-79, quote on 56.

Branch was part of the "squirarchy" of North Carolina. Branch was a frequent contributor to the newspapers, writing some of most eloquent defenses of states' rights to appear in editorials. In June of 1855, Branch wrote a letter to the editor against the Know-Nothing surge in the state, stating that, "I everywhere warn the North-born man against countenancing Know-Nothingism…the spirit it engenders and the prejudices it appeals to, will not be content with the victims it is now pursuing." [57] As members of the same party, William Holden and Branch were, at least prior to Lincoln's election, political allies, and Holden used his paper to promote Branch's three terms in the House.

Branch maintained an almost daily correspondence with his wife back in North Carolina during the tumultuous House sessions of 1859 and 1860, in which he chronicled the mundane as well as the explosive happenings in the House chamber and in the capitol. In Washington, Branch was a vocal member of the body and given his early years in the city with his Uncle, Branch moved easily in Washington society and was able to strongly present his ideas on the constitutionally protected right to hold slaves. At the end of the 1859 session, Branch become so enraged over a vicious debate with his colleague from Pennsylvania, Galusha Grow, over a minor postal appropriations bill that Branch challenged Grow to a duel. Branch's impatience with Grow has been building since 1855, as Grow was characterized as being "to southern politicians the most aggravating of the Republicans; he was one who could, and did, goad impulsive southerners to desperation, in which he took delight."[58] Grow, citing that dueling was against the Christian faith and moreover, against the law, declined Branch's challenge.

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[57] Raper, *Papers of William Woods Holden,* 79.
[58] Johnston, *The Papers of Zebulon Vance,* 44n.

Branch and Grow were each briefly detained to keep the peace, but nonetheless when the dust settled, Branch had openly declared political war on the Grow-led, and abolitionist fueled, faction of the House leadership.[59]

At the request of the Buchanan administration during the 1859 session, Branch became deeply involved in the drafting of a bill on the acquisition of Cuba, which proposed that the United States pay the Spanish government for the island. Most Southerners supported the addition of Cuba to the United States, hoping that it would increase the slave presence in the country and solidify the economic slave interests of the nation. In letters home, however, Branch was less than certain of this bill's passage, noting that "the Black Republicans oppose the acquisition of the island on any terms because it has slaves…and 2nd many of the fires eaters whilst anxious to get it, prefer to take it by force and robbery, and hence oppose my bill." In one of the more ironic analyses of the Congress of the late 1850s, Branch concluded that "it is astonishing how frequently the abolitionist and fire eaters are found acting together, it has got to be so to a greater or less extent on almost every question…Extremes meet."[60] Branch's apparent distaste for extremes is a telling part of his upper south sectionalist mindset—while a strong supporter of the rights of slave holders, Branch would continually deride the fire-eaters in his correspondence as hacks and conspirators, unworthy of his consideration and road blocks to his important Cuba legislation. Branch shared the same lodging house in Washington with a leading fire-eater, South Carolina Representative Milledge Bonham,

[59] Branch's challenge, and Grow's reply, are summarized in A. R. Newsome, "Letters of Lawrence O'Bryan Branch," 44-79.
[60] Newsome, "Letters of Lawrence O'Bryan Branch," 57.

and had nothing nice to say about him, lamenting to his wife that "He is habitually unfaithful to his wife in thought and conversation if not in deed, a fire eater in politics, and of very limited intelligence."[61]

Along with William Holden, William Waightstill Avery, Robert Dick, and the rest of the North Carolina Democratic leadership, Branch attended the fractious Charleston Democratic convention in the spring of 1860, and when that fell apart, prepared to re-launch his slaveholder's rights campaign in Baltimore in June. However, Branch was prescient in his letters to his wife, predicting that "I think the present prospect is that the Democratic Party will have no Presidential Candidate and Lincoln will be elected. I think the Baltimore convention will break up without making a nomination."[62] In an attempt to avoid that outcome, Branch furthered his thinking and political position in a May 1860 pamphlet that was drafted for his constituents entitled "Congressional Intervention in Regard to Slavery in the Territories." Professionally published in Washington and printed by the *Congressional Globe* office, Branch's pamphlet was a reminder to North Carolinians of the ten years of outrages that the South had endured, the continual breaches of the Constitution, now resulting in the fracturing of the Democratic Party. Branch was eloquent yet forceful, and proposed three doctrines for the South to follow;

I. The citizens of the slaveholding States have a right to remove with their slaves into the Territories of the Union, and the territorial legislatures cannot abolish slavery so as to deprive them of the property;

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[61] Newsome, "Letters of Lawrence O'Bryan Branch," 64.
[62] Newsome, "Letters of Lawrence O'Bryan Branch," 75.

II. It is the duty of the territorial legislatures to pass all laws necessary for the protection of the slave owner;
III. If the territorial legislatures…fail to pass laws to protect him {the slave owner} it is the duty of Congress to pass all such laws to enable the slave owner to use and enjoy his property conveniently and advantageously. [63]

Branch ended his appeal to his constituents with dire warnings and predictions—"Are you willing to see it (the Democratic Party) broken and destroyed, so that is can never again know victory? If you are not, speak out before the 19th of June."[64]

As much as Branch appealed to his constituents to save the Democratic Party, he could not do it. Branch, along with all of the North Carolina delegation except William Holden, J.W.B. Watson, and Robert Dick, walked out of the proceedings in Baltimore, behavior that would label Branch a staunch secessionist. Branch was not quite that, however, for he would hastily pen a letter clarifying this position on the matter of the Democratic Convention. Drawing from his Princeton educated lawyer's mind, Branch noted that he left the Baltimore convention because it was no longer the "*National* (italics Branch's) Democratic Convention," and therefore, he did not "feel justified in remaining in the Convention and assuming to bind my constituents, after it had been reduced to a strictly Sectional assemblage."[65] Branch was walking a fine legal plank, one that was informed by his upper south sectionalist identity that any extremism was to be avoided, and that while bound to preserve the rights of slaveholders, Branch did not see that signing on to a "Sectional assemblage" would ever be advantageous. Branch's blind spot

[63] Lawrence O'Bryan Branch, "Letter to His Constituents," May 15, 1860. (Washington, DC, Congressional Globe Printing Office). Accessible at http://quod.lib.umich.edu/m/moa/ABJ4274.0001.001 through the Making of America digital Library.
[64] Ibid, 16.
[65] Ibid, 77

was that the rights of slaveholders was a sectional belief in and of itself, no matter how much the elegant lawyer attempted to portray it as a constitutional issue.

By December of 1860 Branch was frustrated and demoralized, writing to his wife that "I do not see how the Union is to be saved from dissolution. Some of the Black Republicans are anxious to conciliate but others will not consent. On the other hand, South Carolina will not be conciliated."[66] As Branch prepared to leave Washington for the Christmas break, he was approached by Attorney General Jeremiah Black of Pennsylvania and asked to serve as the Secretary of the Treasury in the Buchanan Administration, which was quickly dissolving (see Chapter two, note 88). Branch respectfully declined, and while saying to his wife that he was honored to be offered "the second office in the Cabinet in dignity and the first in importance and difficulty," Branch quickly declined. Branch was too savvy a politician to sign on to the sinking ship of the Buchanan administration and was most likely aware, at least in his unspoken political opinion, that the Union was about to fall apart.

In February of 1861, Branch was back in Washington, serving on the House Committee on Military Affairs, when he received a letter from Governor Hicks of Maryland, desperate to know if General Winfield Scott had information on a secessionist plot to overtake the capitol. Branch dutifully took Hicks' letter to the House and General Scott, but no action was necessary, as no proof existed. As recounted in Bragg's diary, "The general opinion is that the whole matter is an exaggeration," but nonetheless,

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[66] Newsome, "Letters of Lawrence O'Bryan Branch," 78.

Branch was caught up in the upper south's attempt to exert some control over the rapidly devolving situation in Washington.[67]

While Branch was in Washington, William Waightstill Avery was massing the secessionist coalition in North Carolina. A young and eloquent Democrat from Burke County in the western part of the state, Avery hailed from the family's large pre-Revolutionary plantation, Swan's Pond, near Morganton. The valedictorian of the Chapel Hill class of 1837, Avery read law in Charlotte and entered the Legislature at twenty-six in 1842. A strong western Democrat, Avery was praised by Holden in the *Standard* as sustaining "the banner of Democracy and defended its cause against an overwhelming majority of the people of the mountain circuit….Mr. Avery enjoys much personal popularity."[68] Marrying the daughter of former Governor and railroad magnate John Motley Morehead only enhanced Avery's social and political position in the state, and by 1856 he was being considered for the Speaker's role in the North Carolina Senate and important leadership within the state Democratic Party. Avery's western residence also brought him in direct allegiance, and often conflict, with Thomas Clingman and Zebulon Vance. When Clingman's seat was available in the house, Avery was handpicked to replace Clingman, yet Avery met his match with the campaign of the opposition for Vance. In the 1858 U.S. House election, Vance defeated Avery by a margin of two thousand votes, sending Vance back to Washington but leaving Avery back in North Carolina to lead the secessionist charge in the West.

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[67] For more information on Branch's letter from Hicks, see Bragg Diary, 39.
[68] *The North Carolina Standard*, November 26, 1856. General biographical information on William Waightsill Avery from Owen M. Peterson, "W.W. Avery in the Democratic National Convention of 1860," *The North Carolina Historical Review* 31, no. 4 (October, 1954), 463-478.

Avery's notoriety and influence was strong, and much of it was attributed to a curious incident in Salisbury in 1856. When Avery was a lawyer at court in Salisbury, he had a run-in with Samuel Flemming, a North Carolina House member from Yancey County. Flemming and Avery quarreled at the courthouse over Flemming's "rough ways" and drinking; the argument culminated in Flemming horse-whipping Avery in the busy courthouse square.[69] Three weeks later, Avery saw Flemming at the courthouse completing a sale of horses, and Avery, avenging his disrespect of being publically horsewhipped, approached Flemming and shot him dead at point blank range, in front of a crowded session of court. Avery was arrested and charged, yet his jury acquitted him on the grounds of temporary insanity. Judge Battle, who presided over the case, later recalled that "public opinion in that day was clear that any man subjected to the ignominy of being horsewhipped would be ipso facto rendered insane and the death of the assailant would be righteous retribution."[70] If anything, Avery's murder of Flemming only enhanced the public's view of him and his chances at securing state wide leadership.

Avery's leadership in the state party gave him in an important role in the 1860 Charleston convention. Avery was chosen as chairman of the Party's platform committee, and was a leading voice in the need for resolutions calling for the federal protection of slaveholder's rights, including the right to move slave property into the western territories. Avery twice spoke to the floor in Charleston, pushing a pro-southern platform to come from the national convention. On April 28, Avery's speech with full of

[69] Flemming was known to campaign for the House with a bottle of whiskey that he passed around; for description of the Flemming affair see Johnston, *The Papers of Zebulon B. Vance,* 56n.
[70] Johnston, *Papers of Zebulon Baird Vance*, 56n.

secessionist rhetoric, demanding that "Congress has no power to abolish slavery in the territories…the territorial legislature has no power to abolish slavery in any territory." Avery's speeches also underlined the greatest fear of the North Carolina secessionist—that out and out coercion was coming, and soon. In April 1860 Avery never imagined that Lincoln would be elected; however, his speeches warned that the Douglas camp would be the agents of coercion. Avery stoked the fear by saying "that wherever there is competition between the North and South that the North can and will, at less expense of difficulty, secure power, control and dominion over the territories," and that the actions of the Douglas Democrats amounted to the removal of the rights of Southerners "as effectually as if you had adopted the Wilmot Proviso out and out." [71]

Avery's speeches and leadership, however, were put on hold when the convention adjourned with no nominee and agreed to reconvene in Baltimore on June 18. Avery was in attendance at Baltimore, but on the opening day he addressed the political party he had been active in his whole life for the last time, issuing his distaste for the entire proceeding and the shocking disregard of the Douglas faction to hear dissent. And with that speech, Avery "bolted" the convention for the pre-Southern meeting being held across town at Institute Hall, where again he was chosen to serve on the resolutions committee for the body that would ultimately nominate Breckinridge and Lane for the presidency.[72] Prior to the secession of South Carolina in December of 1860, Avery wrote to his friend Thomas Ruffin, stating that North Carolina could no longer, "consistent with her own honor and

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[71] For Avery's role at the Charleston Convention, see Owen M. Peterson, "W.W. Avery in the Democratic National Convention of 1860," *The North Carolina Historical Review*, Vol. 31, No. 4 (October, 1954), 463-478.

[72] "National Democratic Convention: Adjourned Session," *The Daily Exchange*, June 19, 1860.

safety, remain a member of the United States."[73] Avery, back in North Carolina, became one of the strongest voices urging Governor Ellis to call a secession convention.

By late 1859, Governor John Ellis found himself in a place he did not expect to be. The courtly and bookish former judge, elected on a Democratic anti-ad valorem campaign in 1858 (see chapter one), was suddenly being thrust in the national debate over slavery, abolition, and disunion. Raised on a plantation in Davidson County and well educated at both Chapel Hill and then as an apprentice at law, Ellis hailed from the same socio-political class that Lawrence O'Bryan Branch and Avery did. At his first inaugural address in January of 1859, Ellis, in equivocal upper south language, told his constituents that "grievous as are these causes of discontent, we are not prepared for the acknowledgement that we cannot enjoy all our constitutional rights in the Union."[74] By the time of his address to the Democratic State Convention in March of 1860, Ellis was already talking like a budding secessionist, for in a speech purportedly about the ad valorem issue in North Carolina, Ellis also took the opportunity to launch a jeremiad against the then-presumptive Republican candidate, William Seward. Ellis warned the Democrats that in Seward's speech in Rochester, "Seward speaks the sentiments of his party…the proof upon this point is clear. In a book of infamous notoriety, which has received the full and complete approval of the Black Republican party, and is now

[73] J.G. deRoulhac Hamilton, *Papers of Thomas Ruffin* (Raleigh: Edwards & Broughton Co., 1918), 106-107.
[74] Governor Ellis' address, January 1, 1859, in Noble Tolbert, *The Papers of John W. Ellis Vol. II* (Raleigh: State Department of Archives and History, 1964), 312.

circulated by them as a campaign document, is among others, equally treasonable."[75] Ellis was, of course, discussing Hinton Rowan Helper's *The Impending Crisis*; yet, the title of the book alone must have been so incendiary that Ellis could not even bring himself to mention it directly. Ellis was running for reelection in 1860, and while his campaign editorials and pamphlets never advocate secession directly, Ellis increasingly became and more radical in his thinking, although he was more cautious by nature and rhetoric to ever be labeled a fire-eater. As the gubernatorial election of 1860 approached in North Carolina, Ellis felt a bit challenged. He wrote to his friend, Lawrence O'Bryan Branch in Washington, wondering how the Opposition in the state was going to do in the upcoming elections. Ellis was complimentary to Branch on his letter to constituents, urging Branch to "circulate your letter," and asking him to write of the news in Washington: "I would be glad to hear from you at all times." [76]

Ellis, as the sitting Governor, was also taking time to prepare his state for an uncertain future. In late March of 1860, Ellis was in negotiations with a Belgian trading house to use state funds to establish a subsidy to create a direct shipping service to Antwerp. [77] Not only was Ellis concerned about this election, but the ability of North Carolina's ports to sustain the state's trade should some break come with the North. Ellis also was receiving pleas from the City Council of Baltimore, inquiring about establishing a direct Steam line between the Chesapeake Bay, Southern Ports, and

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[75] Governor's Ellis' speech before the Democratic State Convention, March 9, 1860 in Noble Tolbert, *The Papers of John W. Ellis*, 388-389. Ellis was referring to Seward's famous speech in Rochester, New York in 1860 were he used the oft-quoted phrase "the irrepressible conflict" between North and South.
[76] John Ellis to Lawrence O'Bryan Branch, June 1, 1860 in Tolbert, *Papers of John W. Ellis,* 431.
[77] Blondeel Van Cuelebroeck to John W. Ellis, March 30, 1860 and return letter, *The papers of John W. Ellis*, 408-410.

Europe, and what would be North Carolina's interest in and ability to financially join such an endeavor through a bond issue, given the precarious nature of national affairs. [78] Ellis respectively declined, but noted that the time for this had not arrived yet, and "I hope the time will be when I could make such recommendation consistent with my sense of public duty." Ellis was being a cautionary optimist—not entering into any alliance but also trying to make sure his own state had some level of preparedness. Ellis was thinking about being prepared, for during the fall of 1860 he was on an impressive run of purchasing weapons and war materials for the state. Ellis had several agents in Richmond, New York and Connecticut executing large state contracts, which would not normally be an aggressive act by a sitting Governor but certainly a precautionary, and very generously financed, initiative.[79]

The city council of Baltimore was not the only party trying to reach out to Ellis—so was Governor William Gist of South Carolina. Gist, the proprietor of the large and elegant Rose Hill Plantation in upcountry (ironically) Union County, South Carolina, began writing to his fellow Governor prior to Lincoln's election. Gist's letter in October 1860 asked Ellis what day he planned to hold a convention to consider secession and suggested that "I desire to know the day you propose for the meeting that we may call our convention to meet the same day if possible."[80] Ellis had to let Gist down easy, but firmly, letting the South Carolinian know that things were not moving at the same pace in North Carolina. In true upper south sectional thinking, Ellis told Gist that the mere fact of

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[78] The City Council of Baltimore to John W. Ellis, August 2, 1860 and response, Tolbert, *The Papers of John W. Ellis,* 416.
[79] See Tolbert, *The Papers of John W. Ellis, Papers,* 560-575, for various purchases from different munitions dealers.
[80] William Gist to John Ellis, October 5, 1860, in Tolbert, *The Papers of John W. Ellis*, 466.

Lincoln's election was not eliciting, among North Carolinians, the absolute need to sever ties with the Union, and he would not ask nor instruct the Legislature to "take any steps in that direction." Gist did not give in and would continue throughout November of 1860 to write to Ellis with the political updates from the Palmetto State. Ellis's holding off of both the Governor of South Carolina and the city council of Baltimore is instructive of his upper south sectionalist brand of secessionism, for while Governor Ellis called himself a "state's rights" man, he was not willing to go to any extreme. While he would eventually ask for and support an election to determine whether to call a convention, Ellis was more interested in the people having their say than advocating a disunion approach.

Ellis might not have been an agitator; however, he was quite pleased when Carolinians exercised their opinions on secession in political gatherings around the state. On November 22, 1860, he cheerfully reported in his diary that secession meetings were held in Cleveland County and in Wilmington, both having "unanimity" and that "resolutions were for immediate secession." By December 6, 1860, Ellis was reporting more and secession meetings, without ever once mentioning the Union meetings taking place across the state. More worrisome, by December 31, Ellis was being asked by the people of Wilmington to take possession of the federal installation, Fort Caswell, at the mouth of the Cape Fear River, a request which Ellis refused outright. When the citizens of the region took over the fort regardless, Ellis demanded that the Fort be surrendered back to the lone U.S. Army Captain on site, and hastily wrote to President Buchanan that he had ordered such action. Ellis also pleaded with Buchanan to tell him that rumors of the Government takeover were untrue (which they were) but reminded Buchanan that as

Governor he was trying to quell the "public mind" and needed assurance from the lame-duck president that no movements were underfoot in his earnest desire to "prevent consequences."[81]

Like Thomas Hicks in Maryland, Governor Ellis sought to cool aggressive anti-Union behavior and was searching for an upper south sectionalist middle ground on the secession issue. However, the two men would be painted very differently by the contemporary press—Hicks as the Union loving Governor refusing to convene the assembly, and Ellis as the Governor who supported the calling of a convention but only if it was approved by the people of the state (which is was not.) Hicks and Ellis were more alike than first glance might reveal, as each Governor preached moderation and advocated for cooler heads to prevail. However, while supposedly working for moderation, Ellis was also increasingly pulling away from William Holden, his supposed ally in the support of Douglas' candidacy, Democratic Party unity and upper south unionism. During the Governor's race, Ellis was annoyed with Holden's coverage of his campaign, writing that "Mr. Holden differs with us in opinion," and "if we had an active and efficient organ here, whose editor had his heart in the matter we would have little or no trouble."[82]

The North Carolina legislature convened their normal session on November 19, 1860, and the next day Governor Ellis addressed the justifiably agitated assembly. Ellis' tone was calm, and he began his speech with important but mundane state business: a review of the public debt, Railroad construction, agriculture and education expenditures,

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[81] John W. Ellis to James Buchanan, January 12, 1861, in Tolbert, *The Papers of John W. Ellis,* 554.
[82] John W. Ellis to William H. Thomas, April 17, 1860, in Tolbert, *The Papers of John W. Ellis,* 415.

and only at the end began to address the consequences of Lincoln's election.[83] The Governor stated the obvious, in that "in view of the perilous condition of the country…we should have some consultation with those States identified with us," particularly the upper south since "any action of ours would of necessity materially affect them." Ellis was still looking for conciliation and a way to "exhaust every peaceable remedy for the solution of difficulties," however, as the leader of the State, public safety was also on his mind. The Governor's message also asked for the formation of volunteers to train as a militia, and for the passage of bills to arm the state. Ellis closed his message calling for a referendum on the convening of a convention to be passed by the Legislature, which Holden took issue with in a *Standard* editorial. For Ellis, this was the final break with his former political partner, as Ellis noted in his diary "His [Holden's] comments on the message are disapproved by the entire party in the Legislature and have in fact placed the Editor without the pail of the party."[84] At this point, prior to Lincoln's inauguration on March 4, Holden and Ellis were personally at odds with one with one another, and if Holden was a Unionist, then in the law of opposites Ellis must have been a secessionist by now. However, the either/or structure is too narrow when comparing the two men—Ellis was a moderate upper south Governor who leaned toward resisting coercion but was by no means advocating secession immediately after the November presidential elections.

