

THE NASHVILLE CONVENTION, 1850

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## PREFACE

The writer has endeavored to present the causes, events, and work of the Nashville Convention. The first part deals with the causes of the Convention, while the second part describes its organization and work.

An effort has been made to narrate the facts, develop the principles, and portray the results of this Convention, showing the antagonistic forces of freedom and slavery, and the striking conflict of interests between the industrial North and the agrarian South. Many aspects of the struggle lie outside the scope of this thesis. Each side knew that it alone was right and that it alone was defending a fundamental and sacred cause. Special effort has been made to give the relation of the economic and social to the political factors.

The author hopes that this thesis will contribute something to a clearer comprehension of the true nature and real character of that system the South sought to perpetuate.

Stillwater, Oklahoma  
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D. M. W.



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## CHAPTER I

### CAUSES OF THE CONVENTION

The Nashville Convention of June 3, 1850, was an outgrowth of the conditions existing between the North and the South.<sup>1</sup> One could not view the United States in the forties without realizing that, economically, the North was taking a course far different from that of the South.

On both sides of the Mason and Dixon line there existed a teeming civilization whose aspects were so numerous and whose interests so manifold that it was almost impossible to detect anti-Southernism as a dominant interest in the North, or of the opposite feeling as a controlling Southern motive. Yet this sectional difference developed into one of the world's greatest civil conflicts.

The South felt that its constitutional rights and privileges were being trespassed upon.<sup>2</sup> There appeared to be two ways by which the Constitution might be interpreted: one advocating a strong central government, and the other very jealous lest the central government should encroach upon the rights of the states and individual citizens.<sup>3</sup> In fact, governmental powers may be classified as follow: powers

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<sup>1</sup> Appendix to the Congressional Globe, 31st Congress, 1st Session (Washington: Government Printing Office, 1850), Vol. XXII, Part I, p. 294.

<sup>2</sup> Ibid., p. 201; House Document No. 733, 56th Congress, 1st Session (Washington: Government Printing Office, 1900), CXV, 785.

<sup>3</sup> Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 140.

specifically delegated to Congress; powers denied to the states; and powers implicitly reserved to the states inasmuch as they were not specifically given to Congress.<sup>4</sup>

The Supreme Court was so created that it has the right to declare whether laws were constitutional or not.<sup>5</sup> A section from the New Jersey Plan was adopted, which demanded that state courts should look on Federal Laws that were in accord with the Constitution as the "supreme law of the respective 'states'" and superior to state laws. It was unity on this subject that gave to the second section of Article VI of the Constitution its famous declaration that the Constitution was the supreme Law of the Land.

Such were the main points in the great document which was made possible by the first compromise. Three other compromises also played a part in completing the work.<sup>6</sup>

The South was flooded with Africans. Were they to be counted as citizens, or inhabitants, or what? It was agreed to adopt the scheme devised by the Continental Congress, and count a slave as three-fifths of a man.<sup>7</sup> A state, therefore, with 100,000 slaves, counted them as 60,000 people when reckoning how many members it could have in the House by this compromise.<sup>8</sup> Congress agreed not to touch the slave trade (importation of slaves) for twenty years, though a tax might be levied on

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<sup>4</sup>Senate Document No. 232, 74th Congress, 2d Session (Washington: Government Printing Office, 1938), XI, 294.

<sup>5</sup>Ibid.; Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 301.

<sup>6</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, pp. 142, 576.

<sup>7</sup>Ibid., p. 641.

<sup>8</sup>Ibid., p. 768.



each slave imported. This was the third compromise.

One genuine objection to the Constitution was the fact that it lacked a bill of rights, or set of laws that tended to safeguard the personal liberties of the citizens of a nation. This lack the states met by offering the fourth compromise.<sup>9</sup> They proposed to ratify the document with certain amendments which supplied such safeguards.<sup>10</sup> Congress finally adopted the suggestion and proceeded to add ten amendments in the nature of a bill of rights which limited the power of the national government, but which in no way bound the states.

The Southerner's attitude toward law included several of the imperatives that control man and society.

The Southerner was aware of the authority of Federal law, especially the Constitution of the United States; of divine law as it is stated in The Holy Bible; of those laws, most of which are made by the states, that regulate the dealings of man with man; and of the unwritten law of society.

The Constitution was considered the supreme law of the land and was zealously upheld in the South for its defensive values.<sup>11</sup> From about 1824, when the South was declining in population and wealth, the South emphasized that part of the Constitution that recognized the existence of slavery and upheld states' rights.<sup>12</sup>

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<sup>9</sup>Ibid., pp. 594, 595.