On the night of December 18, 1860, Governor Ellis entertained a special guest at that Governor's Mansion in Raleigh, Secretary of the Interior Jacob Thompson of

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[83] Ellis' speech to the General Assembly in Tolbert, *The Papers of John W. Ellis*, 489-515.
[84] John W. Ellis diary, November 24, 1860, in Tolbert, *The Papers of John W. Ellis,* 473.

Mississippi. However, this was no state visit on behalf of the Buchanan administration, for Secretary Thompson was in Raleigh as a diplomat for the secessionist cause, an "Apostle of Disunion."[85] After the meeting with Thompson, two other commissioners, Robert Smith and Isham Garrott, were formally received by the General Assembly, where they delivered a long speech in favor of secession and railing against the fear of racial violence after the inauguration of Lincoln. Ellis described the General Assembly's receipt of the speech as "solemn and impressive," and that the commissioners were in Raleigh solely to "interchange opinions with the authorities of the state upon the subject of our federal relations."[86] Ellis was, however, being a bit coy. The secessionist commissioners from Mississippi and Alabama were chosen carefully—both Secretary Thompson and Robert Smith had been born in North Carolina, and were chosen by Mississippi and Alabama to come back and take the temperature of the secessionists in their home state. The commissioners were savvy public relations specialists, and their trip to North Carolina was a very calculated attempt to sway public and legislative opinion. By all accounts, they did a very good job and found in Ellis a secessionist leaning Governor.

By January 14, 1861, Ellis's thinking became more refined. Even over Holden's objections, the Legislature introduced a convention bill in December of 1860 and debated it throughout January. As Holden pulled more and more toward the Union, Ellis was in correspondence with other Southern governors. In a letter to Georgia Governor Joseph E.

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[85] For a full discussion of the secession commissioners, see Charles B. Dew, *The Apostles of Disunion: Southern Secession Commissioners and the Causes of the Civil War,* (Charlottesville: University of Virginia Press), 2001; Thompson's visit is detailed on pages 30-35.
[86] Tolbert, *The Papers of John W. Ellis*, 535.

Brown, Ellis lamented that the State was "indefensible" to any movements by the Unionists but cautioned the Georgia Governor that "should a convention of the Southern States be called as early as Feby….Virginia, Maryland, Kentucky, Tenn. Missouri and N. Carolina will probably not be in a position to take part in the proceedings." Ellis went farther, however, assuring Governor Brown that "should an acceptable constitution be formed by such a convention there can be but little doubt that all of the Slave States would speedily adopt it…I feel confident that North Carolina would." In this letter Ellis signaled that he was ready to secede; however, the next steps needed to be formed by the cotton states that had already seceded for the upper south to sign on to the action. Ellis might have been ready to move forward but was politically savvy enough to realize that his state was not with him. Upper south sectionalists were willing to give the Lincoln presidency an initial trial.

The General Assembly begrudgingly agreed to a popular referendum to be held on February 28, 1861, on the proposition to call a state convention to consider what course North Carolina should pursue, and the by the narrow margin of 651 votes, those against holding a convention at all prevailed, as many of the secessionist leaning Carolinians foresaw. For the moment, North Carolina's upper south sectional Unionists, under the leadership of Holden, had prevailed and were awaiting the inauguration of President Lincoln on March 4, 1861. However, North Carolinians and Marylanders, reflected in the cautious steps of their secessionist leaders and the newspaper analyses of the conflict, seemed to think that if they continued their wait-and-see policies, perhaps the secession question would fade away and the North and South could come to a peace

agreement. True to their upper south sectional identity, the secessionists in Maryland and North Carolina were never fire-eating demagogues, but rather, cautious guardians of their Constitutional rights and opponents of any sort of governmental coercion. More than a group of pro-slavery political and social leaders who felt an allegiance to the South, the upper south sectionalists who advocated secession were deeply at odds with the idea of the dissolution of the Union. The secessionists hoped to appeal to the Unionists in Maryland and North Carolina by underscoring the Constitutional offences of the election of Lincoln and creating fright around the specter of coming coercion by the Lincoln government. Lawrence O'Bryan Branch expressed it best when he walked out of the Democratic Convention in Baltimore in 1860, stating that the gathering was no longer the "*National* Democratic Convention."[87] The upper south sectionalists who supported secession felt that their nation had abandoned them, not the other way around.

[87] Branch, "Letter to His Constituents," May 15, 1860, 6.

CHAPTER V

"HAVE WE OF THE MIDDLE STATES NO SELF-RESPECT?" MARYLAND AND NORTH CAROLINA IN THE FLEDGLING LINCOLN ADMINISTRATION

> It is deeply humiliating to any citizen of a Border State if they will allow these arrogant Cotton Oligarchies south of them to dragoon them into their service.
> -Calvin C. Jones of Caldwell County, NC in a letter to Zebulon Vance, February 4, 1861.

> The course of policy of our dear old State seems to have been committed in this crisis is not only injudicious, but absolutely dangerous. Yet Maryland seems be to be as soundly asleep as ever was Rip Van Winkle. How long will her citizens permit this silence?
> -The Somerset Union, December 18, 1860

On March 4, 1861, Abraham Lincoln delivered his inaugural address on a bright and sunny day in the capital city; sadly, the national mood was not entirely as bright as the weather. If Lincoln was looking for any positive signs or good omens, outgoing President Buchanan offered none, for Buchanan reportedly told Lincoln, "If you are as happy, my dear sir, on entering this house as I am in leaving in and returning home, you are the happiest man in this country."[1] Lincoln took the inaugural oath from Chief Justice Roger Taney, Marylander and author of the notorious Dred Scott decision, which Lincoln had very vocally opposed. In the front row, watching the proceedings and anxiously listening to Lincoln's address, were President Buchanan, Senator Stephen Douglas, and

[1] Buchanan quote in Doris Kearns Goodwin, *Team of Rivals: The Political Genius of Abraham Lincoln* (New York: Simon & Schuster, 2005), 329. General description of inauguration day in Washington can be found on 325-329.

Taney, three men who Lincoln had accused as being "pro-slavery" conspirators in his campaign-tested "House Divided" speech. Lincoln's first inaugural address was the moment that many had been waiting for—the first statements on the President's path through the secession crisis were finally to be heard.

Lincoln's first inaugural, as many of his speeches, has become a part of the American canon of orations, and snippets of the address are widely familiar, including the lyrical closing of "the mystic chords of memory…when again touched, as surely they will be, by the better angels of our nature." The political positions expressed in the inaugural address were more salient at the time to the southern sympathizers who were listening closely, and their listening ears were piqued when Lincoln uttered "it follows from these views that no State upon its own mere motion can lawfully get out of the Union; that resolves and ordinances to that effect are legally void." Lincoln furthered his disapproval of secession by emphatically stating, "physically speaking, we cannot separate." Lincoln, however, was abundantly clear on one point—"I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists."[2]

North Carolinians and Marylanders should have been calmed by some of Lincoln's words; however, most of the newspaper coverage focused on the more incendiary comments in the inaugural address. In the *Standard* William Holden was less than impressed with the new President's positions, and essentially called Lincoln a hypocrite for taking the oath of office: "he says he must execute the laws, and in the next

[2] The first inaugural address is readily available in full text, including at http://avalon.law.yale.edu/19th_century/lincoln1.asp.

breath he virtually omits the cotton states…for he has no officers in those States and cannot execute them." Holden begrudgingly admitted that the address was "not, strictly speaking, a Black Republican message," noting that Lincoln reaffirmed slavery in the states but refused to accept slavery in the territories. Holden, as an upper south sectionalist, still believed at this point that the upper south was the most powerful negotiating block in the country, and demanded that the new administration reach out to the upper south, insisting that "have we of the middle States no self-respect—no will of our own? We think we have some will of our own, for we are still in the Union."[3]

The Baltimore *Sun* was less forgiving than Holden, for the *Sun* editorialized that the inaugural speech was a shame to any Constitutionally-minded citizen, and "upon a close examination of its sinister spirit, its effect and consequences, we regard it with the utmost repugnance and horror." The *Sun* was particularly incensed with Lincoln's insinuation that runaway slaves were "citizens," a comment that the editors found offensive and disrespectful for the "contempt flung at the Supreme Court by the speaker."[4] The *Daily Exchange* was similarly aghast at Lincoln's words, noting that "this may be the government of Mr. Lincoln, but it is not the government that our fathers bequeathed to us."[5] *The Wilmington Journal* was perhaps the most concise and pithy on summing up the upper south secessionist view of the inaugural address, as it quipped "It uses honeyed words enough but concedes nothing and indicates coercion beyond all

[3] "Mr. Lincoln's Inaugural," *North Carolina Standard*, March 9, 1861.
[4] "Political Affairs as Affected by the Inaugural," *The Sun*, March 6, 1861.
[5] Editorial, *Daily Exchange*, March 8, 1861.

reasonable doubt. It can result in nothing short of war. It is just what is might have been expected to be."[6]

With the beginning of Lincoln's presidency, upper south sectional identity was facing a crisis. While hope for compromise still existed on both the Union and secessionist side of the common identity, the upper south sectionalists began to see that the new administration was going to follow the path of the more conservative and dogmatic Republicans. The Maryland and North Carolina political leadership would, in the final months preceding Lincoln's taking of office, rush in to effect compromise through committee, debate, letter and editorial writing, and just about any audience left to their disposal. The upper south sectional identity was rooted in the belief that the region was the most national and representative of all the states, and therefore, the upper south was well positioned to arbitrate between the slave-driven lower south and the abolitionist north. This chapter will outline the final attempts of upper south sectionalists to serve as the arbiters of compromise.

Marylanders and North Carolinians Seek Compromise

Before Lincoln took office, the politicians in the upper south states rushed in to attempt to effect compromise and conciliation. After President Buchanan's less than hopeful message to Congress at the opening of the second half of the 1860 session, Alexander R. Boteler, an oppositionist member of the House from Virginia, formed a "Crisis Committee." Dubbed the "Committee of Thirty-three," the group's charge was to find legislative compromise and avoid a sectional rift. On the same day in the Senate, a

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[6] *The Wilmington Journal*, March 7, 1861.

similar committee was also proposed by Kentucky Senator Lazarus Powell and was christened the "Committee of Thirteen," an unfortunate and portentous nickname. Both of these committees hoped to produce proposed Constitutional amendments to avert secession and keep the Union together in the aftermath of Lincoln's election. Maryland's Henry Winter Davis was appointed to the Committee of Thirty-three in the House, as was John Gilmer from North Carolina. Davis, prior to his appointment to the Committee, was opposed to the Cotton States, calling them, in typical upper south sectionalist fashion, extremists who wanted "the right to carry slavery to the South Pole"![7] Davis' biographer believed that Davis only served on the committee to convince the upper south to remain in the Union. Governor Hicks of Maryland wrote a private letter to Senator Crittenden hoping for the success of the Committees of Thirty-three and Thirteen, sharing with Crittenden that "the extremists will be ashamed of what they are now endeavoring to do."[8] John Gilmer was more hopeful that the committee could reach a compromise, and Senator Bragg believed of Gilmer that "he has all along been holding out the idea that things would be settled."[9]

How "things would be settled" proved to be the unanswerable question for the Committees. None of the proposals debated after the weeks of meetings came anywhere close to striking a compromise, even with Henry Winter Davis suggesting amendments to the Fugitive Slave Law providing for trial by jury for fugitives. Somewhat shockingly, Davis also proposed that the New Mexico territory be admitted to the United States

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[7] Gerald Henig, *Henry Winter Davis: Antebellum and Civil War Congressman from Maryland* (New York: Twayne, Inc., 1973), 143.
[8] Thomas Hicks to John J. Crittenden, December 13, 1860 in Hicks Papers, MS 2104, Maryland Historical Society.
[9] Bragg diary, 8.

immediately under the terms of popular sovereignty on the slavery question.[10] While this was a big concession for many Northerners, it was savvy politics by Davis, for it threw a one-time compromise to the South with no concession on any further territorial acquisitions. Davis, at least was attempting to compromise, something that many Republicans in Congress were not even willing to pretend to do. The Committee labored until early January, but could return no compromise plans to the House.

In the Senate committee, the progress was just as bleak. The membership of the Senate committee included ultra-secessionist Senators Jefferson Davis and Robert Toombs, as well as Lincoln supporters William Seward and Benjamin Wade. The Committee of Thirteen was even more hampered due to arcane rules they set for themselves, including a provision that no motion could be passed except by a majority of the Republicans paired with a majority of all other members, as opposed to just a straight majority. [11] These rules were established to insure that the new President could follow any committee recommendations; in practice, they rendered the committee ineffectual. On the first vote taken on the extension of the Missouri Compromise line, the five Republican members were all in opposition; hence the measure failed. Paradoxically, Toombs and Davis voted with the Republicans because the Southern Senators wanted more than just the latitude line designation. By December 28, 1860, the Committee of Thirteen was ready to throw in the towel, reporting to the Senate that they "had not been

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[10] Henig, *Henry Winter Davis*, 145-146.
[11] For background on the Committee of Thirteen, see *Congressional Globe*, 36 Congress, 2nd session, part one (Dec. 18, 1860 and February 27, 1860), and David M. Potter, *Lincoln and His Party in the Secession Crisis* (New Haven: Yale University Press, 1942), 170-173, and Goodwin, *Team of Rivals*, 295-296.

able to agree upon any general plan of adjustment."[12] Vance lamented the failure of each committee, despairing that "The House committee is a complete failure, is virtually dissolved…The Senate committee was then our hope but it too has failed."[13]

While the ultimately unsuccessful committees labored during December and early January, Kentucky's Senator John J. Crittenden took it upon himself to draft a compromise measure of his own. Although Crittenden was appointed to the Committee of Thirteen, before the committee convened he drafted his own compromise. This bold move was not that out of the ordinary, for in late 1860 Crittenden was the elder statesman of the Senate. A former Henry Clay follower, Crittenden was first elected to the United States Senate in 1817 for four non-consecutive terms, punctuated by two stints as United States Attorney General and a term as the Governor of Kentucky. Crittenden had filtered into the Know-Nothing Party with the collapse of the Whigs in the 1850s, and had been both a vocal opponent of the Kansas-Nebraska Act and a large presence in the Constitutional Unionist campaigns of 1860 as well as the keynote speaker at their convention. Seventy-three years old in 1860, Crittenden possessed a long memory of sectional strife and a deep belief that compromise could solve every problem in the Union, as it had since his birth before the conclusion of the Revolution. [14] In the waning months of the 1860 lame-duck session, Crittenden worked hard to forge together a solution.

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[12] *Congressional Globe*, 36th Congress, 2nd session, part 1, (December 28, 1860).
[13] Frontis Johnston, ed., *The Papers of Zebulon Baird Vance* (Raleigh: State Dept. of Archives and History, 1963), 76.
[14] For general information on Crittenden, see Albert D. Kirwan, *John J. Crittenden: The Struggle for the Union* (Lexington: University of Kentucky Press, 1962), for the 1860s, see pages 374-380.

On the face of it, Crittenden was engaged in noble work. There was much hope that a workable and constitutionally enforceable compromise was feasible. Working in the days prior to South Carolina's secession, Crittenden's gravitas and experience could possibly forestall any war or conflict. The upper south sectionalists especially desired a compromise. However, there was some skepticism, a belief that the time for compromise had long passed, and any proposal or scheme was just window dressing at this point. Zebulon Vance wrote home to his colleague in Western North Carolina, William Dickson, that he had had a conference in mid-December with Crittenden, where both Vance and Crittenden agreed that "the only earthly chance to save the Union is a to gain time."[15] In Vance's estimation, secessionists were rushing to fan the flames of coercion and overheated rhetoric to prevent Southerners from really having any time to consider the consequences of disunion, and forcing secession votes as soon as possible to stop any possible compromises from emerging.

Unfortunately, Crittenden's compromise was not the last-minute savior he hoped it would be. The Kentucky Senator's proposed Constitutional Amendment consisted of five articles that guaranteed the future of slavery in states where it already existed, re-proposed the 36-30 Missouri Compromise line westward, re-affirmed the Fugitive Slave laws and the domestic slave trade and forbid the outlawing of slavery in the District of Columbia unless Maryland and Virginia abolished slavery.[16] The most difficult part of the Compromise (as if the preceding were not arduous enough) was Article VI, which

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[15] Zebulon Vance to William Dickson, in Johnston, *The Papers of Zebulon Baird Vance*, 71.
[16] Full text of the Crittenden Compromise can be found at http://avalon.law.yale.edu/19th_century/critten.asp as part of the Avalon Project of Documents in Law, History and Diplomacy at Yale University.

boldly declared "No Future amendment of the Constitution shall affect the five preceding articles." Crittenden was hoping that he could, as he discussed with Vance, buy time with this part, ensuring slaveholders that the next session of Congress would not just overturn any hard-fought compromises. However, Crittenden miscalculated—this "never-ever" codicil was unprecedented in previous amendments or legal theories on Constitutional law. In more modern comparison, if this sort of "never-ever" language had been in the eighteenth amendment America would still be an alcohol-free nation under the law; legally speaking, the Constitution was meant to be a living, breathing, document that could be amended and updated, and Crittenden was trying to freeze it in 1860. Senator Crittenden proposed his compromise on December 18, 1860, and unsurprisingly, it endured fierce debate in Congress. In North Carolina, James Gudger of Buncombe County wrote to Zebulon Vance that the Crittenden compromise was endorsed by the citizens of the county during Court Week, and hoped Vance would help the Compromise's chances in Washington.[17]

With the Crittenden Compromise looking less and less feasible and the failure of the Committees of Thirteen and Thirty-three, a Peace Conference was proposed to send representatives to Washington to meet outside of the ineffectual Congress to find a solution to the sectional strife. The brainchild of the Virginia Legislature, the Peace Conference was organized with a hope to settle the sectional debate prior to the new President's inauguration. On January 18, 1861, Senator James Mason of Virginia announced on the Senate floor that "Virginia has undertaken the office of mediating

[17] J.C.L. Gudger to Zebulon Vance, January 27, 1861, in Johnston, *The Papers of Zebulon Baird Vance*, 90.

between the two great sections of country," with hopes of averting war. The Virginia General Assembly, realizing that the Crittenden Compromise was most likely hopeless, took it upon themselves to solve the impending crisis, calling the Peace Convention as a "final effort to restore the Union, in the spirit in which they were established by the fathers of the Republic," of course, most of whom were Virginians.[18] The hubris of the Virginia General Assembly, aside from presuming they could, and moreover, had the responsibility to forestall the war, the Peace Conference gained prestige when the state sent ex-president John Tyler, and distinguished legal scholar and member of Thomas Jefferson's cabinet William Cabell Rives to the proceedings. Former President Tyler hoped to assemble the slave states that had not seceded—including Maryland and North Carolina—in an attempt to draw up a series of Constitutional Amendments protecting slavery, and thus, keep the upper south in the Union and hopefully lure the Cotton States back.

Although Tyler believed the slave states of the upper south held the keys necessary to unlock compromise, the conference was open to all states, and twenty-one of the thirty-four states participated, sending 133 delegates to the Willard Hotel in DC from February 4 to 27 with the charge to draft proposed amendments to the Constitution for Congress's approval. Who was there was almost as interesting as to why they were there. In Maryland, Governor Hicks hastily choose delegates, including Reverdy Johnson, Augustus Bradford, John W. Crisfield, War of 1812 hero Benjamin Howard, and William T. Goldsborough, all, like the Governor, Union men. Hicks was wary of his own right to

[18] *Congressional Globe,* 36th Congress, 2nd session, part 1, December 4, 1860.

appoint commissioners without the approval of the Legislature, as was the secessionist press.[19] *The Daily Exchange* lambasted the Governor, asking "Under what provisions of the Constitution or the laws of Maryland has Governor Hicks assumed to act for the people of Maryland?" *The Daily Exchange* was more kind to Reverdy Johnson and Augustus Bradford, imploring upon them to "give themselves to their task in a broad and liberal spirit, forgetting at once party and even their own past record and consistency." *The Daily Exchange* was most concerned with Reverdy Johnson's appointment, for although Johnson was a strong Democrat he had repeatedly voiced his opinion that secessionists were traitors to the Constitution and such an attitude would not "add to the efficiency of his position as a peacemaker."[20] S. Teackle Wallis was quoted as saying that the very reason Hicks hastily appointed the commissioners was that he did not trust the secessionist leaning legislature to do so—a fact that Wallis was of the opinion that "the very reason that Hicks was unwilling to trust the Legislature was sufficient reason why the people of Maryland should have confidence in that body."[21] It was no secret that the Governor's men were Unionists, and he had sent them to the Willard Hotel to forestall war and keep Maryland from seceding. In fact, Governor Hicks visited a session of the Conference, and according to a newspaper account, was received with "much cordiality."[22]

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[19] Hicks expressed his concerns in a (now lost) letter to Reverdy Johnson, January 23, 1861 and noted in George L.P. Radcliffe, *Governor Hicks of Maryland and the Civil War* (Baltimore: John Hopkins University Press, 1901), 37. Objections to the commissioners selected can be found in the *Baltimore American*, January 29, 1861, and Editorial, *The Daily Exchange*, January 28, 1861.
[20] Editorial, *The Daily Exchange,* January 28, 1861.
[21] "Speech of S. Teackle Wallis, Esq.," *The Daily Exchange*, February 4, 1861.
[22] Baltimore *American,* March 2, 1861.

In North Carolina, Governor Ellis took a different course. Ellis did not choose the commissioners; instead, he simply endorsed the choices of the General Assembly for Delegates to attend the Peace Conference. The Legislature chose Daniel M. Barringer, David S. Reid, George Davis, Thomas Ruffin and John Motley Morehead to attend the meetings in Washington.[23] Governor Ellis dutifully sent each Commissioner their charge; however, he could not have been happy about it, for the Legislature chose all strong Union supporters. John Motley Morehead, the two-term former Whig Governor, was an experienced statesman and by1860 was serving as the first president of the North Carolina Railroad. Morehead had returned to the North Carolina House in 1858, and was an advocate against secession. Ellis, a secessionist-leaning Governor, sent a respected, exceptionally wealthy and influential Unionist businessman to the Peace Conference. Ellis acquiesced to the Legislature's Unionist choices in regard to the Peace Commissioners, perhaps because Ellis did not see harm, for he most likely assumed the Conference would fail. Ellis was also awaiting the Referendum vote in late February, and realized there was no use to debating with the Unionists prior to the crucial election. Morehead's delegation was as equally distinguished as him, including David S. Reid. Reid, another popular former Governor and former US Senator was a well-respected Democratic politician. Reid was a slave holder and tobacco farmer in Rockingham County, who was widely regarded as judicious and fair, and by 1860 he had retired to his Dan River plantation. Reid had tried to remain out of the fray of secessionist politics, but

[23] The letter from Gov. Ellis to Thomas Ruffin appointing him, with the Legislature's recommendation, to the Peace Commission is in J.G. deRoulhac Hamilton, ed., *The Papers of Thomas Ruffin* (Raleigh: Edwards & Broughton Co., 1918), 116. It stands to reason that each of the other Commissioners received the same letter.

his earlier experience in Washington made him a natural choice for the Peace Convention.[24]

Judge Thomas Ruffin, another moderate and Unionist North Carolina voice, was also at the Willard Hotel. Ruffin spoke eloquently at the conference, proclaiming that "Gentlemen, we of North Carolina are not hostile to you; we are your friends — brothers in a common cause — citizens of a common country. We are loyal to our country and to our Constitution."[25] Paul Cameron, a friend of Judge Ruffin's, wrote to him to remind him, in fact, almost to chide him, to not give in, for "you go not to make a good bargain for the South but to obtain justice and have that secured by unrepealable [sic] amendments to the Constitution."[26] Ruffin was a career jurist and Chief Justice of the North Carolina Supreme Court who believed that secession was illegal and as such, was an ardent Unionist. Ruffin was also an agriculturalist and slaveholder, and as an upper south sectionalist he personified the dichotomies that defined most of the North Carolina delegation--that it was possible to be a Unionist slaveholder. Interestingly, Judge Ruffin met Lincoln at the Willard Hotel, and while Judge Ruffin believed Lincoln's unwillingness to make concessions was "unfortunate" he was relieved to hear of Lincoln's support of the Constitution.[27]

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[24] For background on Reid, see Johnston, *The Papers of Zebulon Vance*, 167n-168n.
[25] Lucius C. Chittenden, *A Report of the Debates and Proceeding of the Secret Sessions of the Conference Convention For Proposing Amendments to the Constitution of the United States* (New York: D. Appleton & Co., 1864), 127.
[26] Paul Cameron to Thomas Ruffin, January 28, 1861 in deRoulhac Hamilton, The *Papers of Thomas Ruffin*, 116. It is worth noting that Paul Cameron was one of the largest slaveholders and unquestionably the richest man in North Carolina, with over 1900 slaves working thirty thousand acres of his property.
[27] Goodwin, *Team of Rivals*, 315.

Zebulon Vance, in Washington while the Peace Convention was meeting, received correspondence from his constituents in support of the process. A fellow Buncombe County lawyer wrote to Vance that "Perhaps if the compromise convention now in session in Washington would urge a course upon the President he might be induced to adopt it," and further hoped that the cotton states could be mollified, for even if "there is no way to prevent the seceded states from playing their last great card of War, they will do well to devise a plan of trumping that card with the armed neutrality of the border states."[28] Senator Thomas Bragg was also in Washington during the meetings of the Peace Convention, and he chronicled in great detail the North Carolina delegation's workings. On February 3, 1861, Bragg met with the commissioners, and wrote in his diary that Daniel Barringer was "diplomatic," that George Davis came seeking an "adjustment," but David Reid was "unwilling" to accept any sort of compromise.[29] Bragg was not optimistic about the Peace Conference's chances of success, and felt "it will all fail." By February 17, Bragg was visited by John Motley Morehead and Lawrence O'Bryan Branch, and Morehead asked Bragg and Branch if they could embrace the leaving out of any proposal discussion of slavery in "future acquired territory." Bragg wrote that both he and Branch "were willing to see strong provisions inserted against the future acquisition of territory" being subject to slavery.[30]

The Conference got off to an unfortunate start. Judge John C. Wright of Ohio's Supreme Court was appointed temporary president of the conference at the opening

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[28] W. W. Lenoir to Zebulon Vance, February 5, 1861, in Johnston, *The Papers of Zebulon Baird Vance*, 98.
[29] Bragg diary, 40-42.
[30] Bragg diary, 53-54.

sessions on February 4, 1861, and surprisingly he suddenly died in his rooms that evening. The second and third days of the convention became his eulogies and funeral with the appointing of pallbearers to carry his body to the train station. Judge Wright's sudden death provided the newspapers with fodder that the Convention was nothing but a gathering of doddering old men, too disconnected from the present to affect any sort of workable compromise.[31] In truth, most of the men were in their middle years, with Maryland's delegation mostly in their mid-50s (with only Benjamin Howard at 70), and North Carolina's delegation similar, boasting the youthful George Davis at only 41, although Ruffin was almost 74. Regardless, the moniker of the "old gentlemen's conference" was not wholly deserved, for the debates were fierce and energetic. Given their immense undertaking, the Peace Commissioners met in closed-door sessions six days a week, hardly the work of "doddering" old men. [32]

The Peace Convention delegates picked up the failed Crittenden Compromise, and attempted to re work the language around the extension of the 36°30' parallel by including the language "or here-after acquired" to refer to any future acquisitions. Samuel Eliot Morison pointed out the enormity of this clause, for given the rampant spirit of Manifest Destiny in the nineteenth century, "here-after acquired" could mean Cuba, Mexico, Central America and half of the Caribbean.[33] Equally, on the table was the so

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[31] This old men's convention was perpetuated by not only the newspapers of the time but also latter works, including Robert G. Gunderson, *Old Gentlemen's Convention: The Washington Peace Conference of 1861* (Madison: University of Wisconsin Press, 1961), and Allan Nevins, *The Emergence of Lincoln, Vol. 1* (New York: Scribner's, 1950). For a rebuttal of this theme, see Samuel Eliot Morison, "The Peace Conventions of February 1861," *Proceedings of the Massachusetts Historical Society* 73, no. 3 (1961): 58-80.

[32] Morison, "The Peace Convention," 62-63.

[33] Morison, "The Peace Convention," 68.

called “never-ever” amendment on slavery where it already existed and on the domestic slave trade, which endured much debate. Reverdy Johnson spoke eloquently and at length during the convention on the subject of the extension of the 36’30” parallel, which he considered the one essential amendment that the Peace Congress must present to Congress, and must have passed, in order to avert secession. [34] Johnson, always the barrister, reminded everyone in attendance that his point was actually a huge concession on the South’s part, since under the Dred Scott decision, slavery currently was legal in all United States territories and states.

As the deliberations at the Willard Hotel continued, it came to be understood in the press and in Washington that the Peace Conference negotiations were not going well. By February 22, Bragg was not hopeful that the Conference would be successful, lamenting that “their only object is to amuse the border states and to gain time.”[35] On February 27, the Peace Commission was ready to make its presentation to the Senate. Settling on a compromise from James Guthrie of Kentucky, the final proposal included the 36’30 extension with the “or here after acquired” clause, and the inclusion of the “never-ever” clause on slavery in the states and the domestic slave trade, enforcing the fugitive slaves laws, the foreign slave trade prohibited, and the un-repealable clause as well. The propositions were endorsed by a bare majority of the Peace Conference, and were presented to Congress as the proposed Amendment XIII to the Constitution.

In the North Carolina delegation, only Judge Ruffin and Morehead voted for the Compromise presented to Congress, with George Davis, David Reid and Daniel

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[34] Chittenden, *A Report of the Debates,* 91-92.
[35] Bragg diary, 57.

Barringer against it. The North Carolina delegation was unanimous on only two of the seven provisions of the proposal—the restriction on Congress to pass any legislation to control slavery where it already existed and the continued enforcement of the fugitive slave laws. While Judge Ruffin and Morehead approved all seven sections, on the basis that the people of the state should have the opportunity to "give their voice for them," Davis, Reid and Barringer rejected the reinstatement of the 36°30' parallel, territorial acquisition, the forbiddance of the foreign slave trade, and the compensation rules for slave property killed or injured in their apprehension by federal officers.[36] Davis, Reid and Barringer left little behind to explain their positions, only that they felt the sections "ought not be & would not be satisfactory to North Carolina."[37] The Wilmington paper reported that Senator Thomas Clingman was also busily stirring up discord, saying of the Peace Conference "there is not at this time the slightest prospect that any just Constitutional Guarantees will be obtained."[38]

The Maryland delegation was more favorable to the Compromise. Prior to the convention, Reverdy Johnson and Benjamin Howard had both denied the right of secession publicly and often. However, the Maryland commissioners voted for the "never-never" amendment and the strengthening of the fugitive slave law and approved the convention's work as a whole. Governor Hicks, in a strong turn of his political expertise, stated that since the Committee of Thirty-three and the Peace Convention were considering plans aimed at saving the Union, he himself was forestalling the calling of a

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[36] For the North Carolina delegation's positions at the Peace Conference, see Bragg diary, Letter from Barringer, Reid, Davis, Ruffin and Morehead to John W. Ellis, February 27, 1861 in Tolbert, *Ellis Papers*, 598-599, and Samuel Eliot Morison, "The Peace Convention," 75-77.
[37] Letter to Ellis, February 27, 1861 in Tolbert, *The Papers of John W. Ellis, 598-599.*
[38] The *Wilmington Herald*, February 23, 1861.

convention so as not to interfere with or disrupt the important negotiations.[39] The Governor may have been buying time, yet he gave the Peace Convention's deliberations credibility by deferring to them. Even the usually secessionist leaning *Daily Exchange* endorsed the Peace Conference Report, noting the spirit of compromise and that the proposal would be "satisfactory to Maryland, and we sincerely hope that it may be generally approved elsewhere."[40] The Baltimore *Sun's* reports were even sunnier, proclaiming that with the work of the Peace Conference, "the people of this city and the hundreds of citizens now sojourning here, are, of course, delighted at the gleams of light now breaking upon us. "[41]

The Peace Conference report, unsurprisingly, met a Senate that was less than thrilled about it. Senator Crittenden unselfishly withdrew his own Compromise from the floor to promote the Conference Report for the Thirteenth Amendment, but the only part of the Peace Convention's language to survive was the "never-ever" amendment. This proposed 13th Amendment was approved, with bi-partisan approval, by both the Senate and House on their last day of the session, March 3, 1861. The same day, outgoing President Buchanan signed the proposed Thirteenth Amendment and endorsed its distribution to the states; surprisingly, three states, including Maryland, ratified this "ghost" amendment.[42] Interestingly, Governor Ellis' copy of the "ghost" amendment,

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[39] Radcliffe, *Governor Hicks of Maryland*, 42.
[40] "The National Crisis: The Peace Conference," *The Daily Exchange*, February 28, 1861.
[41] "Rejoicings Over the Results of the Peace Conference," *The Sun*, February 28, 1861.
[42] For debate in the Senate, see *Congressional Globe*, 36th Congress, 1123. Also see Morison, "The Peace Convention, 78. The other two states are Ohio and Illinois.

long thought discarded, was discovered in his papers at the State Archives 149 years later, a sign that even Ellis held on to this last ditch attempt at Unionism. [43]

The Peace Conference's work was emblematic of the hopes of upper south sectionalists in Maryland and North Carolina to find an upper south compromise, and even in the failure, the Conference represented the upper south sectionalist's belief that they were the only arbiters of compromise between the fanatical Cotton States and the abolitionists of the North. Although the Peace Conference was a failure, it was vitally important as the last gasp of the compromisers, the last hope for some settlement to be reached. Maryland and North Carolina were represented at the Conference by strong Union men for the most part, and still, no workable solution was found. Marylanders and North Carolinians were some of the most active in the proceedings, with the record showing long diatribes by both Reverdy Johnson and Judge Thomas Ruffin. However, the protection of slavery was also paramount in the discussion. Unionism to Marylanders and North Carolinians always meant the preservation of slave property, although unlike the residents of the Deep South, the upper south was prepared to negotiate a compromise agreement on extension of slavery, as evidenced by Johnson and Ruffin's diplomacy at the Peace Conference, and even Henry Winter Davis' offering up of New Mexico as a slave state during the deliberations of the Committee of Thirty-three. The Peace Conference proposals were settled only days before Lincoln's inaugural, and perhaps were too little, too late—Lincoln had already decided his course, which he would soon share with the nation.

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[43] *Greensboro News & Record*, October 25, 2006.

The "Southern" Cabinet Seat

Prior to the inaugural address, North Carolina congressman John Gilmer arrived home from Washington for the holiday break of the 1860-61 session when he received an unexpected invitation to come to see the President-elect in Springfield. Gilmer, as discussed in Chapter Two, had already been in correspondence with Lincoln over upper south policy and hopes to find ways for the new administration to calm the nerves of southern leaning North Carolinians. Gilmer side-stepped the issue of coming to Springfield, and instead penned a letter to Lincoln on December 29, in which he pleaded (again) that Lincoln be publicly firm in his statements to allow slavery where it existed, "If when you disclaim all right on the part of Congress to interfere with slavery where it now exists, you would intimate that there would be a propriety in amending the constitution expressly inhibiting the interference on the part of Congress, and that such article should not be altered or amended except by consent of all the states, you would take out of the hands of Southern disunionists, that great weapon."[44] Gilmer's tenacity with Lincoln on this point was instructive of the position of many in North Carolina and upper south sectionalists as a whole, for if Lincoln could be firm on the issue without wavering, Unionists could keep the Tar Heel state in the Union. Gilmer was full of warning to Lincoln—"But the excitement has been & now is spreading with fearful rapidity through all the slave states. Your speaking to the people now might retain all but S. C. Ga. Florida - Ala. & Miss. If the stampede could be confined to these states, the result would not be so serious." Gilmer would only learn of Lincoln's real motives when

[44] John A. Gilmer to Abraham Lincoln, December 26, 1860, in Daniel Crofts, "A Reluctant Unionist: John A. Gilmer and Lincoln's Cabinet," *Civil War History* 24, no. 3 (September 1978): 233.

he returned to the House in January, where William Seward pulled him aside and informed Gilmer that he was on Lincoln's cabinet appointment short list.

Lincoln's and Seward's desire to have Gilmer in the cabinet was based on several canny political maneuvers. Lincoln, Seward, and most of the Republican leadership felt it necessary to appoint an upper south politician to the Cabinet to convince those slave states still in the Union that the new administration was earnest in its desire to debate and compromise. Beyond that wise belief, the "upper south" cabinet seat was also a minefield for the inner machinations of the Republican Party. As the party was new, most of the politicians in it had begun either as Democrats, Whigs, Free-Soilers, or Know-Nothings, among some other fringe affiliations. As a result, there were factions within the new party—the former Democrats, the former Whigs and the Know-Nothings, and each faction wanted to promote their own candidates to the cabinet. In Lincoln's estimation, he wrote to Seward, that any Know Nothing in the Cabinet might offend "our German friends" given the strongly nativist and bitter positions of the Know Nothings in the 1850s.[45] The factions in the party each pushed hard for their candidate for the upper south seat, with strong pressure from the former Democrats to appoint Maryland's Montgomery Blair, strong pressure from the former Whigs to appoint Gilmer, and the former Know Nothings wanted to appoint Maryland's Henry Winter Davis.[46] Lincoln seemed to prefer Gilmer, stating that "there was no doubt of his fidelity, he would

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[45] Lincoln to William Seward in Roy Balser, ed., *The Collected Works of Abraham Lincoln, Vol. IV* (New Brunswick: Rutgers University Press, 1953-1955), 164.

[46] For the political debate over the appointment, see Goodwin, *Team of Rivals*, 288-313 and Crofts, "A Reluctant Unionist," 235-238. Without slighting Gilmer's credentials, it has been accepted by many historians, including Crofts and Doris Kearns Goodwin that the Gilmer cabinet offer was nothing more than machinations within the Lincoln cabinet and not truly reflective of the desire to have Gilmer in office, but to have one cabinet official's opinion trump the others.

appoint him" if Gilmer agreed.[47] Seward was also inclined towards Gilmer, and let Gilmer ruminate on accepting the position for almost six crucial weeks, writing to Lincoln in January that "I still think well and have hopes of Gilmer."

John Gilmer found himself in an impossible position, one all too familiar to residents of the upper south. Gilmer was a Unionist, and a slaveholder. He could never serve in an administration that would strip him of his property, and while Gilmer cared little for the extension of slavery into the territories, he was politically savvy enough to realize that he and other upper south sectional Unionists were trapped by the rhetoric of the secessionist extremists. In January 1861, Gilmer had made clear his distaste for the pro-Confederacy politicians, stating they were asking for the extension of slavery into the territories precisely because they knew the Northerners would refuse, causing an irreparable rift. Gilmer wisely surmised that "they demand it because they think you will refuse it, and by your refusal, they hope the Southerners will be inflamed to the extent of breaking up this government—the very thing the leaders desire."[48]

As late as February 1861, Gilmer was still weighing Lincoln's cabinet post offer. On February 21, he fired off another brief letter to Lincoln, again asking the president elect, in fact, admittedly begging, "pardon me when I again beg and entreat you to do what I have so anxiously urged on you."[49] Still, Lincoln did not budge on the territorial issue. While Lincoln was preparing to travel to his new home in the capitol, newspaper reports swirled about the new cabinet, as William Seward and Edward Bates were the

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[47] Goodwin, *Team of Rivals*, 288.
[48] *Congressional Globe*, 36th Congress, 2nd session, 580-83. (January 26, 1861).
[49] John Gilmer to Abraham Lincoln, February 21, 1861, accessed July 22, 2015, http://memory.loc.gov/cgi-bin/query/r?ammem/mal:@field(DOCID+@lit(d4186100)).

only two cabinet members already publicly announced. The national papers began to mention Gilmer's name, often suggested as the nominee-apparent for the post of Secretary of the Navy.[50] Thomas Bragg even reported in his diaries "it is said that a place has been tendered to Gilmer – I think it very probable. He will accept if so, unless he fears the indignation of the people of No. Ca."[51] Bragg was more prescient than he knew, for foremost on Gilmer's mind was how he could achieve an upper south concession from Lincoln, making it possible for Gilmer to serve in the new administration and be able to still show his face in North Carolina. Gilmer was undoubtedly aware of how the residents of his home state had previously run Hinton Rowan Helper out of the state for his heretical support of the Republican cause; Gilmer was ambitious but he was not foolish enough to support Lincoln unless he could affect real change on the president-elect's policy towards slavery in the territories.

By the first week of March 1861, Gilmer had no more time to stall on the issue of his acceptance of the new administration's offer. Like many North Carolinians and Marylanders, much hinged on the tone and content of the upcoming inaugural address, and Gilmer was privy to an advance reading of a draft of the all-important speech. Gilmer was not pleased. Lincoln reaffirmed his positions in the address, and with the selection of radical Republican Salmon Chase to the Secretary of Treasury position, it became clear to Gilmer that he could not politically accept the radicalism of the new cabinet, and finally, after almost two months, Gilmer declined to join the

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[50] Four North Carolinians had held the position of Secretary of the Navy in the 1800s, including Lawrence O'Bryan Branch's uncle John Branch. Gilmer is mentioned in the *New York Tribune*, February 25, 1861.
[51] Bragg diary, 59.

administration.[52] Gilmer's "upper south" slot in the cabinet was filled with Maryland's Montgomery Blair, who could not have been more opposite from Gilmer. Blair, who had started the, albeit very small, Republican Party in Maryland, was an unabashed unionist and had tirelessly campaigned for the spot of Postmaster General in the Lincoln cabinet.

After the Inauguration—Two States Search for the Meaning of the Address

John Gilmer might have turned down a cabinet seat; but he was not done with his impassioned attempts to sway the new President. The week after the inaugural, Gilmer was back home in Greensboro and began writing to Seward a series of letters begging for conciliation and measured wisdom from the new administration. In a letter dated March 9, 1861, Gilmer urged Seward that "President Lincoln should issue his proclamation, withdrawing every Federal officer and soldier from every Fort in the seceding states, giving the conduct, of the late administration -- carefully detailed as his reason for this, stating a purpose to await the advices, and aid of the incoming Congress, before any steps are taken in relation to them."[53] Gilmer's rapid-fire letters to Seward reveal much about not only Gilmer's thinking, but also about the status of North Carolina and the upper south in the early weeks of March. Gilmer was convinced that "if for any decent excuse the Govt. could withdraw all the troops from the Southern fortifications," then "the moment this is known N.C, Va, MD…are certainly retained."[54] Coercion, above all, was the enemy, and if the Lincoln administration would just not resort to armed conflict, then some agreement or negotiation on the territories could be reached.

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[52] Crofts, "A Reluctant Unionist," 242-244.
[53] John Gilmer to William H. Seward, March 9, 1861, in Frederic Bancroft, *The Life of William H. Seward, Vol. 2,* (New York: Harper & Brothers, 1900), 546-549.
[54] John Gilmer to William H. Seward, March 8, 1861, in Frederic Bancroft, *The Life of William H. Seward,* 545.

William Holden's thinking was much along the same lines as John Gilmer's. In the weeks following Lincoln's inauguration, Holden did his best through his newspaper editorials to rally the Union faithful in North Carolina. Holden attempted to bank on the victory of the Unionists in the convention election, and was defending the Unionists against the secessionists branding of them as "abolitionists" and "submissionists" to the Lincoln government. Holden was indignant about the criticisms, blasting that of the numerous Unionists in the state capitol he had "never heard one even breathe a word against slavery."[55] Holden became increasingly acid-tongued toward the policies of the Ellis administration. Holden's split with his former colleague Ellis was becoming more acrimonious, for Holden began to suspect, with good reason, that the Governor was conspiring to take the state out of the Union. In the *Standard*, Holden painted Ellis as an oligarch and manipulator, who was using his status as a member of the squirarchy to manipulate simple, union-loving North Carolinians into secession. In a particularly hateful harangue, Holden actually defended Lincoln against the "uncouth" assignations flung at the new president, writing that "the oligarchs who instruct their minions when and at whom to groan, hate Lincoln, not because he is a black Republican, but because he spilt rails for his daily bread when a young man." Holden went on to attack the newly forming Confederate States as undemocratic and led by oligarchs like William Lowndes Yancey of Alabama, who was suppressing any opposition in the new Confederacy, and predicting that "The Confederate experiment will end either in anarchy or despotism." [56] Holden also predicted that Governor Ellis was actively working to subvert the will of the

[55] "Unity and Concert of Action," *North Carolina Standard*, April 10, 1861.
[56] "Straws," *North Carolina Standard*, March 20, 1861.

people of North Carolina, and rush the state toward secession. The Governor was indeed busy in March of 1861 beefing up the state's military and going on an impressive run of purchasing war material for the state, however this move could have been simply prudent and not overly aggressive and secessionist.[57]

Governor Hicks was also very busy in the days around Lincoln's inaugural. In January, Hicks had written to Delaware's Governor Burton lamenting the lack of the compromise coming out of Congress, and sadly predicting that if no compromise was found, secession may be imminent: "DE, MD, VA, KY, MO, TN and I believe N. Carolina will go with us on this last dreadful alternative forced upon us, which may God forgive!"[58] While Hicks was silent publicly on the inaugural address, by March 18 he wrote to General Winfield Scott predicting the worst: "Any unfortunate movement on the part of the Virginia Convention…may cause an outbreak in Maryland. We may need a supply of arms."[59] Hicks was hopeful that "there may be no necessity," however Scott agreed with Hicks, replying "that arms may be loaned to a state to suppress insurrection therein seems not unreasonable."[60] In this correspondence Hicks revealed his ardent desire to keep Maryland in the Union, even if it meant asking the federal government for military assistance to do so. Publicly, Hicks was hedging; attempting to work behind the scenes to avert Maryland's probable secession, but not very confident he could do so. In

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[57] See Tolbert, *Papers of John W. Ellis*, pages 600-612 for Ellis' spree of purchasing weapons and war material. In fact, all other business seems to be put aside, including any commentary on Lincoln's inauguration.
[58] Thomas Hicks to Governor William Burton, January 2, 1861 in MS 2104, Maryland Historical Society, Baltimore, MD.
[59] Thomas Hicks to Winfield Scott, March 18, 1861, Thomas Hicks Papers, MS 2104, Maryland Historical Society, Baltimore, MD.
[60] Winfield Scott to Thomas Hicks, March 20, 1861. Hicks papers.

a subsequent letter to General Scott, Hicks told the General in confidence that "should the Virginia convention pass an ordinance of secession, we shall have a desperate struggle in Maryland."[61]

Governor Hicks' hedging throughout the early spring of 1861 became more and more untenable after the inauguration. Hicks began receiving (and interestingly, kept intact for posterity) death threats from secessionist-minded Marylanders. One long threat, written in florid prose, threatened the Governor; "This is to inform you that if you don't straightaway cease to influence the people of Maryland to their disapproval your days are certainly numbered."[62] Everett Smith of the Eastern Shore's Snow Hill community wrote a letter of warning, marked "private," to the Governor with alarming news: "It is a duty I owe you to advise you of the openly declared intention of the Hon. Teagle Townsend, to offer you personal violence upon first opportunity after his arrival in Annapolis. The man is rabid."[63] Hicks was firmly in the cross hairs of the secessionists as the villain, and was perceived as the reason why Maryland was not already in the Confederacy.

By the time Lincoln was inaugurated, Maryland Unionist Henry Winter Davis was licking his own wounds at losing a Cabinet position to Montgomery Blair. Davis had been almost a sure thing, for in late February sixty-nine members of Congress had petitioned Lincoln for an appointment for Davis, and Republican fixer and kingmaker

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[61] Hicks to Winfield Scott, March 28, 1861. Hicks Papers.
[62] Anonymous letter to Hicks, March, 1861. Hicks Papers.
[63] B. Everett Smith to Hicks, April 24, 1861. Hicks Papers.

Thurlow Weed strongly supported Davis' nomination.[64] Davis was a problematic appointee, due to his strong affiliation with Know-Nothingism, which would, in the words of the *New York Times*, "make his selection very offensive."[65] Not being chosen for the cabinet did not end Davis' career, however, and he paid close attention to the President's speech, commenting in a letter to an associate that he still had some reservations about the new chief executive, "I fear he will be another illustration of the wide difference between a writer and a thinker, and a man of action."[66] *The Daily Exchange* was frustrated with his positioning in the House, wondering if "whether that gentleman represents the State of Maryland," and that Davis' votes against the Crittenden Compromise were "setting himself up against everybody else." By late March, Davis was angered by the timidity of the Lincoln administration, howling that secession was a "chronic disease that must be stamped out at once," and became a fan of coercing the cotton states back into the Union.[67] Davis' views made him a radical in Baltimore, where pro-secession rhetoric was reaching a fevered status.

Pro-secessionist feeling in Baltimore was inadvertently helped along by the President-elect: when Lincoln, the "black republican," took up residence in his new home in DC, his relationship with his neighbor Maryland and its governor got off to a bad start. As Lincoln made his way by train to Washington, his bodyguard, Detective Alan Pinkerton, alerted the president-elect that there were reports out of Baltimore that Southern sympathizers in the city were plotting to assassinate the President-elect as his

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[64] Gerald S. Henig, *Henry Winter Davis, Antebellum and Civil War Congressman from Maryland* (New York, Twayne Publishers, 1973), 152-155.
[65] *New York Times*, March 1, 1861.
[66] Henig, *Henry Winter Davis*, 154.
[67] Editorial, *The Daily Exchange*, February 28, 1861.

train passed through the city. Papers in New York had publicly announced that there was a plot in Baltimore to assassinate Lincoln, suggesting that it would be wise to sneak from Harrisburg, Pennsylvania to Washington D.C. on a pre-dawn train, contrary to published plans.[68] Lincoln was at first adamantly against moving quickly and quietly through Baltimore—when he received the news, Lincoln was being feted in Philadelphia, where the city was "crowded with people, gay with lights, and echoing with music and hurrahs."[69] Lincoln's traveling party prevailed upon him, and donned a felt hat instead of his trademark stove-pipe hat and took the unmarked night train through Baltimore from Pennsylvania.

Whether or not a true conspiracy existed is unknown; however, the clandestine transport through Baltimore was not a good start to Lincoln's presidency. Citizens of the city, many of whom had gathered peacefully to see the president-elect's train pass through, were outraged that he snubbed Baltimore because of unsubstantiated rumors. The *Sun* reported the shock of citizens at this action, stating that they were "indignant that upon the first Southern Soil he declined to let the people know of his presence in their midst."[70] Lincoln's own Secretary of War Edwin Stanton, disapproved, and New Yorker George Templeton Strong decried this "surreptitious nocturnal dodging" of the President-elect as "damaging to his moral position" and an easy target for ridicule on the new administration.[71] Maryland political cartoonist Adalbert Volck produced a derogatory pen and ink drawing of the President –elect dressed in an old woman's night clothes peaking

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[68] Reprints of the news article carrying the accusations of the supposed assassination plot appear in the February 25, 1861 edition of the *Sun*.
[69] Goodwin, *Team of Rivals*, 310-313 discusses Lincoln's movements through Philadelphia and Baltimore.
[70] *The Sun*, February 25, 1861.
[71] Goodwin, *Team of Rivals*, 312.

from the freight car and being afraid of a cat lounging in the station that was widely reprinted in Maryland newspapers.[72] Interestingly, Lincoln arrived in the capitol city on February 25 and took up residence at the Willard Hotel, which was filled to the brim with the ongoing Peace Convention, who all became Lincoln's immediate neighbors; reportedly, all had a good snicker at his midnight sneaking through Baltimore.[73]

Maryland's relationship with the new president only continued to get worse. As it became evident that Union troops would be passing through the state on their way to Washington, many Marylanders felt that the federal government should not move troops through the state when the purpose was to subdue seceding states. Having already expressed himself as against "Union-by-coercion," Hicks traveled to Washington to insure that troops did not pass through the state, or the city of Baltimore. The Governor advised citizens that he had received the assurance of the Secretary of War that any federal force passing throughout the state would be only for the defense of Washington, and not for the suppression of seceding states.[74]

Fort Sumter

On March 16, 1861, Jonathan Worth wrote to his brother B.G. Worth that "with the vote of NC against convention…I have considered the Revolution arrested." In the same conversational and familial letter, Worth noted that the new President should abandon Fort Sumter in South Carolina, strictly from "a military point of view and not in

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[72] Frederick S. Voss, "Adalbert Volck: The South's Answer to Thomas Nast," *Smithsonian Studies in American Art*, Vol. 2, No. 3 (Fall 1988) 67-87.
[73] For Lincoln's arrival at the Willard Hotel, see Bragg diary, 56-57.
[74] For Hicks' meetings with the Lincoln administration, see Radcliffe, *Governor Hicks of Maryland*, 65-68, and Goodwin, *Team of Rivals*, 352-353.

a recognition of the right of secession."[75] Worth could not have seen his own contradictions when he wrote to his brother, for the "Revolution" was not arrested and the military options for Fort Sumter were certainly up for debate. Walter Lenoir wrote to Congressman Zebulon Vance that "the war might be entirely prevented and the secessionists thoroughly whipped, by the immediate withdrawal of the troops from the Southern forts."[76] William Holden also editorialized that Lincoln would never forcibly take Sumter, emphatically stating that "If Mr. Lincoln were mad enough to attempt to subjugate the Southern States, or even if he were disposed to do so, he has no army at his command." Holden believed that the "thousand troops from forts and frontiers" that Lincoln now commanded would be matchless to "the armies of the fifteen slaveholding States" and the new president would not be so foolish.[77] The strength of Lincoln's army in March of 1861 has been long debated in other monographs; however, Holden interestingly assumed that any army of the slaveholding states would include Maryland, Missouri, Kentucky and Delaware.

In Maryland, whether or not Lincoln would favor coercion remained a point debated in the press and in public discourse. Hicks began a regular correspondence with Lincoln, warning the new president of the secessionist strength in the state. When the papers reported that John Crittenden was going to be nominated by Lincoln for the Supreme Court, Hicks wrote to Lincoln that "on the twelfth, a convention by the agitators is to be held in Baltimore by the secessionists. The appointment of Mr. Crittenden will

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[75] deRoulhac Hamilton, *The Correspondence of Jonathan Worth*, 134.
[76] Walter W. Lenoir to Zebulon Vance, February 5, 1869, in Johnston, *The Papers of Zebulon B. Vance*, 98.
[77] Editorial, *North Carolina Standard*, March 6, 1861.

do much to disarm them on that occasion."[78] Hicks was even hopeful in a letter to his attorney James Dorsey on March 22, 1861, stating that "Things are looking better as the Border States begin to see their true position in the Union."[79] The *Sun* reported that the President had convened a long meeting with Virginia Unionists, including prominent former House member John Minor Botts, and Lincoln assured the Unionists that Fort Sumter and Fort Pickens in Florida would soon be evacuated.[80]

Fort Sumter, of course, was not evacuated. With the clash between the South Carolina militia and Major Anderson in the early morning hours of April 12, the war ostensibly began, and the war of words certainly began in the upper south. Jonathan Worth wrote to constituents in Randolph County that "suddenly and without explanation, a fleet is fitted by the Present and notice given" that the government in Washington intended a follow a policy of coercion.[81] When the Baltimore *Sun* reported on the attack at Fort Sumter, they blamed the Northern press and the radical members of the Republican Party, leveling the accusation that the republican press of the North in engaged in whetting the appetites of their party for blood and spoils."[82] After the news of the attack of Fort Sumter, Marylanders began resigning their federal positions in solidarity with the South, including the Customs House officer in Baltimore and several of the officers of the Maryland militia.[83] *The Daily Exchange* advocated immediate

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[78] Hicks to Abraham Lincoln, March 11, 1861 in MS 2104, Maryland Historical Society.
[79] Hicks to James L. Dorsey, March 22, 1861, in James L. Dorsey papers, MS 1263, Maryland Historical Society.
[80] "Proceedings in the Virginia Convention," *The Sun,* April 8, 1861.
[81] Jonathan Worth, "To the People of Randolph County," in deRoulhac Hamilton, *The Correspondence of Jonathan Worth*, 137.
[82] "The 'Show of Fight' by the Administration," *The Sun*, April 13, 1861.
[83] "Local Matters," *The Sun*, April 19, 1861.

secession in the face of Lincoln's blatant coercion, and in every issue for the week following Fort Sumter the paper published lengthy diatribes and historical justifications for Maryland to join the Confederacy.

William Holden's editor's pen was also in perpetual motion in the days after Sumter. While Holden denounced the coercion and military might shown by the Lincoln administration, he still adamantly believed that compromise could be struck, for as an upper south sectionalist "the mission of the border states now is to command the peace, if possible, and to maintain their rights in the Union. If they cannot check and control the two extremes no other power can."[84] Other North Carolina papers took the opposite positions, including the *Wilmington Journal,* which promoted immediate secession, and asked "Will [North Carolina] submit to the coercion of Abraham Lincoln? Can she do it? We say she neither will nor can."[85]

The newspapers were not the only ones asking Governor Ellis about North Carolina's submission to coercion. On April 15, Governor Ellis received a telegram from South Carolina Governor Francis Pickens informing him of the fall of Fort Sumter and the fear of further attacks, asking Ellis "Will North Carolina stand for this?" Following the attack on Sumter, Lincoln's Secretary of War, Simon Cameron, issued orders to each state in the Union to supply troops to put down the insurrection. Governor Ellis received his copy, and promptly fired back his response to Cameron, without worrying about consulting the legislature: "I can be no party to this wicked violation of the laws of the country, and to this war upon the liberties of a free people. You can get no troops from

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[84] *North Carolina Standard*, April 17, 1861.
[85] *Wilmington Journal*, April 18, 1861.

North Carolina."[86] Not surprisingly, Governor Hicks took a more measured course in response to Cameron's telegram—delay. The day after Hicks received the Secretary of War's message, the Governor received a telegram asking him to come directly to Baltimore, as civil order was breaking down in the city. Hicks found Baltimore in such a state of impending rioting that he went to Washington to urge Lincoln to not agitate the Baltimoreans any more than they already had been by Fort Sumter, and to certainly to not use the railways to transport Union troops to Washington.[87]

For the second time in a matter of months, Lincoln faced the threat of some sort of armed insurrection in Baltimore—first, the threats on his own life as his pre-inaugural train moved through and now any union Troops being moved to protect Washington. Lincoln directed Secretary of War Simon Cameron to assure the Governor by telegram that the only troops that would pass through Baltimore would be for the defense of the capitol city, and this seemed to placate Hicks, who then began to draft a response to Cameron to fulfill Maryland's quota of soldiers. Hicks was naïve if he thought he would ever be able to send such a message to Cameron, for his largest city was about to erupt into a secessionist-led riot. To avoid this eventuality, Hicks issued a gubernatorial proclamation on April 18, urging Marylanders to "abstain from heated discussions," and assuring his constituents that no troops would be passing through Baltimore except for those to protect Washington.[88] Baltimore's mayor, George Brown, issued similar pleas for civil obedience and order in the city's newspapers.

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[86] Tolbert, *The Papers of John W. Ellis*, 608-612.
[87] Radcliffe, *Governor Thomas Hicks of Maryland*, 50-55.
[88] *The Sun*, April 19, 1861 and "Proclamations of Gov. Hicks and Mayor Brown," *Daily Exchange*, April 19, 1861.

Civil obedience and order had all along been the goal of upper south sectional Marylanders and North Carolinians, and with the Fort Sumter attack, order seemed to be slipping away in both states as the secessionists quickly gained the upper hand. Even William Holden, one of the staunchest defenders of upper south sectionalism, published an editorial that vowed to "resist to the last extremity the usurpation and aggressions of the federal government."[89] On the same day that Hicks urged Marylanders to abstain from public rallies, Zebulon Vance attended one in Asheville, where Western North Carolinians called for an immediate session of the legislature and for militias to be formed and drilled.[90] Vance himself would recall in his later years that he was greatly saddened by the whole turn of events, and was deeply conflicted as he found himself angry at Lincoln for betraying the Southern states.

The clock was ticking in both North Carolina and Maryland, and Sumter had ended any hope of a compromise, any hope of a Peace Convention, and any hope of any upper south sectionalist plan that could keep the Union together. The two states found themselves in curiously similar positions in 1861—both still members of Union technically, yet each refusing to supply the federal government with troops to put down the insurrection. Each state had Governors who had delayed in calling the legislature into session to consider any secession bills, and both had residents in highly agitated states calling rallies and pro-secession meetings. North Carolinians and Marylanders had proven to be some of the most vocal and politically savvy adherents of peace and upper

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[89] "The Border States Must Unite and Act"! *North Carolina Standard*, April 24, 1861.
[90]Gordon B. McKinney, *Zeb Vance: North Carolina's Civil War Governor and Gilded Age Political Leader* (Chapel Hill: University of North Carolina Press, 2004), 76-77.

south sectional wisdom, which was now all unraveling. What Vance and Hicks did not know during their public meetings and proclamations on April 18 is that the Virginia Legislature, the state which many Marylanders and North Carolinians felt a strong allegiance with, voted, provisionally, to secede from the Union, with the condition of ratification by a statewide referendum. Now, time was officially up for Maryland and North Carolina upper south sectionalists—there were no compromise measures, no saving graces, and no Virginia in the Union. What decisions would be made in each state, and which faction in either state would gain the upper hand was anyone's guess in mid-April, 1861. The upper south sectional political identity flourished during the debates on the Crittenden Compromise and during the Peace Convention. Maryland and North Carolina political leaders were strong participants in each event, and remained hopeful that their calming wisdom and skill at compromise could forestall a civil war.

CHAPTER VI

"THE MOST DEPLORABLE MISFORTUNE OF OUR UNHAPPY COUNTRY": THE SECESSION CONVENTIONS IN MARYLAND AND NORTH CAROLINA

> I implore you not to be swayed, by the passions which seem to be so fully aroused in our midst, to do what the generations to come after us shall ever deplore.
> -Governor Thomas Hicks, April 29, 1861

> A causeless and demoniacal drama has been precipitated upon our peoples, by that unholy combination of political bedlamites, the black republicans and white-livered abolitionists.
> -Philo White in a letter to Governor John Ellis, April 18, 1861

On April 23, 1861 citizens of Clarksville in central Maryland's Howard County held a secessionist rally, where "an immense secession flag was raised upon a pole thirty feet high, amid the cheering of the multitude." In the aftermath of the Fort Sumter attack, Marylanders were reported in the press to be rallying around the secessionist cause, delivering strong disunion and resistance speeches to "great crowds," signaling that there were "no Union men to be found in Howard County now."[1] Conversely, in North Carolina, the Unionists had not yet abandoned their cause. Caleb Bohanon, the commander of the Yadkin County militia, was giving speeches throughout the county after Fort Sumter that "no man ought to support the S. Conf," and that every secessionist "ought to be hung." A group of citizens were so outraged that they wrote to Governor Ellis complaining, asking for Bohanon's command to be taken away to stop the steady

[1] "Great Secession Meeting: Calvary Troop Raised," *The Sun,* April 25, 1861.

and possibly infectious stream of the "Black Republican Sentiments" from being promoted throughout Yadkin County.[2]

In Raleigh, Governor Ellis was working frantically after firing off his denial of troops to Secretary of War Simon Cameron. On April 17, Ellis issued a proclamation that all members of the North Carolina Assembly were due in session by May 1 to meet and consider the response to Lincoln's "high-handed act of tyrannical outrage."[3] Ellis, not only of a different opinion but more pragmatic than Governor Hicks had been in Maryland, had long been preparing to fight a war by strengthening forts and purchasing arms and supplies. However, Governor Ellis had just suffered a defeat at the hands of the Unionists in February with the convention referendum and was still unsure of public opinion. Ellis was also concerned with the news from Washington, as a friend of Ellis' who was a clerk at the Census Bureau wrote to the Governor of the chaotic conditions in the capitol city, and to convey the news that as late as April 29, Reverdy Johnson was trying to negotiate a "truce" in the Virginia legislature to bring pressure to on the Lincoln administration to halt the coercion.[4]

This "truce" may have been no more than rumor, but substantiated rumors were swirling in Raleigh in April, 1861 that the Governor's health was precarious. Holden's *Standard* reported by late April that the Governor was attending to business from his private residence, as he was "in very feeble health," rumored to be tuberculosis. Ellis'

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[2] Yadkin County Citizens to Governor Ellis, April 22, 1861, in Tolbert, *The Papers of John W. Ellis*, 662-663.
[3] Tolbert, *Papers of John W. Ellis*, 621.
[4] Tolbert, *Papers of John W. Ellis*, 692. Reverdy Johnson may well have been in negotiations, however, in the chaos of these days of late April, little evidence has been found to outline the contours of his proposals. As Reverdy Johnson was a strong Unionist and highly respected legal mind, he may well have been pushing diplomatic solutions.

office was besieged with requests for militia appointments and permission to overtake federal installations, so much so that the ailing Governor was forced to appoint a military board to advise him on the thousands of requests for military appointments, given his limited energy to and vast task of quickly building state forces. Since the 1840s, John Ellis had been known to be periodically plagued with bad health, which his contemporaries contributed to the rigors of his early career as a circuit-riding lawyer, but at only 41, most believed the Governor would quickly rebound.[5]

In Maryland, Governor Hicks was walking a precarious tightrope in the days following Fort Sumter. The Governor repeatedly gave assurances that he was negotiating with the Lincoln administration, yet the divided loyalties in Maryland were about to explode into violence against the Lincoln administration, and against the state's precarious indecision on the secession question. Hicks could neither control his rebellious population in Baltimore, nor the reality of his geographic position. In response to the general call for troops issued by the Lincoln Administration after Fort Sumter, Massachusetts and other northeastern states eagerly outfitted and dispatched regiments to Washington for the defense of the capitol. On April 19, the Sixth Massachusetts Infantry arrived in Baltimore at the President Street train station. To catch their next train to Washington, the soldiers had to move some twenty blocks, through downtown Baltimore, to the Camden Street Station. This all seemed a normal course of events, a pattern of travel that had been done untold times before, however, it was anything but normal. In ways the Sixth Massachusetts Infantry probably did not imagine, this simple passage

[5] *North Carolina Standard*, April 24, 1860. See also, Johnston, *Papers of Zebulon Vance*, 100, fn 379.

through the northeastern rail corridor was to become in many ways the second battle of the war; the upper south's own Fort Sumter. Upper south sectional identity was on the tightrope in April of 1861, and after Fort Sumter, the identity began to unravel in the climate of fear, political pressure, and the impending upheaval of the Civil War.

Mob Rule in Baltimore

On the morning of April 19, 1861, Edward Robinson, a sergeant in the Regimental Maryland Guard, was at this father's warehouses on Pratt Street in downtown Baltimore, when he witnessed "Washington Goodrich, a notorious ruffian, heading a mob with the confederate flag flying."[6] Robinson recalled the morning was "a dark and misty one," and that as the Sixth Massachusetts was heading to the Camden Street Station, a secessionist mob was heckling and threatening the soldiers, trying to impede their progress. Mayor George Brown and the city police were quickly on the scene, trying to push back the mob and avoid any violent conflict. Ernest Wardell, a schoolboy who was caught up in the riot on Camden Street wrote in his memoirs that shouts of "'you Yankee dogs;' 'kill them;' 'murderers;' 'cutthroats,' 'Yankee scum,' came from every quarter accompanied by a fusillade of bricks, april shells, and clubs."[7] However much the Mayor and police tried to maintain order, at some point, a gun was fired. The *Sun* reported that the first shot came from a Union solider; regardless, after one shot was fired the troops and the mob began firing indiscriminately at one another. Policemen, under the mayor's orders, put themselves between the mob and the soldiers, attempting to push

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[6] Edward Ayrault Robinson, "Some Recollections of April 19, 1861," *Maryland Historical Magazine* 27, no. 4 (December, 1932): 274.
[7] Frank Towers, ed., "Military Waif: A Sidelight on the Baltimore Riot of 19 April 1861" *Maryland Historical Magazine 89*, no. 4 (Winter 1994): 428.

through the crowd to the Camden Station. Even as the soldiers were boarding their trains, rioters pushed against the windows and doors, waving knives and guns. As the train pulled out of the station, several onlookers cheered for Jefferson Davis, causing an angry solider to fire from the train window at the hecklers, killing one man.[8]

In two hours of confusion and violent conflict, four soldiers and eleven citizens were killed, and untold numbers were wounded. By the afternoon, a public meeting was called in downtown's Monument Square by Mayor Brown, and prominent members of the city as well as the secessionist mob were in attendance. Edward Robinson was there in his capacity as a member of the guard, however, he found "the object of the meeting to fire the southern heart."[9] Secesionist Teackle Wallis was one of the first to speak, and in strong terms he denounced what he considered to be an invasion of Maryland by the Massachusetts troops. Mayor Brown was more temperate, against secession but also against coercion. Governor Hicks was called for by the crowd, and he reluctantly spoke, reiterating that he wanted to see the Union preserved—a statement which the crowd angrily and viciously protested.[10] In response, Hicks buoyed the crowd by making a rare direct pronouncement, that he would "suffer my right arm to be torn from my body before I will raise it to strike a sister state," a typically confusing statement by the upper south sectionalist Hicks, who could have been referring to anti-Lincoln or anti-

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[8] This general synopsis of the April riot is gleaned from three separate sources*:* "Meeting in Monument Square," *The Sun*, April 20, 1861, Frank Towers, "Military Waif," 429-433 and the memoirs of George William Brown, *Baltimore and the Nineteenth of April 1861: A Study of the War*. (Baltimore, Murray & Co., 1887).

[9] Robinson, "Some Recollections of April 19, 1861," 278.

[10] George L.P. Radcliffe, *Governor Hicks of Maryland and the Civil War* (Baltimore: John Hopkins University Press, 1901), 55.

Confederacy states.[11] Hicks may well have been offering a calming statement to the crowd, or maybe he really believed some compromise could still be found whereas Maryland would not have to provide troops and fight against the "sister states," and the Union could still be preserved.

Governor Hicks and Mayor Brown were determined to prevent another outbreak of violence in Baltimore, and pled with President Lincoln to assure Marylanders that no more federal troops would pass through Baltimore. At midnight, messengers were sent to Washington to inform the President of the riot and to stop the movement of troops through Baltimore. What happened at the meeting preceding this sending of messengers to Washington was murkier, and in the words of Hicks' biographer, "a bitter controversy arose as to what really took place there."[12] Governor Hicks was staying at Mayor Brown's home in Baltimore, and after the Monument Square rally, two former Maryland Governors visited Brown's row house to discuss the dangerous lack of civil order in Baltimore. All were reportedly in agreement that no more troops could pass through Baltimore without wholesale rioting taking place; however, little hope existed that Lincoln would agree to this condition. To take matters into their own hands, many of the men in room advocated the position that the city militia should destroy all the railroad bridges, tracks and telegraph lines that connected Baltimore with the North. This was a strong act—a signal that Maryland might not be politically severed from the North (and the Union by association), but that it was ready to physically sever itself. All of the men in attendance also had to have realized that burning the bridges and halting the movement

[11] "Meeting in Monument Square," *The Sun*, April 20, 1861.
[12] Radcliffe, *Governor Hicks of Maryland*, 56.

of troops was worthy of a charge of treason against the United States. Mayor Brown, hopeful that order could be restored in his city, advocated the destruction of the bridges and lines, yet asked for the Governor's permission, as some the bridges and railways were outside of the city. Later, Brown would recall that Hicks gave his permission, a recollection that by May 4, Hicks would adamantly deny to the State Senate.[13]

Controversy aside, John Merryman, the leader of the Maryland Horse Guards and a slaveholder, received orders to destroy the railroad trestles and roadway bridges that connected Maryland to Pennsylvania and the rest of the north. As Maryland was crisscrossed with numerous rivers, streams and tributaries of the Bay, the destruction of the bridges was a huge blow to any overland transportation through the state. Merryman reportedly took his orders with glee, and was observed, in broad daylight, setting bridges afire to the shock of bystanders. Evidence suggests that Merryman and his Horse Guards destroyed at least six bridges, although there may have been many more. Merryman was intent on repelling the "northern invasion," and was reported to proclaim "God damn them! We'll stop them from coming down here and stealing our slaves!"[14]

The riot in Baltimore and the burning of the bridges also pushed the Governor's hand in one more way: he finally agreed to call the state legislature into a special session to begin on April 26 in Annapolis. The *Sun* expressed everyone's relief at this action, "Over and over we have urged that the legislature be called into a special session…so as to elicit the will of the people and determine the position of the state." Determining the

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[13] For discussion of the fateful meeting, see Radcliffe, *Governor Hicks of Maryland,* 56-62 and *Ex Parte Merryman*, 17 F. Cas. 144 (C.C.D. Md. 1861).

[14] The burning of the bridges is taken from Brian McGinty, *The Body of John Merryman: Abraham Lincoln and the Suspension of Habeas Corpus* (Cambridge, MA: Harvard University Press, 2011), 67-68 and Radcliffe, *Governor Hicks of Maryland*, 56-58.

position of the state was indeed the question at hand. For some time there had been a widely held belief that Maryland would follow the course of her neighboring state, Virginia. The *Sun* often proclaimed that "our lot is cast with that of Virginia, and the lot of Virginia is cast with that of the Southern States." [15] Even as late as February of 1861, the Maryland State Conference Convention resolved that "if the disruption of the Union is not to be avoided, the State of Maryland shall cast her lot with Virginia and the South."[16] Three days after the General Assembly was called into session, the *Sun* was again editorializing that "There is no doubt, and our experience confirms the belief, that the great majority of our citizens, would today, if the independence of the Confederate states, including Virginia, were about to be recognized, vote to unite the state of Maryland and the city of Baltimore with the Southern nation."[17]

As a seemingly Confederate-minded General Assembly headed for Annapolis to convene, President Lincoln and General Winfield Scott brainstormed new ways to move troops to Washington given the destruction of the railroads throughout Maryland. Scott's orders from Lincoln were to fortify the capitol after the secession of Virginia by moving troops down the Chesapeake Bay from Pennsylvania, rather than through Baltimore. In accord with these orders, the same day that Hicks called the General Assembly into session, General Benjamin Butler landed a force at the Naval Academy in Annapolis by water, and proceeded to begin repairing the railway connections that had been destroyed in the aftermath of the Baltimore riot. To say the least, Butler was an unwelcome guest

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[15] "War Excitement in Baltimore," *The Sun*, April 30, 1861.
[16] "Maryland State Conference Convention," *The Sun*, February 20, 1861.
[17] "Peace or War," *The Sun*, May 3, 1861.

in Annapolis. Governor Hicks strongly protested Butler's landing of "northern" troops, to which the eloquent Butler reminded Hicks that "they are a part of the militia of the United States obeying the call of the President."[18] The Governor was still insistent, but Butler would not back down, and Hicks acquiesced, given that the Governor's only option was to forcibly repel Butler's forces, a step he was not willing to take.

Hicks now appeared to be in collusion with General Butler and Lincoln by association, and the residents of the state were outraged. Marylanders felt that the Governor had given in to coercion, with the *Sun* reporting that the prevailing opinion in the state was that the state militia should have been called out to stop Butler's landing. [19] Governor Hicks realized that the legislature was heading to Annapolis to convene a secession convention, a course that would lead the legislators to clash with General Butler, an unwise idea in the charged climate of the state. Hicks quickly issued a proclamation to transfer the meeting place of the assembly, and convened the General Assembly 150 miles to the west at the courthouse in Frederick, instead of now-occupied Annapolis. Hicks' motives in this move are revealing: removing the General Assembly from occupied Annapolis to the Union stronghold of Frederick accomplished a physical separation from Union soldiers, but not a mental displacement from Union sentiment. Simple desire to maintain order could explain the move from Annapolis and away from Butler's "invading force," however Baltimore seemed the natural choice instead of unionist, rural Frederick. Hicks' choice here conveys a desire to deflect and buy time, a

[18] For Butler's landing, see Radcliffe, *Governor Hicks of Maryland*, 60-62, and "Special Message of the Governor of Maryland," *The Sun*, April 29, 1861.
[19] "The Governor's Message and The Legislature," *The Sun*, April 30, 1861.

move that he hoped would open up an opportunity for a peaceful resolution of the secession question to present itself.

Lincoln's administration kept a close watch on the events in Maryland. Butler's landing in Annapolis was only the beginning of a larger plan to occupy Maryland if necessary. With Virginia only across the Potomac River from the District and visible from the White House, the Lincoln administration could not afford to lose its other neighboring state to the Confederacy. Montgomery County, which shared the District's north and west border, and Prince George's County to the east, were heavily slave, heavily secessionist counties. James Wallace Anderson, a Montgomery County farmer who also held a clerkship in the Federal Treasury Department, refused to sign the loyalty oath to the Union required of all Federal employees in April of 1861, and returned home to Rockville a hero for quitting rather than signing the "tyranny oath."[20] Lincoln could not have been oblivious to this sentiment running throughout his government and neighboring state. His desire to keep the upper south in the Union remained paramount on his mind during 1861. "I think to lose Kentucky," he wrote, "is nearly the same as to lose the whole game. Kentucky gone, we cannot hold Missouri, nor, as I think Maryland. These states against us, and the job on our hands is too large for us. We would as well consent to separation at once, including the surrender of this capitol"[21]

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[20] George M. Anderson, S.J., ed., "The Approach of the Civil War as Seen in the Letters of James and Mary Anderson of Rockville." *Maryland Historical Magazine* 88, no.2 (Summer, 1993), 189-204.
[21] Quoted in David Herbert Donald, *Lincoln* (New York: Simon & Schuster, 1995), 317.

Secession Convention –North Carolina

Zebulon Vance sadly realized that North Carolina was essentially at war with Washington when Governor Ellis refused to supply Lincoln with troops after Fort Sumter. Putting aside his strong Unionist beliefs, Vance organized a military company in Asheville and begin to drill with his fellow soldiers by the middle of May. Vance, however, was not pleased with the politics going on in Raleigh, lamenting in letters to his wife that he "was in rather low spirits" at the progress of calling for a secession convention, worrying that the secessionists would now take over the state government, leaving his fellow Union men "to take back seats and do most of the hard work and make bricks without straw." Vance was further wistful about the demise of North Carolina Unionists, and resigned himself to serve as a soldier "in spite of the small men" who now controlled the state.[22]

Jonathan Worth also realized that his love for the Union and his strong public pronouncements of the need to find compromise were not going to avert civil war. Writing to a friend, he sorrowfully admitted that "I am still painfully impressed with my impotence to accomplish anything tending to the preservation of our Country from the calamites of the civil war…the best chance I see is to present a united front."[23] Worth blamed Lincoln for crushing the Union party in the upper south, and also threw blame to all extremists, admitting that "I abhor the Northern Abolitionist and the Southern

[22] Zebulon Vance to Mrs. Z.B. Vance, May 18, 1861, in Johnston, *Papers of Zebulon Baird Vance*, 100.
[23] Jonathan Worth to H. L. Myrover, May 6, 1861, in deRoulhac Hamilton, *The Correspondence of Jonathan Worth*, 140.

secessionist…the whole nation has become mad."[24] Regardless, Worth dutifully began stumping for volunteers in Asheboro, realizing that once the Legislature sat a secession convention, North Carolina's exit from the Union would logically follow.

Senator Thomas Clingman, on the other hand, was pleased about the events of April 1861. Clingman rushed to South Carolina after Fort Sumter, and gave a speech in Charleston where he proclaimed that "the Old North State was now ready to imbibe the spirit and energy of South Carolina and …resist the infernal treachery of Lincoln." Governor Ellis sent Clingman to Montgomery, Alabama, to observe the Confederate Congress, and Clingman rushed to volunteer for military service, while also making it known in the papers that he was interested in representing North Carolina in the Confederate Congress, once the state joined, of course. [25]

While Vance and Clingman were preparing with regiments of soldiers and Worth was recruiting new confederate volunteers, Governor John Ellis called the Legislature into session in Raleigh on May 1, 1861. In an eloquent speech in which he referenced the writings of James Madison, Alexander Hamilton, and the Declaration of Independence, Ellis outlined his plans—to control all the forts and federal installations in the state, including the Charlotte mint, to raise ten regiments of soldiers and most importantly, to have elections for a secession convention. Ellis was concerned as well about other upper south states, and appealed to the legislature to send troops to Maryland, since Federal Troops were overrunning the Baltimore and "policy, as well as sympathy and feelings of

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[24] Johnathan Worth to Gaius Winningham, May 20, 1861, in deRoulhac Hamilton, *The Correspondence of Jonathan Worth*, 149.
[25] Jeffrey, *Thomas Clingman*, 160-162.

brotherhood…requires us to exert our energies in the defense of Maryland." Ellis assumed that Maryland would be part of the Confederacy soon enough, and hoped to send help to assist in repelling the federal armies that "seriously endangered the liberties" of a fellow upper south state. [26]

Curiously, Ellis did not just ask the Legislature to vote on the secession question, but issued a proclamation for an election to be held in each county to elect delegates to a secession convention to be held on May 20, 1861. The convention would seat 120 men, based on the same county apportionment as in the House of Commons. Ellis was casting a broad net as possible here—not just letting the sitting Legislature vote on the secession question, but by pulling in new representation from across the state, free of any previous legislative proclamation of position. On the face of it, Governor Ellis was asking the common people of North Carolina to have a more direct say in the secession question, giving the citizens of the state a stronger feeling of participation and agency. However, the quick turnaround and rush to seat a convention circumvented state law. With the short two week turnaround, Ellis ignored the state law that dictated polls must be open for at least twenty days. Given the difficulty in getting news around the state, some districts found out about the election mere days beforehand, giving neither side the opportunity to campaign or coalesce support. Many Union supporters simply sat out the election—knowing, as Zebulon Vance had alluded to in his letter to his wife—that the secessionists and Governor had gained the upper hand throughout the state. According to one

[26] Governor Ellis' May 1 speech to the Legislature and his subsequent proclamation calling for the secession convention vote are both in Tolbert, *Papers of John W. Ellis*, 697-706. Discussion of assisting Maryland on page 703.

newspaper article, in Wake County substantially fewer voters turned out for the May election than had in the February referendum.[27]

Ellis' motives are not entirely spelled out; however, it is logical that Ellis wanted to make the decision for secession as egalitarian as possible, with the added benefit of being able to quell any opposition or accusations of tyrannical edicts from the large Unionist population in the state. Regardless, with the short turnaround on the secession convention, he clearly was stacking the votes in his own favor. Even so, the Governor had troubles in his own backyard, for the Sherriff of Wake County was attempting to stop the formation of militia units in the Raleigh area issuing summons and fines against volunteers. The Sherriff's politically motivated, Unionist move caused Ellis to ask the General Assembly to pass a law prohibiting the service of civil process against anyone volunteering to enlist in military service.[28] The Governor also received correspondence from Northampton County asking for help to control "a most desperate and lawless gang of white men" who were resisting the push towards the confederacy, even going as far to "completely corrupt the negroes."[29]

The elections for the secession convention brought a fresh group of men to Raleigh to debate the secession question. Some familiar names –William Holden representing Wake County, Thomas Ruffin for Alamance County, John Gilmer for Guilford County, and David Reid from Rockingham County—were elected to the

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[27] For discussion of the quick turnaround in NC, see Charles A. Bolton, *Poor Whites of the Antebellum South: Tenants and Laborers in Central North Carolina and Northeast Mississippi* (Durham: Duke University Press, 1994), 149-154, and J. Gilchrist McCormick, *Personnel of the Convention of 1861* (Chapel Hill: University of North Carolina Publications, 1900), 10-12.
[28] John W. Ellis to the General Assembly, May 3, 1861 in Tolbert, *The Papers of John W. Ellis, 715.*
[29] Thomas Goode Tucker to John W. Ellis, May 7, 1861, in Tolbert, *The Papers of John W. Ellis, 728.*

convention. One hundred and twenty delegates in all, these men represented the college-educated, professional and mercantile population of the state; to be expected, none were what might be considered part of the yeoman class. The recollections and record of the men who served in the convention were recorded in a unique source that set out to allow the participants to tell their own versions of their motivations in serving in the Raleigh convention. [30] Many members of the convention were far from rabid secessionists when they arrived in Raleigh, most claiming with pride that they were "Henry Clay Whigs," opposed to secession and that they had been John Bell supporters in the election of 1860. While exact figures remain unclear, many of the men were slaveholders themselves (certainly Gilmer, Reid and Ruffin, as previously noted), although Pastor Conaro Smith, representative of Macon County, was active in the American Colonization Society and had sent freed slaves to Liberia.[31]

The Secession Convention delegates were a diverse sampling of the political and social elite of the State, and once in Raleigh, the representatives quickly got to work. Weldon Edwards was elected by a small majority as President of the convention, a close race but a telling one, since Edwards was the master of a large plantation and was known to be an ardent secessionist, who went as far to delight at "the prospect of separation from

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[30] J. Gilchrist McCormick, *Personnel of the Convention of 1861,* 1-13. From 1896-1899, McCormick was a UNC graduate student and an early pioneer of ethnography. For research on this publication he entered into correspondence with and interviewed surviving members of the convention, or their immediate family members. The book was published in 1900, but in 1936, the original response letters were cataloged as part of the WPA's Survey of State and Local Historical Records. The letters are housed in the *John Gilchrist McCormick Papers Relating to the 1861 North Carolina Secession Convention*, #451, Southern Historical Collection, The Louis Wilson Round Library, University of North Carolina Chapel Hill.
[31] McCormick, *Personnel of the Convention,* 76.

the Northern people, whom he despised." [32] Edwards' close second was William A. Graham, a former Whig governor with less fiery opinions. Union men made their voices heard, particularly on early debates on whether secession was constitutionally legal. Legality of secession aside, the first day's work of the committee resulted in an extraordinary ordinance, quickly finalizing the politics of the last eighteen months: "We do further declare and ordain, that the union now subsisting between the State of North Carolina and the other states, under the title of the United States of America, is hereby dissolved." The rush of the committee, politics aside, is easily attributable to the significance of the date –May 20. Eighty-six years earlier, on May 20, 1775, the citizens of Mecklenburg County broke all ties with Great Britain in the "Mecklenburg Declaration of Independence." [33] To put a final definitive point on this separation, the vote on the ordinance of secession was unanimous.

This unanimous vote can be interpreted in several ways. McCormick was even careful to note in his ethnography that "the red-hot secessionist element was always in the minority," although simple math would assure that the Unionists voted alongside the secessionists. Although human memory is fallible, many of the members of the convention who recalled their participation claimed that they were being sent to Raleigh with the express charge from their constituents to vote against secession. McCormick noted this disparity in his text, but quickly dismissed it; his supervising professor, Dr.

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[32] Samuel Ashe, "Weldon Nathaniel Edwards," in Samuel A. Ashe, ed., *Biographical History of North Carolina from Colonial Times to the Present, Vol. 1* (Greensboro: Van Noppen Publishers, 1905-1917), 255-269

[33] Although this actual document has not survived, it is referred to in multiple colonial records, including the Mecklenburg Resolves of May 31, 1775. See Lindley S. Butler and Alan D. Watson, eds., *The North Carolina Experience: An Interpretive and Documentary History* (Chapel Hill: University of North Carolina Press, 1984), 129-139.

Kemp Battle, told him that the members of the convention were confusing the elections for the secession convention seat in May with the February referendum that returned a no convention vote.[34]

McCormick may have been quick to chalk up the recollections of the convention members to the revisionist tendencies of the human memory, for the individual recollections reveal anguish over the secession question. William Ellison of Beaufort County was a Constitutional Unionist, who "deplored the spirit that was hastening on strife and bloodshed." Dr. Albert Myers of Anson County was elected to the convention as a Whig, and "being an old line Whig, bitterly opposed secession and fought it against the lost extremists." Delegate Claudius Sanders of Johnston County was "a zealous Whig," and was "opposed to secession until it carried and thus went with the people." Pastor Polycarp C. Henkel of Lincoln County "did not remain long in the Convention of 1861, resigning as it was much against his will to go to the convention but was pressed upon to go by his numerous friends. He was not an original secessionist." Archibald Williams of Franklin County, who claimed to be elected to the convention against his wishes, perhaps said it best when he recollected that "You ask my opinion about secession--that is something of the past. I will simply state, that in all my early days I was what we called an old line Whig, and was opposed to the move. And then I have been asked why you voted for it. I have like our great leader Vance answered, because I

[34] McCormick, *Personnel of the Convention*, 6-7. Kemp Battle was also a member of the secession convention from Wake County and was an eyewitness to the proceedings, and therefore, he was a formidable presence in J.G. McCormick's research as a student at UNC. However, the fallibility of human memory also applies to Dr. Battle.

could do nothing else."[35] David Schenk, the representative from Lincoln County, a dedicated diarist and prosperous attorney, destroyed his diary entries from May 9 to May 25, 1861, ripping the pages out of his otherwise methodical daybook. Judge Schenk must have been disgusted by the progress of those days and his change of heart from unionism to secessionism.[36]

Given all this, the unanimous vote stemmed from a desire to appear unified publicly, even if not unified in reality. Given the strength of the Unionist vote in the February referendum, it stands to reason that unanimity was a goal so that the people of North Carolina would see the decision to secede as strong and definitive, and quash any possible Unionist protests. McCormick theorized that the "old Unionists" allied with the secessionist convention representatives to preserve harmony in the state, and perpetuate a veneer of civility and agreement. While North Carolina Unionists were always adverse to coercion by the Lincoln administration, the immediate vote for secession could only have caught them by surprise. The quick resolution was part of a perfect storm of circumstances--May 20 was a symbolic date, Virginia was already out of the Union, the Governor was advocating military assistance be sent to Maryland—Unionists could no longer stem the tide in North Carolina, and the state joined the Confederacy. Unanimity in North Carolina bore little resemblance to unanimity in the cotton states, for in North Carolina it was a reflection not of fire-eating principles, but the desire to present a firm message to the Lincoln administration, the Confederate government, and most assuredly,

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[35] Letters all in McCormick Papers, Southern Historical Collection.
[36] David Schenck Diary, *David Schenck Papers* #652, Southern Historical Collection, The Wilson Library, University of North Carolina at Chapel Hill. Diary for 1861 is in folder 5. Noted dates are ripped out of the diary.

the Unionists still existing in the state. After North Carolina's vote to secede from the Union, Jonathan Worth understood the need to present the front of unanimity, writing to business associates in Boston that "this state is now a perfect unit as the North seems to be." However, Worth revealed the weakness in the forced unanimity, telling his Northern associates that "Lincoln did more than all the secessionists to break up the Union," and "our white population and our slaves will resist to the death."[37] Worth could not have possibly believed that the slaves would fight alongside the Confederates to preserve their own enslavement, rather Worth wanted to convince his Northern partners that using the slaves against the Confederates was an unwise plan. Also, Worth made it clear that it was not the fault of the North Carolina Secession Convention that the state seceded, it was Lincoln's fault. Even strong upper south sectional Unionists like Worth could not stop the voice of Union reason from being defeated by the secessionists.

The Maryland Convention

Prior to the assemblage of the North Carolina convention, the Maryland General Assembly, after six months of avoidance by the Governor, convened in Frederick on April 26, 1861. When the Maryland delegates arrived, they were on the on run from General Butler's forces, were still trying to suppress open rioting in Baltimore, and were contemplating joining a Confederacy that did not include, at that moment, North Carolina, Kentucky, Tennessee or Delaware. Governor Hicks' opening message was a combination of defending his own actions and pleas for peace and neutrality—"the fate of Maryland, and perhaps of her sister border slave states will undoubtedly be seriously

[37] Jonathan Worth to Johnson & Farnsworth, May 22, 1861, in de Roulhac Hamilton, *Correspondence of Jonathan Worth*, 150-151.

affected by the action of your Honorable body…the only safety of Maryland lies in preserving a neutral position." Only at the end of his opening remarks did the Governor finally reveal his leanings, the opinion that he had kept to himself since Lincoln's election seven months earlier—"I can give you no other counsel than that we should array ourselves for Union and Peace."[38] While his statement finally positions Hicks as a Unionist, Governor Hicks was certainly not an unconditional Unionist, for he was still actively opposed to Lincoln passing troops through Maryland and hoping to be neutral. As an upper south sectionalist, the Governor still wanted for Maryland to be the Switzerland of the upper south, a position that each passing day was becoming more unachievable.

Governor Hicks' opening message took a pleading tone, because he was well aware of the sympathies of the men he was addressing. Baltimore secessionist leaders T. Parkin Scott, S. Teackle Wallis and Ross Winans were all in the House Chamber, as was Coleman Yellott representing the city in the Senate. Teagle Townsend of Worcester County, who had earlier threatened bodily harm on the Governor, was in his Senate seat as well. (see chapter 4) Barnes Compton of Charles County was present to push for a vote on secession to protect his 105 slaves at his plantation Rosemary Hill. Given this makeup of the assembly, surprisingly, the Senate took a conciliatory move with its first public statements, effecting yet another dodge and evasion on the secession question by resolving that even though many in the state wanted a secession resolution, "all such are fears are without just foundations. We know that we have no constitutional authority to

[38] *Maryland House and Senate Documents*, *Extra Session 1861* (Frederick: E. S. Riley, 1861), 4.

take such action." Then, the Maryland Senate further resolved "if believed by us [the Senate] to be desired by you [the people], we may…give you the opportunity of deciding for yourselves your own future destiny." *The Sun* realized this resolution for what it really was—a pushing of the issue forward to a future that realistically could never happen, for if the people of Maryland sat a convention, "that body shall be prohibited from passing an ordinance of secession so long as the national capital of the United States is continued at Washington."[39] On May 9, 1861, the *Baltimore American* reported that the members of the legislature did not want to call a convention because the people might elect delegates of strong Union views, and there was no way to control the results of an open convention election.[40] Even though the Legislature was completely against the policies of the Lincoln administration, there was such a wide divergence among the members on secession that no agreement could be reached.

The Assembly moved away from the secession issue to a diplomatic one, a formal recognition of the Confederate States, resolving that "that the State of Maryland desires the peaceful and immediate recognition of the independence of the Confederate States…any attempt to coerce them will only add slaughter and hate." In formal recognition of the Confederacy, the General Assembly still did elaborate on whether or not Maryland would join the alliance, for it was much more incensed and busy debating about the presence of federal troops in the State. "Resolved that the present military occupation of Maryland…in the opinion of this Legislature, are in flagrant violation of the Constitution…does hereby protest against the same, against the arbitrary restrictions

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[39] "We Should Come to an Understanding," *The Sun*, May 7, 1861.
[40] The Baltimore *American*, May 9, 1861.

and illegalities with which it is attended."[41] The indigence at the presence of Butler's troops, judging from the proceedings of the General Assembly, filled much more debate than the impending war. Debates and resolutions directed at Lincoln stepped up in their rhetoric, and by June the General Assembly was calling the occupation of Maryland "to be gross usurpation, unjust, oppressive, tyrannical and in utter violation of common right and of the plain provisions of the Constitution."[42]

As the General Assembly waged a war of words against Federal troops in the state, Butler moved troops from Annapolis to Relay House, nine miles from Baltimore, claiming that his orders were to repair and protect the damaged railway and telegraph lines. Although Butler hoped that it would not be necessary to complete his orders by force, the General was instructed to prepare plans for invading Baltimore.[43] During the night of May 13th, Butler's forces quietly came into Baltimore, under cover of what Edward Robinson recalled as "a most frightful thunderstorm."[44] Butler encamped his troops in Monument Square, where just three weeks earlier Hicks had tried to calm the secessionist mobs in the aftermath of the Baltimore Riot. Lincoln also made a controversial decision to punish those who were responsible for the impeding of federal troops through Maryland. In consultation with General Scott and Secretary of State Seward, Lincoln authorized the suspension of habeas corpus to "arrest, and detain, without resort to the ordinary processes and forms of law" any individuals who might be

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[41] *Journal of Proceedings of the House of Delegates in Extra Session, 1861*. (Frederick: Octavo Pub., 1861), 436.
[42] *Journal of Proceedings*, June 7, 1861.
[43] An analysis of Butler's moves and orders, taken from the official records of the Secretary of War, are quoted in Fields, *Slavery and Freedom*, 95-96.
[44] Robinson, "Some Recollections," 279-280.

dangerous to public safety and the safety of the capitol city. It was also discussed in cabinet meetings whether not the Army should break up the meeting of the Maryland General Assembly to insure no vote on secession was taken. Lincoln demurred, for now, on overtaking the Maryland assembly, although on May 25 John Merryman's right to habeas corpus was suspended and he was arrested for treason against the United States for the burning of the bridges, resulting in the Supreme Court litigation that is still controversial in legal circles, *Ex Parte Merryman*.[45]

The assembly in Frederick did not outright vote for secession, but the secessionist element was hoping to take steps towards taking over the state legislatively by creating a Board of Public Safety, whose commissioners would be empowered to take control of the military, arms, and state funds from Governor Hicks. The bill was drafted in the Senate by Coleman Yellott, and he was reported in the Union press as being a "violent secessionist."[46] The Public Safety Bill was debated for two days in Frederick, where the local populace was against it, and supposedly the residents of Frederick were openly threatening violence upon the Legislature. In Baltimore, Henry Winter Davis was incited into action over the Safety bill, and organized Union meetings in Baltimore to condemn what he viewed as an attempt at "military despotism" by the Legislature. Davis also published lengthy resolutions in the press, urging the residents of the city to voice their displeasure, which they did, as did other sections of the state, through resolutions sent to

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[45] For Lincoln's relationship with Maryland, see *Team of Rivals*, 354-356, also see McGinty, *The Body of John Merryman*, 76-88.
[46] "Important from Maryland," *The New York Times*, May 3, 1861; also see Radcliffe, *Governor Hicks of Maryland*, 76-78; *Journal of the Proceedings*, 66-79.

Frederick.[47] Ultimately, even its original authors realized the Public Safety Bill was too far reaching and imperious to ever pass. The bill was sent back to Teackle Wallis's committee on foreign relations, where it died a death by attrition.

Uproar over the Safety Bill aside, the journalists and citizens of Maryland were beginning to take an impatient look at the General Assembly's avoidance of the secession issue. *The Sun's* Frederick correspondent dryly noted that "The indications are that the Assembly will, for the time being, ignore the discussion of national politics, and devote itself assiduously to business of more practical importance."[48] Rumors also began flying: on June 7, the *Sun* reported that security around the Governor had been increased because a rumor was circulating that two Virginia Colonels had a plan to seize the Governor and members of the General Assembly, and to take them off to Virginia. The goal of this plot was "the transfer of gubernatorial powers into the hands of Senator Brooke…into the expectant embraces of the Confederates."[49] While there was never any substantiation of this rumor, it only heightened the level of nervousness in Frederick.

While the General Assembly was meeting, Unionist John Pendleton Kennedy circulated his analysis on the crisis, *The Great Drama: An Appeal to Maryland*, in pamphlet form. Kennedy, as one of Maryland's strongest literary and Unionist minds, laid out in his eloquent argument exactly what was going to happen if Maryland took the secessionist path. He reminded the residents of the tenuous geographic position of the state, noting that Maryland would be the first region swept by Union armies from a nearly

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[47] Henig, *Henry Winter Davis*, 158-160.
[48] *The Sun*, June 4, 1861.
[49] *The Sun*, June 7, 1861.

indefensible Northern border. Maryland's merchants and tradesmen would see their markets to the North and west disappear. Kennedy took careful measure to assure Marylanders that Unionism did not equal collusion with the Lincoln administration, stating that "We deplore the unfortunate ascendency of the Republican Party; we censure the policy of the Administration."[50] Kennedy advocated that Maryland needed to stay in the Union for the sake of the other states of the upper south, theorizing that "If she remains where she is, her example may influence the course of the other Border States which now are drawn to the verge of secession, and with them may happily bring about a restoration of the whole Union."[51]

Giving credence to Kennedy's idea that Maryland could serve as an ambassador to end the hostilities, in mid-May the General Assembly sent a delegation to Montgomery, Alabama to encourage the Confederate President to search for a peaceful resolution with Lincoln. Their message to Jefferson Davis was that "there should be a general cessation of hostilities now impending until the meeting of Congress, in July next, in order that said body may, if possible, arrange for an adjustment of existing troubles, by means of negotiation rather than the sword." Davis' reply was less than supportive: "whilst the government would readily entertain any proposition for the government of the United States tending to a peaceful solution of the pending difficulties, the recent attempt of this government to enter into negotiation with that of the United States, were attended with results which forbid any renewal of proposals from it to that

[50] John Pendleton Kennedy, *The Great Drama: An Appeal to Maryland.* (Baltimore: John D. Toy, Printer, 1861), 14.
[51] Ibid, 16.

government." Nevertheless, Davis' denial of Maryland's peace proposal contained a sales pitch, hoping that "a State whose people, habits and institutions are so closely related and assimilated with theirs, will seek to unite her fate and fortunes with those of this Confederacy."[52]

Despite numerous proposals from the Prince George's delegation for votes on immediate secession, the General Assembly repeatedly demurred, voting that it lacked authority to rule on such matters. The General Assembly, reflective of the citizens that elected it, wanted to have it both ways. By declaring, somewhat unrealistically, that "the State of Maryland owes it to her own self-respect and her respect for the Constitution…to register this, her solemn protest, against the war which the Federal Government has declared upon the Confederate States of the South and our sister and neighbor Virginia, and to announce her resolute determination to have no part or lot, directly or indirectly, in its prosecution."[53] The Maryland Legislature thought that it could protest the war, but gallantly stand back and have nothing to do with it; reality, however, dictated a different course. The General Assembly adjourned their special session at the end of June, without ever calling for a floor vote on secession. Maryland, despite Jefferson Davis' and Virginia's pleas, was not going to join the Confederate States of America. The Legislature and the Governor wanted to carry on their avoidance policies and continue to hope in vain for peace. Both also made clear that they were never going to enthusiastically support what it considered Lincoln's coercion.

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[52] The full text of the General Assembly's "peace proposal" and Jefferson Davis' reply are included in the *Journal of Proceedings*, June 18, 1861. The three delegates sent were Thomas J. McKaig, Coleman Yellott and Charles A. Harding.

[53] *Journal of Proceedings*, May 9, 1861.

Two States: The Dilemma of Upper South Sectionalism

With the largest newspaper in the state declaring just a few months back that "our lot is cast with that of Virginia, and the lot of Virginia is cast with that of the Southern States," what kept Maryland from going into the Confederacy? Looking at newspapers, government documents and the papers of the political leadership, it seems clear that three reasons kept Maryland with the Union: geography, economics, and politics. The social geography of Maryland was complex, given that the state shared the Mason-Dixon Line with non-slave Pennsylvania to the North, the low-density slave state Delaware to the East, and the western border with Confederate Virginia. Maryland's bordered regions were as vividly different as Philadelphia to Tidewater Virginia, not to mention the southern border with Lincoln's administration in the District of Columbia.

General Butler's military presence in the state made it clear that Lincoln was prepared, by necessary means, to keep Maryland in the Union to preserve the capitol. Although never mentioned by the General Assembly, it could not have escaped the majority of delegates that if they were to declare their separation from the Union, Butler's armies were already in position to occupy Baltimore and the state capitol in Annapolis. While federal military presence was a major part of Maryland's decision to stay with the Union, it has been overestimated by several other historians.[54] Economics and politics together offer the most compelling reason why Confederate-minded Maryland resisted joining the Confederate States of America. The main market for the goods of the Eastern Shore plantations-wheat, corn, and vegetables--was Philadelphia, the largest market

[54] Military occupation was the reason offered by Fields, Evitts, and Baker for Maryland's decision to stay with the Union.

reachable without crossing the Bay. Although Maryland agricultural and manufacturing products reached untold markets through the port of Baltimore, a large portion of goods were moved through the Baltimore & Ohio and Chesapeake & Ohio canals to Western Pennsylvania and Ohio, giving Maryland an important door into the interior markets that would effectively be closed with secession. John Pendleton Kennedy, again the voice of reason, also reminded Marylanders that it would be comparatively easy for the Union navy to shut off the mouth of the Chesapeake at the Atlantic Ocean, bottling up the port of Baltimore. Kennedy also emphasized that the Confederate Government's proposal for direct taxes would multiply the average citizen's tax burden as much as twelve times.[55] Baltimore's numerous railroad lines that facilitated Northern trade had already been cut off, affecting business throughout the state. Without much doubt, from the economic standpoint, Maryland seemed to have little to gain by joining with the rebels.

North Carolina was similarly stuck in a trap of geography. With Virginia and South Carolina officially in the Confederacy and Tennessee moving towards joining, by May of 1861 the Tar Heel State was surrounded by the Confederate states. While North Carolina was not connected to the markets of the North and West to the extent that Maryland was, not joining the confederacy was tantamount to closing all markets for North Carolina. With only the Port of Wilmington large enough to sustain overseas trade, North Carolinians, particularly in the Piedmont and Mountain West, traded locally and with neighboring states. Not joining the Confederacy would have broken trade with

[55] John Pendleton Kennedy, *An Appeal to Maryland*, 11-14.

local markets, and as North Carolina was just emerging from a period of economic stagnation, closing these markets would have crippled the economy.

The bleak economic outlook aside, the party politics of Maryland and North Carolina distinctively separated the states from their Southern neighbors. It is historically acknowledged that the Democratic Party's domination of the states of the Deep South created a one-party oligarchy that led into a non-contested political environment that lent itself easily to secession. On the other hand, Maryland and North Carolina lacked this one party dominance with its population of Know-Nothings, Whigs, and Democratic Oppositionists. Another important distinction is the success of John Bell's Constitutional Unionist party in both states. While other Southern states were solidly Breckinridge, Bell managed to gain almost half of the votes for President in Maryland, as well as impressive showing in North Carolina. Able to coalesce the large remnants of the Whig and Know-Nothing parties remaining in both states, Constitutional Unionists upset the Democratic majority in the state. The success of the Bell party again signifies the search of many upper south sectional Marylanders and North Carolinians for the middle way—not for secession, but not openly agitating against it, either.

The strong southern support seen in the counties of Southern Maryland was hardly surprising; however, the Eastern Shore was less of a secessionist stronghold than past experience would have anticipated. Coming out of a tradition of geographic isolationism and political individualism, the Eastern Shore valued its slaves, but valued more its independence. The surprising level of support for Bell in the Eastern Shore counties of Washington, Caroline, Dorchester and Queen Anne's displayed that even in a

plantation economy; residents of the Eastern Shore were more committed to the ideals of the Union than the Confederacy. The regionalism and individualism of the Eastern Shore broke down in the election of 1860, bringing the state more together politically than ever before. For the first time, the voting results on the Eastern Shore looked much like those on the Western Shore of the Bay.[56]

As in Maryland, the vitality of the two-party system in North Carolina in the late antebellum period is in sharp contrast to the claims of some southern historians that the south was for the most part governed by one-party rule. As shown in the preceding pages, regional patterns among the three major geographic portions of the state provide an insufficient explanation for the survival of partisan politics in North Carolina. While an easy generalization, and often used by many other historians, closer inspection uncovers that in the East, Piedmont and Western counties strong opposition politics existed in tandem with traditional Southern-rights Democratic voting blocks. Localism, more than regionalism, is the more feasible explanation for the strength of two-party politics. North Carolina during the 1850s was very much a state comprised of distinctive communities. In social, economic, and particularly political terms, North Carolinians saw themselves as loyal to their local community first, then region, and lastly to the state and Union. Tarheels voted as more of a member of a community than as individuals, for voters lived in close knit groups that developed a partisan identity. Local elites often had enormous influence in political preferences, and many ordinary North Carolinians voted with their

[56] Fields, *Slavery and Freedom,* 48-52.

neighbors, rather than along regional or partisan lines.[57] For example, Guilford County, in the central piedmont, consistently voted for any candidate, governor or president, who was not a Democrat. While other Piedmont counties' political affiliations were consistently close and reflected changing partisan loyalties, the communities of Quakers and Unionists in Guilford presented a local pattern of opposition politics that persevered through many different campaigns and issues. During the secession winter, the region of most intense Unionism was the central Piedmont, not, as many suspect, the mountain counties. Support for the Union was strong in the mountain region, however, pockets of southern-rights Democrats existed in slaveholding counties like Burke and Buncombe.

Both states also were home to many Southern Unionists, a political coalition that was tenuous, hard to define, and constantly shifting. Maryland and North Carolina's Unionists did not want to see the Union dismantled over slavery; rather, they wanted the extremists to accept that their demands were unconstitutional, and therefore, unacceptable. John Pendleton Kennedy, John Gilmer, Reverdy Johnson, William Holden and Jonathan Worth were upper south sectionalists who all believed deeply in the Union and its preservation; however, not one of these men agreed on what exactly Unionism meant. All of these men saw Lincoln as a fringe extremist, and blamed the anti-Constitutional ravings of the Garrisonians as causing the secession crisis. Maryland and North Carolina Unionists envisioned a Union with slavery in perpetuity, at least where it

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[57] For local control of politics in North Carolina, see Bolton, *Poor Whites of the Antebellum South*, 114-116, and also for a background on the emergence of this intense localism, see Butler and Watson, *The North Carolina Experience, 54-55 and* 157. Lindley Butler, in studying the Proprietors, perhaps has the best quote to summarize North Carolina's local focus: "For more than twenty years the Lord Proprietors reaped a bitter harvest of rebellion…where governors were deposed, officials imprisoned, assemblies turned out, and courts overthrown." This intense desire for local control was still present in the antebellum era.

already existed. Johnson and Holden thought the answers could be found in the Douglas candidacy for president, and Kennedy, Gilmer and Worth in the Constitutional Unionists. Gilmer valiantly tried to negotiate directly with Lincoln in order to find a solution to sectionalism, and Kennedy attempted to encourage an upper south sectionalist position as late as May, 1861 with the publication of *The Great Drama.* Kennedy encouraged Marylanders to remain in the Union, for "if she {Maryland} remains where she is, her example may influence the course of the other Border States…and with them happily bring about a restoration of the whole Union."[58]

In the search for compromise, Marylanders and North Carolinians were some of the most persuasive national voices. With each state's representatives vigorously participating in the Peace Conference, and the Committees of Thirteen and Thirty-three, these upper south Unionists attempted to bring what John Pendleton Kennedy called "the wise and patriotic sentiment" to bear on finding a solution to the crisis. North Carolina's Zebulon Vance held a firm Unionist position in the House for as long as he possibly could. During the speakership battle of 1860, Henry Winter Davis and John Gilmer's alliance is demonstrative of the relationship between the two states, for Davis and Gilmer tried to prevent any extremist, of either side, from having the speaker's chair.

Even though Unionism was found in each states, so was secessionism. Just as unionists in these two states came in many varieties, so did secessionists. North Carolina's Senators Thomas Bragg and Thomas Clingman were both identified as secessionists, however, as shown in chapter three Bragg and Clingman were often at

[58] Kennedy, *The Great Drama,* 15.

odds with one another and disagreed on the way out of the sectional discord. Maryland's Teackle Wallis was an astute legal mind using the law to justify separation, as was William Waightstill Avery in North Carolina. To these two barristers, it was not secession that was unconstitutional but the attempt to invalidate the slaveholder's right to property under the law. Another commonality between the states was the position of each Governor; in Maryland, a Unionist governor trying to stall a strong secessionist populace and Legislature, and in North Carolina a secessionist Governor attempting to win over a Unionist coalition in the general public and the State House. With the Governor in opposition to the voters and the legislatures, each state was hurled into a legislative and political battle of the wills.

In his book *The Impending Crisis*, David Potter offers an important reminder for anyone who looks critically at the years prior to secession: "Hindsight, the historian's chief asset and his main liability, has enabled all historical writers to know that the decade of the fifties terminated in a great civil war. Knowing it, they have consistently treated the decade not as a segment of time with a character of its own, but as a prelude to something else."[59] Marylanders and North Carolinians in the late 1850s did not know that they were living in the prelude to the Civil War, but rather in a byzantine, confusing and often incomprehensible mixture of Northern and Southern politics. Neither Northern nor Southern, Marylanders and North Carolinians balked at the idea of seceding from the Union, but also at the idea of being coerced by the Lincoln administration.

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[59] David M. Potter, *The Impending Crisis* (New York: Harper & Row, 1976), 10.

Historical hindsight lets us know that Maryland did not secede from the Union; however, in the winter of 1861, the average Marylander would not have been so sure about this outcome. There is no doubt that much secessionist sentiment existed, fueled by partisan newspapers and a strong pro-Breckenridge Democratic Party organization. One historian theorized that though records of hundreds of public meetings exist, along with hundreds of editorials and proclamations, "it is impossible to come to any satisfactory conclusions as to the public sentiment of Maryland…this sentiment was in a more or less chaotic condition and tended to change with bewildering rapidity."[60] Ultimately, Maryland decided that the military realities of geography, economics and politics were stronger than slavery and sympathy for the beleaguered South. The liability of hindsight is that now, more than one hundred and fifty years later, it appears that Marylanders wanted to have it both ways, resisting secession, but also resisting advocating Lincoln's war for the Union. The better answer is that Maryland instead chose a position that underscored its upper south sectional mindset: a hope to be the great middle ground of sanity and compromise, outside of both and Northern and Southern fray.

The same perspective of hindsight tells us that North Carolina did secede from the Union, and as in Maryland, the average North Carolinian would not have been so sure about this outcome during the secession winter. Secessionists always existed in North Carolina, yet up until the call for troops in April, 1861, Unionist sentiment had dominated the state. The strength of the Opposition party in the election of 1860 revitalized the two-party competition in the state, and helps to explain why North Carolinians had such

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[60] Radcliffe, *Governor Hicks of Maryland,* 130.

strong Unionism during the secession winter. Nor can it be argued that North Carolina politicians focused on national issues rather than state issues to be able to inflame the electorate with fire-eater, pro-slavery, southern-rights Democratic politics. Close two-party competition made North Carolina politicians attentive to state issues of substance, such as railroad construction and slave taxation. North Carolina's two-party system survived on substantial issues of policy that had a great effect on the future of the state. In fact, it was surprising how little rhetoric on state's rights and secession even entered into the debates for the governorship in August of 1860, when the nation was in the midst of a divisive presidential election.

Far from being an essentially one-party state, a great many upper south sectionalist North Carolinians hoped to be anything but fire-eating Democrats. Consistent resistance to calling a state convention on secession until Lincoln's ultimatum after Fort Sumter proves the strong Unionism that existed in the state, a Unionism that was supported by a great many Oppositionists. When, on May 20, 1861, North Carolina shed its reluctance and seceded from the Union to join the Confederacy, the former Unionists worked hard to promote the veneer of unanimity in the secession convention vote. For many in the state the unanimous vote was a nothing more than a veneer, "for it is impossible to know exactly how many North Carolinians opposed disunion in May 1861." The opponents of disunion had little to no avenue to secure a voice at the secession convention, and years later, Zebulon Vance would even admit that the

secession convention was driven by the politicians, not the people.[61] Regardless, the upper south sectional leadership worked hard to promote the legitimacy of the unanimous vote. John Gilmer, in correspondence with the Lincoln administration and a serious contender for a cabinet position, told his friend George Howard that as North Carolinians "We are all one now" in the Confederacy.[62] Holden, the leader of the Democratic secessionist opposition, sadly acknowledged that "Mr. Lincoln has left no alternative but resistance or unconditional submission. The Southern man who would quietly submit to the doctrines enunciated… it is fit only for a slave."[63] Not one North Carolina politician was ever a nationally recognized, fire-eating secessionist; in many ways, Unionism in the state never died away, it just subtly shifted its definition.

North Carolina and Maryland together are representative of the struggles that the states of the upper south faced in the secession winter, yet also something very much of their own. Each state had hoped to not be pigeon-holed into being either Northern or Southern, sadly, however, there was no "neither" position available. The upper south sectional identity that these two states shared ultimately failed, and as the states themselves would change rapidly in the coming months, it would become harder and harder to recall that the commonality ever existed. Compromise failed in 1861, although Maryland and North Carolina political leaders worked extraordinarily hard to achieve it. With the coming of the war, Maryland's unlikely Union affiliation and North Carolina's reluctant participation in the Confederacy would end upper south sectional identity,

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[61] Bolton, *Poor Whites of the Antebellum South,* 154. The original letters in the McCormick collection bolster this thesis, as hopefully, does this dissertation.
[62] Butler and Watson, *The North Carolina Experience*, 266.
[63] "Holden to the People of Wake County," *North Carolina Standard,* May 8, 1861.

which was split apart by secession. The two states had attempted to be the arbiters of compromise, and in the failure of compromise the states ended up on two different sides of the Civil War. North Carolinian Hinton Rowan Helper had been prescient when he titled his study of slavery "The Impending Crisis of the South," because it had all come to pass. However, even in failure, upper south sectional identity as represented by Maryland and North Carolina provides an instructive perspective on the coming of the Civil War and the dissolution of the Union.

CHAPTER VII

EPILOGUE:
"THE PRESENT DISORDERED CONDITION OF THE COUNTRY"

Walter Lenoir, a family man, Democrat, and planter in Western North Carolina, wrote in early 1861 of his hopes that the nation could find compromise, and of how he "favored the middle course." Writing to his friend Zebulon Vance that North Carolina should seek its own new nation "in the event of war we withdrew from the north" and create an armed neutrality, a central confederacy buffer zone.[1] Lenoir further expressed that "I am opposed to joining our state with the schemes and politics of the cotton states," and wanted to form a union with "Maryland, Delaware and Missouri if they would join." Short of a central confederacy, Lenoir let Vance know that he even favored North Carolina's "central independence" to joining the Confederacy.[2] Walter Lenoir was a man of property and the owner of slaves; however, his life in the Carolina Mountains was outside of the South of fire-eating secessionists, and he embraced the upper south sectional ideals of caution and conciliation.

John Pendleton Kennedy had much in common with Walter Lenoir, and used his literary and political notoriety to espouse the position of upper south sectionalism

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[1] W. W. Lenoir to Zebulon Vance, February 5, 1861, in *Papers of Zebulon B. Vance*, 97-98; also William L. Barney, *The Making of a Confederate: Walter Lenoir's Civil War* (Oxford: Oxford University Press, 2009), 49-50.
[2] W. W. Lenoir to Zebulon Vance, January 7, 1861, in Frontis Johnston, *Papers of Zebulon B. Vance*, 79-81.

forcefully in his pamphlet *The Border States: Their Power and Duty in the Present Disordered Condition of the Country.* Kennedy believed that the upper south states "must immediately become the masters of the position from which the whole national controversy is most likely to be controlled." Kennedy believed that the upper south states "have their own welfare to protect, their injuries to redress," and like Walter Lenoir, Kennedy thought the middle states should create "a Confederacy of their own" to negotiate with not only the Lincoln Administration, but with the states of the West and the deep South. After Virginia's secession in April of 1861, Kennedy published a second pamphlet, *The Great Drama; An Appeal to Maryland,* hoping to keep the rest of the upper south united, including North Carolina. Kennedy proposed that Maryland's political middle course of neutrality and calm reserve and negotiation would serve as an "example [and] may influence the course of the other Border States which now are drawn to the verge of secession, and with them may happily bring about a restoration of the whole Union."[3] Kennedy artfully picked up the secessionist cry of "coercion" and turned it against the fire-eaters, accusing the pro-Confederacy factions of being the true coercionists, as they were "remarkably characterized by the signs of a conspiracy to give the minority a command over the majority" by promoting "the fabrications of a false opinion."[4] The Confederacy, in Kennedy's estimation, was built on the concept of "Southern rights," an umbrella term that Kennedy found meaningless, for "everybody

[3] John Pendleton Kennedy, *The Great Drama; An Appeal to Maryland.* (Baltimore: John D. Toy Printers, 1861), 12-16.
[4] Ibid, 4.

speaks of them, nobody defines them. So vague, so misty, so variable, they escape every attempt to grasp them."[5]

Kennedy continued to put forth upper south as the only sane faction left in the national political discourse, and the last best hope to provide a forum and leaders willing to compromise. In Kennedy's telling the Confederacy had rejected the wisdom of the border states, and wrote that "we cannot forget that the Southern Confederacy has hitherto repudiated all connection with the Border States" and that the Confederacy had deemed the upper south as "unworthy of consultation." *The Great Drama*, while slightly melodramatic and very literary in the comparison of the secession crisis to a three act play, was a strong policy document in support of working with the administration in power, ironically written by a cultural leader who at the time, held no public office. However, Kennedy was most decidedly not an apologist for Lincoln, as Kennedy wrote of the new administration that "we {Marylanders} deplore the unfortunate ascendancy of the Republican Party: we censure the policy of the Administration."[6] Kennedy closed his essay with his main point: that Maryland's wise course of calm action "may influence the course of the other Border States which now are drawn to the verge of secession, and with them may happily bring about a restoration of the whole Union."[7]

The Great Drama was a crystalline expression of upper south sectional identity: a distaste for extremism, a willingness to negotiate on the extension of slavery, a dislike for, but tolerance of, the Lincoln administration and the strong belief that only the upper

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[5] Ibid, 8.
[6] John Pendleton Kennedy, *The Great Drama; An Appeal to Maryland*, 14.
[7] Ibid, 15.

south states could provide the political and social leadership to forestall secession and create compromise. The upper south sectional identity created the political space were men like Walter Lenoir and John Pendleton Kennedy could politically express for a dislike for, but tolerance of, the Lincoln administration. Although compromise would ultimately fail, Kennedy believed that the upper south states of Maryland and North Carolina were well situated to arbitrate between the extremists of the North and South, and represented the literal and figurative center of the nation. Kennedy would live until 1870, but in the estimation of his biographer, "the war years constitute a melancholy chapter" in John Pendleton Kennedy's life. He simply could not bring the center together.[8]

The upper south political leadership in Maryland and North Carolina examined in this dissertation were the most concrete examples of the political culture of the upper south, a culture that had developed into a sectional identity of its own. The leaders considered their regional identity the most national and representative of all the states, the literal heart of the Union. Elements of both the slave states and the pro-industrial North existed in Maryland and North Carolina, so they were well suited to arbitrate. This dissertation has underscored the existence of this unique identity, yet at the same time, also examined the collapse of upper south sectionalism. Maryland and North Carolina, emblematic of the Union, did not act together but ended up splitting over secession. Compromise failed in 1861, although Maryland and North Carolina political leaders worked extraordinarily hard to achieve it.

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[8] Charles H. Bohner, *John Pendleton Kennedy: Gentleman from Baltimore*. (Baltimore: Johns Hopkins University Press, 1961), 228-229.

The unanimous secession decision in North Carolina and the avoidance of bringing a vote on secession in the Maryland legislature only satisfied less than half of each state's citizens. While *The Wilmington Journal* proclaimed in bold face type "North Carolina free! Lincoln's military despotism repudiated!" [9] Jonathan Worth was more circumspect about the consequences of secession and blamed the vote of the legislature on the Democrats, writing to friend that "the reluctance with which I have submitted to subjugation makes me particularly obnoxious to low, mean democrats."[10] In Maryland, the *Sun* was upset with the Legislature, but never fully adopted a secessionist position, editorializing that "the people of Maryland would never be able to get out of the United States, for there were combinations in Washington winding around them…they would crush them into submission;" not exactly an endorsement of secession or the Lincoln administration. [11] Theophilus Turing, a Marylander who volunteered for service in Lee's Army of Northern Virginia, wrote in his recollections of the secession winter perhaps the best summation of Maryland's divided loyalties: "Her {Maryland's} position was never clearly understood by her neighbors of either the South or the North."[12]

Of the upper south political leaders in Maryland and North Carolina during the secession winter, John Ellis was the first to exit from the scene. William Holden's reporting in the *Standard* proved to be true, for by the summer of 1861 the 41 year old Governor was terribly ill. One of the last letters to appear in Ellis' papers was a note to Christopher Memminger, the Secretary of the Treasury for the Confederacy. Ellis wrote

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[9] "Secession of North Carolina!," *The Wilmington Journal,* May 23, 1861.
[10] Jonathan Worth to John B. Troy, May 21, 1861 in J.G. deRoulhac Hamilton, *The Correspondence of Jonathan Worth* (Raleigh: Edward & Broughton Print Company, 1909), 150.
[11] "Judge Handy on Governor Hicks," *The Sun,* March 16, 1861.
[12] Recollections of Theophilus Turning, MSA SC 213-16, Maryland Historical Society, Baltimore, MD.

to Memminger that he was leaving Raleigh immediately for the curative waters at Red Sulphur Springs, Virginia, a then-popular resort for sufferers of tuberculosis. Aside from informing the Confederate leadership of his fragile health, Ellis's letter was full of pro-Confederate warnings, including that "great care is necessary in the selection of Post masters and route [agents] in this State. Many of these officials were Douglas democrats and apologists for Lincoln, and even now suppress the most prominent Southern Rights papers." Ellis also cautioned that a North Carolina delegation heading to Richmond to meet with President Davis included William A. Graham, a "deadly enemy of the Southern Confederacy," and the Davis government should be wary of him. Ellis was so concerned about the remaining "deadly enemies" of the Confederates in his state that he devoted some of his finals words to attempting to thwart their lingering pro-Unionism.[13]

Sadly, his trip to the springs did not alleviate the Governor's rapidly progressing illness, and Governor Ellis passed away on July 7, 1861 at Red Sulphur Springs. The Governorship of the state constitutionally passed to Speaker of State Senate Henry T. Clark, who proved to be an able administrator of the initial war effort but had little taste for politics, particularly with the Confederate States.[14] Clark served out Ellis' term, but did not want to run for the office in 1862 elections, creating a mid-war transfer of power in North Carolina. The candidates for the open Governor's seat were discussed in the papers throughout the summer of 1862, with William Holden first using the pages of the *Standard* to bring forth a nomination for William A. Graham, the same "deadly enemy"

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[13] John W. Ellis to Christopher G. Memminger, June 20, 1861, in Noble J. Tolbert, *The Papers of John Willis Ellis*, Volume II. (Raleigh: State Department of Archives and History, 1964), 851.

[14] Matthew R. Poteat, "A Modest Estimate of His Own Abilities: Governor Henry Toole Clark and Civil War North Carolina," *The North Carolina Historical Review*, 84 (1) and 84 (2) (January and April 2007).

of the Confederacy Ellis had warned of before his death. Graham declined the Democratic Party's advances, and then Holden moved on to actively promoting the candidacy of Zebulon Vance. Holden editorialized that Vance was "a man of sound judgment, and energy and decision of character." Holden was a strong booster, proclaiming that with Vance as Governor North Carolinians "will conquer partyism, favoritism, and inefficiency in office to wiser, better and more patriotic rule."[15]

By 1862, Zebulon Vance was serving in the field as a Colonel in the 26th Regiment of the North Carolina Troops, encamped in the eastern part of the state near Kinston. Vance was circumspect about running for Governor, writing a letter to the *Fayetteville Observer* in June stating that "if my fellow citizens believe that I could serve the great cause better as Governor than I am now doing….I should not feel at liberty to decline it, however conscious of my own unworthiness."[16] Earlier, Vance had declined to be nominated for a position in the Confederate Congress, citing his reason as his former Unionism, as he eloquently put "you remember well the position I occupied upon the great question which so lately divided the people of the South."[17] Vance, however, did not believe his former Unionism prevented him from being Governor of North Carolina, and he won a strong victory over secessionist and railroad magnate William Johnston in August of 1862. The northern press saw Vance's victory as a blow against the Confederacy, with the *Philadelphia Inquirer* going as far as saying "what a signal

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[15] "Candidate for Governor," *North Carolina Standard,* June 4, 1862 in Raper, *The Papers of William Woods Holden*, 128-129.
[16] Zebulon Vance to the Editors of the *Observer*, June 16, 1862 in Johnston, *The Papers of Zebulon Vance,* 145-146.
[17] Zebulon Vance to N. G. Allman, September 18, 1861, in Johnston, *The Papers of Zebulon Vance,* 115-116.

triumph…that liberates the Old North State."[18] Vance was the first Governor from the western part of the state, and at only 32, one of the youngest governors to take office in North Carolina. His two terms would encompass the Civil War, see great arguments with President Davis and the Confederate Cabinet, and end with him imprisoned for treason in the Old Capitol Prison in Washington, DC. Vance's career after the war would be long and storied—he would return to the Governor's mansion as part of the Democratic Redeemer faction, serve in the U.S. Senate for almost twenty years and become unpleasantly embroiled with the populist fusionists before his death in 1894.

Vance's former colleague in the U.S. Congress, Senator Thomas Clingman, followed Vance's early lead and joined the Confederate Army, serving as an aide to General Joseph E. Johnston and then as the Colonel of the 25th North Carolina Regiment. Clingman was promoted to Brigadier General, and his troops saw action in Charleston and Petersburg, where Clingman was seriously wounded. Clingman's name would often be bandied about as a challenger to Vance for the Governorship in 1864, though he declined to oppose the popular Governor. Clingman would spend his post war years in a variety of schemes to sell land, resurrect his standing in the state Democratic Party, and return to Washington in any capacity. By his later years he was known as the "ghost" who haunted the streets of Washington, and would pass away at the State Hospital for the Insane in 1897.[19]

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[18] "Vance Elected," *Philadelphia Inquirer*, August 14, 1862.
[19] Thomas E. Jeffrey, *Thomas Lanier Clingman: Fire Easter from the Carolina Mountains* (Athens: University of Georgia Press, 1998).

Like Vance and Clingman, Lawrence O'Bryan Branch resigned his seat in Congress and volunteered for Confederate military service. A veteran of the Seminole Wars in Florida, by 1862 he was appointed Brigadier General by President Jefferson Davis and was transferred from New Bern to Virginia, where he moved his forces northwards with Lee towards Antietam. Branch's movements and tactics were instrumental in the Confederate success at Antietam, and after the battle he was surveying the field with his fellow Generals when he was shot in the head and killed in front of the General staff by a Union sharpshooter. [20] Branch was not the only Tarheel secessionist to die in battle. After secession, William Waightstill Avery was chosen to serve in the Confederate States' Congress, and after a year of serving in Richmond, Avery would return to North Carolina and raise a regiment for the army. In the divided mountain counties of western North Carolina, Avery's regiment came into direct conflict with George Kirk's pro-Union North Carolina Mountain Infantry, and in a skirmish in Burke County in July of 1864 Avery was killed by Unionist North Carolinians. [21]

Thomas Bragg left Washington in March of 1861, "never expecting to return there as a U.S. Senator." His final thought before leaving was "montes parturient – nascitur rediculus mus"; roughly translated, this phrase means "the mountain gave birth to a mouse," his summation of the Union party.[22] By November of 1861 Bragg was tapped by President Davis to serve as the Attorney General of the Confederacy, a position

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[20] A. R. Newsome, "Letters of Lawrence O'Bryan Branch, 1856-1860," *The North Carolina Historical Review*, vol. 10, No. 1 (January, 1933), 46.
[21] Owen M. Peterson, "W.W. Avery in the Democratic National Convention of 1860," *The North Carolina Historical Review*, Vol. 31, No. 4 (October, 1954), 478.
[22] Bragg diary, 64. Thanks to Dustin Cranford of the University of Maryland Classics Department for the translation.

he served in until 1862, when he returned to his law practice in Raleigh, which he prospered in until his death in 1872. Bragg would be replaced as Attorney General of the Confederate States by another North Carolinian, former United States Representative and Peace Commissioner George Davis. After representing North Carolina at the Peace Conference, Davis became a rank and file secessionist, much to the displeasure of Jonathan Worth, who wrote that Davis was no longer a Whig and "he has gone over to Democracy."[23] After spending several months in federal custody after the surrender, Davis would return to Wilmington and resume his role as general counsel on the Wilmington and Weldon Railroad. As one of the most prominent businessmen in the city until his death in 1896, Davis is memorialized with a statute in downtown Wilmington.

Johnathan Worth and William Holden, two of the state's most staunch Unionists until Ft. Sumter, found their post-war careers enmeshed together in combative ways. Reluctant confederates throughout the war, Worth and Holden emerged on the other side of the War in different places. After supporting Vance for the Governorship in 1862, it did not take long for Holden to find a new and ambitious path to grab the Governor's seat for himself. In the aftermath of the devastating North Carolina casualties at Gettysburg and Vicksburg, Holden declared himself an advocate for peace and began to use his newspaper to advance the peace message. By March of 1864, Holden declared himself a candidate for Governor in opposition to Vance, and pledged to the people of North Carolina that if elected, he would "secure an honorable peace" with the Union. [24] Holden

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[23] deRoulhac Hamilton, *Papers of Jonathan Worth*, 135.
[24] "William Holden to the People of North Carolina," *North Carolina Standard*, March 3, 1864, in Horace W. Raper and Thornton W. Mitchell, *The Papers of William Woods Holden, Vol. 1 1841-1868* (Raleigh: NC Department of Cultural Resources, 2000), 153.

would lose to Vance in 1864, but after Appomattox and the collapse of the Confederacy, Holden would finally be appointed to the Governor's seat as provisional Governor by Andrew Johnson in June of 1865.

Holden's Governorship was tumultuous at best; his alliance with the Republican leadership in Washington may have been pragmatic, yet it was disastrous for Holden's public image in North Carolina. Holden would soon find his old allies falling away, and was challenged for the Governor's seat in 1866 by his former Unionist colleague, Jonathan Worth. Worth's win was decisive, however Holden accused Worth of courting the votes of "original secessionists…who are disposed to return to the Union only under their chosen leaders." Holden reluctantly stepped down from office in January of 1866, only to return to the Governorship under the elections overseen by military Reconstruction in 1868. Jonathan Worth refused to surrender the office to Holden in 1868, citing that Holden was not duly elected by the people of North Carolina. Worth would have to be forcibly removed from office. [25] Holden's Democratic enemies continued to move against him, and after a Governorship marked by struggles with the Klan and the growing presence of the Redeemer faction, Holden would be impeached in 1871 following his imprisonment of rival newspaper editor and pro-Klan leader Josiah Turner. Jonathan Worth's last years were defined by his opposition to Holden and Worth's own transition from a Unionist to a vocal pro-Southern, anti-Reconstruction Redeemer, and he would pass away 14 months after leaving the Governor's mansion under duress.

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[25] Raper and Mitchell, *Papers of William Woods Holden*, 316-318.

After being almost appointed to Lincoln's cabinet, John Gilmer continued his correspondence with Washington, and continued to fight for compromise. In January of 1861, Gilmer gave a strong speech in the House, castigating the lower south as being full of "deranged" leadership and accusing supporters of secession as being "mad."[26] In a flurry of letters to Secretary of State William Seward after Lincoln's inauguration, Gilmer laid out his plans for saving the Union. Gilmer's plan was to wait for cooler heads to prevail and then organize the upper south states to point where, Gilmer predicted, the upper south would "unite cordially with the free states" to pressure the cotton states to return to the Union.[27] Gilmer's plan was based in the unique sectional identity that was prevalent in Maryland and North Carolina, that compromise and solutions could be found in the mediating presence of politicians like himself. After Sumter, Gilmer voted for secession at the convention, however, his vote, like many others, was a hope to present a united front on a secession policy he barely believed in. After a brief and uneventful year as a representative in the Confederate Congress, Gilmer began clamoring for peace terms with the Union in February of 1865. Undoubtedly, John Gilmer was disheartened by the ugly debates and the entry of North Carolina into the War. One of his contemporaries wrote of him "the melancholy effects of the war preyed (sic) heavily on his spirits…and on his robust constitution, and so brought his life to a premature close."[28] Gilmer passed in away in 1868, still trying to find compromise with the Union by tepidly supporting Reconstruction and the Johnson and Grant administrations.

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[26] Jon L. Wakelyn, *Confederates Against the Confederacy: Essays on Leadership and Loyalty* (Westport, Conn: Praeger, 2002), 28.
[27] Daniel Crofts, "John Gilmer's Last Stand," *The New York Times,* March 11, 2011.
[28] John H. Wheeler, *Reminiscences and Memoirs of North Carolina and Eminent North Carolinians* (Columbus: Columbus Print Works, 1884), 199.

Maryland politicians, even the pro-secession ones, accepted defeat nobly, and many went to the side of the Lincoln administration. Reverdy Johnson, defender of Taney's *Dred Scott* decision and Douglas Democrat, found himself by 1862 being chosen by the Maryland state legislature to serve in the Senate, prompting a letter from Lincoln extolling Johnson as "a very excellent Union U.S. Senator!"[29] In 1865, Johnson would defend Mary Surratt in her military tribunal for conspiracy in the assassination of the president. Johnson took the Surratt case only because he felt it was "due the legal profession" that she had representation; and while he never spoke on her innocence or guilt, Johnson strongly argued that Mary Surratt, as a civilian, should be tried only in a civil, not military, court.[30] Johnson later served as Ambassador to England under in the Grant presidency, and continued to argue cases before the Supreme Court until his death from an unwitnessed and somewhat mysterious fall at the Governor's Mansion in Annapolis in 1876.[31]

Johnson's move towards working with the parties in power was emblematic of Maryland's shift towards the Union after the secession crisis. While Marylanders had been strong secessionists, willing to riot in Baltimore to support their cause, Maryland found itself by 1863 a thoroughly Unionist State. As argued in a recent dissertation, Maryland's cultural, social and political character changed quickly in the aftermath of the non-vote on secession. During the war a new cultural identity emerged in Maryland

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[29] "Abraham Lincoln to Reverdy Johnson, July 26, 1862," *House Divided* website, accessed May 1, 2015, http://hd.housedivided.dickinson.edu/node/40355.

[30] For discussion of the Surratt case, see Bernard Steiner, *Life of Reverdy Johnson*, 115-116. Johnson was unsuccessful in his defense and Surratt was found guilty and executed in July 1865. See also, James L. Swanson and Daniel R. Weinberg, *Lincoln's Assassins: Their Trial and Execution.* (New York: Harper Perennial, 2008).

[31] "Reverdy Johnson's Death," *The New York Times*, February 12, 1876

because a new focus on industry and commerce "directed most Marylander's political and economic behavior towards a loyal and northern-looking orientation by the end of the war."[32] The secessionists of Maryland gradually shifted to this orientation, creating, by 1865, Marylanders that could scarcely conceive of the Baltimore Riots of four years prior.

Severn Teackle Wallis, the fiery voice at the Baltimore rallies against the movement of troops through the city, suffered no ill career harm for his secessionist ways. In fact, Wallis became, in his eyes, the victim of the legal system he had devoted his life to. Wallis was elected to the Maryland General Assembly through a special election in Baltimore City in late April of 1861, and when the House of Delegates were set to convene in September of 1861, wild rumors spread through Baltimore that a "secret" ordinance of secession had been drafted. These rumors reached Washington, and on September 12, 1861, S. Teackle Wallis was arrested at his home in Baltimore along with Mayor George Brown and Henry May, Maryland's member of the U. S. House from Baltimore. Wallis and the other men were taken to Fort Monroe as federal prisoners, joining Marshal George Kane, the chief of Baltimore police and newspapermen William Wilkens Glenn and Francis Key Howard. The Maryland political establishment lobbied Secretary Seward hard for the release of Wallis, and at minimum, for an enumeration of his crimes. Wallis, however, refused to give a loyalty oath or accept a parole, for as the true lawyer, he demanded a trial by jury or an immediate and unconditional release. Wallis would have to wait until the fall of 1862 for his release. No

[32] Jessica Ann Cannon, "Lincoln's Divided Backyard: Maryland in the Civil War Era" (PhD. diss, Rice University, May, 2010), ii.

evidence has ever suggested that Wallis was plotting to have the Maryland legislature secede in the fall of 1861, in fact, many recalled confronting Wallis with the rumors, to which Wallis always maintained that "if any such movement was attempted, I would certainly oppose it."[33]

Wallis' incarceration provided him the opportunity to become immersed in a public discourse over habeas corpus law and the war-time powers of the Lincoln administration. Wallis wrote to U.S. Senator John Sherman from prison, providing an eloquent, but sharply worded, legal upbraiding for the Administration's abuses of the law. The letters were published in pamphlet form and widely distributed, creating a furor in legal circles. After his release, Wallis would return to his law practice in Baltimore, becoming the leader of the Baltimore bar until his death in 1894. Wallis was commemorated with a statue in Mt. Vernon Square, where 31 years before his death he delivered a strong pro-state's right speech in the aftermath of the Baltimore riots. Wallis' legal career is also memorialized in the Baltimore City Circuit Courthouse where a large bust of him also stands.[34]

In an effort to control the pro-secessionist Baltimore press, in September of 1861 postmaster-general Montgomery Blair denied the use of the US mail to three Baltimore papers, including *The Daily Exchange.* The paper blasted Blair and the Lincoln administration's actions, and on the night of September 12, Francis Key Howard, editor of the *Daily Exchange*, was arrested along with Teackle Wallis and the editor of the

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[33] Information on Wallis' arrest see Steiner, "Severn Teackle Wallis: First Paper," 70-75, and George L.P. Radcliffe, "Governor Thomas L. Hicks of Maryland and the Civil War," in *Johns Hopkins University Studies in Historical and Political Science , Vol. 19* (Baltimore: Johns Hopkins University Press, 1901), 113-117.

[34] Steiner, "Severn Teackle Wallis," 81.

South newspaper, Thomas W. Hall. [35] William Wilkens Glenn wrote a scathing editorial denouncing the arrests as unconstitutional, and on September 14, Glenn was also arrested. The newspaper editors and Wallis would be imprisoned until the winter of 1862, and without the secessionist papers operating; secessionism in Maryland lost a public voice. Regardless of the legality of the arrests, the Lincoln administration's strong actions did begin the gradual cooling of secessionist agitation and supported the unionist turn that was taking place culturally and socially in Maryland.[36] Montgomery Blair was more than happy to use his power as the "southern" member of the Lincoln cabinet, chosen after Gilmer's denial of the position, to suppress the secessionist press in Maryland. Blair's career in the Lincoln's administration would be a tumultuous one; by 1864 he would step down, and by 1865, Blair would disagree with the Republican Party over Reconstruction and support the Democratic Party until his death in 1883.

Maryland's Henry Winter Davis had to be pleased with the Legislature's non-vote on secession. Although Davis was voted out of the House in 1860 for his radical, pro-Union ways, by the elections of 1862 Davis was a member of the Republican Party and was handily re-elected to Congress by his Baltimore District, another sign of just how much Maryland politics had changed in just two years. Throughout the war, Davis aligned himself more and more with the Radical faction in Congress, where he served on the Select Committee on the Rebellious States and would eventually draft the Wade-Davis Reconstruction Bill with Senator Benjamin Franklin Wade of Ohio. The Wade-

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[35] Sidney T. Matthews,"Control of the Baltimore Press During the Civil War," *Maryland Historical Magazine* 36, no. 2 (June 1941); 153.
[36] ibid, 154-156.

Davis Bill would bring Davis in direct conflict with Lincoln, since Lincoln would pocket veto the bill in the summer of 1864. In retaliation, Davis and Wade would publish an editorial in the *New York Tribune* against Lincoln's timidity on Reconstruction, calling his leniency on the southern states "a defeat of the will of the people by an Executive perversion of the Constitution."[37] Many thought Davis went too far in calling out the president, and after Lincoln's death in 1865, Davis did not seek re-election to the House and returned to his law practice in Baltimore. Even out of public office, throughout 1865 and 1866 Davis was a popular speaker and gave several well attended speeches to Radical Republican groups across the nation, and was a vocal opponent of President's Johnson's lenient Reconstruction policies. Sadly, Davis would never see the radical republican Reconstruction he hoped for enacted, for in December of 1866 Davis passed away at 48 from a fast-acting and virulent case of pneumonia. Davis' colleagues in the Republican Party were deeply saddened, and even though Davis held no public office at the time, he was given a full state funeral in Washington and was laid in state in the Capitol, the only private citizen ever given such an honor. [38] Henry Winter Davis was a radical by the end of his life, but, like Reverdy Johnson and John Pendleton Kennedy, Davis believed in the wisdom of the upper south and espoused that unique identity during the antebellum years through his politics that demonized the fire-eating Democrats.

Thomas Hicks, the largest enigma of the North Carolina and Maryland sectional leadership, would breathe a sigh of relief after the Maryland Legislature avoided ever

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[37] Editorial, *The New York Tribune*, August 9, 1864.
[38] Gerald S. Henig, *Henry Winter Davis: Antebellum and Civil War Congressman from Maryland* (New York: Twayne Publishers, 1973), 218-241.

bringing a secession bill to a vote. By the time of the arrest of the police commissioners and newspapermen of Baltimore in June of 1861, Hicks did not even attempt to communicate with his legislature. In the opinion of the Legislature, Hicks had fully gone over to the enemy. After the Battle of Bull Run, Hicks wrote to Secretary of War Simon Cameron that the Secretary should "arm the Union men in the state, and so attempt to check the secessionists who had taken fresh courage from the defeat of the Federal Army."[39] Hicks agreed with the Federal Government's suppression of the Baltimore press, and supported Lincoln's suspension of habeas corpus in a speech to the U.S. Senate.

In November of 1861, Hicks did not run for a third term as Governor, and campaigned for the "Union" candidate, Augustus C. Bradford. Bradford's victory was seen by Hicks as an affirmation of his new pro-Lincoln stance, and as a supporter of Lincoln, Hicks hoped to continue to consult with the administration. However, Hicks would be looked at warily by Washington, and in the analysis of one historian, Hicks felt slighted by the Lincoln administration with their lack of thanks for the support he showed in the last months of his Governorship. Bradford, however, did not forget Hicks, and when pro-secessionist Senator James Pearce passed away from a severe and undiagnosed illness in 1862, Governor Bradford appointed Hicks to the United States Senate to fill Pearce's vacancy. The elderly Hicks labored in the Senate until 1865, where a few months prior to Lee's surrender Hicks would pass away at his hotel in Washington. By the time of Hicks' death, Maryland was firmly under the Union mantle, so much so that

[39] Radcliffe, "Governor Thomas L. Hicks of Maryland and the Civil War," 111.

the Hicks of 1860 and his favorable comments on secession would barely be recognizable to many Marylanders.[40]

The unique sectional identity that existed in the Maryland and North Carolina political leadership prior to Fort Sumter led those leaders to believe that they could forge a lasting compromise that could save the Union and outlast secession: however, this identity grew increasingly obsolete due to the rise of strong Confederate nationalism. While Confederate nationalism, as an ideology, demanded that you were either with the Confederacy or against it, many Maryland and North Carolina leaders and common folk remained lukewarm to both sides in the war. Reverdy Johnson's astute legal leadership continued with his acceptance of the Lincoln administration, and Hicks even labored in the Senate to help with the War effort. Montgomery Blair would eventually part with the Lincoln administration, but still remain in politics, pushing his own brand of conservative Democratic politics. Secessionist Teackle Wallis would continue as the legal sage of Baltimore, despite his imprisonment, which ironically only helped further his notoriety as a formidable legal scholar. William Wilkens Glenn went overseas after his release from prison, but returned to Baltimore to open a new newspaper and publish from his large and centrally located offices in downtown. Glenn was a noted journalist until his death in 1876.[41]

Zebulon Vance could hardly be considered the model Confederate Governor, given his penchant to argue with and circumvent Jefferson Davis. Although Thomas

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[40] Radcliffe, "Governor Thomas L. Hicks of Maryland and the Civil War," 116-120.
[41] Bayley Ellen Marks and Mark Norton Schatz, *Between North and South: A Maryland Journalist Views the Civil War* (Rutherford, NJ: Fairleigh Dickinson University Press, 1982), 30-32.

Bragg, George Davis, and John Gilmer would serve in the Confederate Administration, each returned home to be a leader of their community and successful businessmen. Accepting defeat nobly, they re-joined society with little ill effects to their status as citizens of the community. These men were all leaders of the North Carolina society, but their adherence to upper south sectionalism's hopes for conciliation and peace could be seen in the actions of the private citizens of North Carolina as well.

Although the strong commonalities between the two states ended by June of 1861, Maryland and North Carolina had housed two very similar political cultures given their shared and deeply held belief that the upper south states possessed the only effective wisdom to bring about compromise and forestall the war. Much of upper south sectionalism was rooted in each state's strong two party system in the antebellum period. The two parties survived the war in North Carolina, for as traveler Sidney Andrews wrote in 1866, "here in North Carolina, I discover, with proper amazement, that he old parties are both alive."[42] In Maryland, the secessionists and Democrats faded into the Republican Party, and with the dissolution of the American Party, Marylanders emerged in 1865 as thoroughly "northernized." Maryland and North Carolina political leaders also both deeply shared the shunning of extremism, fire-eating rhetoric, and any rush to secession. John Pendleton Kennedy's belief in the controlling power of the great American middle could curb extremism north and South positioned the Mason-Dixon Line to the border of North and South Carolina was the region most suited to calm the nation. Each state's

[42] Sidney Andrews, *The South Since the Civil War, as Shown by Fourteen Weeks of Travel and Observation in Georgia and the Carolinas* (Boston,1866), quoted in Thomas B. Alexander, "The Civil War as Institutional Fulfillment," *The Journal of Southern History,* Vol. 47, No. 1 (Feb., 1981), 15-16.

leadership believed that the further you got from the center, the more uncompromising extremes existed.

Like many North Carolinians, Vance, Worth, and George Davis' postwar selves were re-shaped by Reconstruction, and many former Unionists became strong Redeemers, so much so that "the war had never really ended. All that had changed with the surrender of Confederate armies was the focus on their defense of the South."[43] Reconstruction, however a noble experiment it might have been, changed former moderate upper south sectionalists into Jim Crow Redeemers by the end of their lives, clouding the historical record from seeing the men they were during the secession winter. However, prior to the war's outbreak, North Carolinians and Marylanders were of the same mind and mettle, dedicated to the hope for an upper south compromise. It was only after the war, after Maryland became so thoroughly unionized and the North Carolina leadership enmeshed in the Redeemer agenda, that such a meeting of the minds between the two states became difficult to conceive.

To the disappointment of many Marylanders and North Carolinians, Walter Lenoir's hope for the "center" did not hold. Failure, however, does not negate the efforts of the upper south states. This dissertation's research on the unique political culture of upper south sectionalism during the secession crisis winter of 1860-61 serves to prove the sectional identity exhibited by Maryland and North Carolina's political leadership attempted to arbitrate compromise between sectional interests, offering the best hope for political compromise during the secession winter. Maryland and North Carolina provide

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[43] Barney, *The Making of a Confederate,* 13.

two of the best states in which to illustrate the force of this identity that worked to shape the important role the upper south had to play as arbiter between the more radical factions of the Union. In the end, these two states did not act together but ended up splitting over secession, emblematic of the failure of compromise across the nation. Even in its failure, upper south sectional identity as it existed in late antebellum Maryland and North Carolina provides an instructive perspective on the coming of the Civil War and the dissolution of the Union. Upper south sectional identity was neither northern nor southern, but something all of its own, and the best hope for the success of the arbiters of compromise.

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