<sup>10</sup>Congressional Globe, 36th Congress, 2d Session (Washington: Congressional Globe Office, 1861), Vol. XXX, Part II, p. 781.

<sup>11</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 296; Congressional Globe, 25th Congress, 2d Session (Washington: Congressional Globe Office, 1837), VI, 55.

<sup>12</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 604.

In regard to the law of God, The Holy Bible was the supreme revelation of God's law for Man's guidance. Since there were many passages recognizing the existence of slavery, the Southerner reasoned that slavery was sanctioned by the law of God.<sup>13</sup> The South interpreted The Holy Bible literally and usually used verses of the Old Testament. It was convinced that it was adhering to the strict letter of religious law.<sup>14</sup>

In many respects the South was a frontier and inherited its share of the frontier trait of personal law enforcement, which was called lawlessness. Ruralness, slavery, the plantation system, and the existence of a strong unwritten code operated in the plantation areas of the Old South to restrict the power of ordinary law and to enlarge the area of life in which man acts without reference to legal guidance. The Southerner was an individualist who shaped his actions according to local custom and his own notions of how he should behave rather than according to the laws of the land.

Slavery also affected legal customs and attitudes. Planters were haughty and jealous of their liberties and so impatient of restraint that they could hardly bear the thought of being controlled by any superior power. They were invested with a sort of domestic dictatorship, and they were tyrannical, arbitrary, self-willed, and dictatorial.

Slavery affected the planter's attitude toward law. The planter, on his own estate, was lawgiver, executive, and judge. His word was

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<sup>13</sup>Ibid., p. 573.

<sup>14</sup>Ibid., pp. 384, 465, 769; The Holy Bible, King James Version (London: Oxford University Press, 1910), Genesis 9: 25-27; 14: 14,21; Exodus 21: 16; Leviticus 25: 44-46; Galatians 6: 10; Joshua 9: 23; Jeremiah 34: 8-22; Psalms 115: 16; I Corinthians 12: 13-26.



final in respect to the economic and social life of his slaves: work, food, clothing, housing, marriage, divorce, and religion.

The slave owner, while exercising the great power granted to him by the state, sometimes took yet more power, and quite often the state upheld such encroachments.<sup>15</sup> Southern states left the slave owner free to exercise some of the powers that usually belong to the state, and even where there was law, the planter sometimes either paid it scant attention or interpreted it with marked liberality.<sup>16</sup>

The two ideas of the Constitution around which the history of the United States was to center was well expressed by Webster and Hayne: National and States' rights. Hayne contended that the Constitution was a compact, the states were sovereign when they formed it, and had retained their sovereignty, although creating another sovereign power. In case of deliberate and settled differences of opinion between the parties to the compact as to the extent of the powers of either, Hayne maintained that resort must be had to their common superior, three-fourths of the states speaking through a constitutional convention. This appeal could be made by any state, for the federal government was bound to acquiesce in a solemn decision of a sovereign state, acting in its sovereign capacity, at least so far as to make an appeal to the people for an amendment to the Constitution. Webster, on his part, contended

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<sup>15</sup>Congressional Globe, 31st Congress, 1st Session (Washington: Government Printing Office, 1850), Vol. XXI, Part II, pp. 1118, 1119.

<sup>16</sup>Charles S. Sydnor, "The Southerner and the Laws," The Journal of Southern History, VI (February, 1940), 10. Further evidence of the great power of the master over his slave, and of the states' recognition of this power, can be found in cases summarized in Helen T. Cotterall (Editor), Judicial Cases Concerning American Slavery and the Negro (5 vols.; Washington: Carnegie Institution, 1926), I, 150; II, 516, 517.

that the Constitution was in no sense a compact, but an instrument whereby the people of the United States established a strong centralized government and endowed it with ample powers to enforce its rights;<sup>17</sup> for a state to resist the enforcement of a national law was revolution if it succeeded, rebellion if it failed.

Upon such issues as states' rights, slavery, territorial expansion, nullification and secession, was the future of our nation based.<sup>18</sup>

Much of the ideal of the Old South could be expressed in terms of an ordered society with well-defined classes, each living a self-sufficing existence, free from excessive preoccupation with competitive struggle.<sup>19</sup> It was a society where common folk should know their place, and where the "quality" should take their dominance as a matter of course, where slaves should not hate their bonds. Professor Ulrich B. Phillips has pointed out that Southern solidarity has existed despite the lack of forces that commonly make for uniformity of thought and life. The South has never had a focus.<sup>20</sup> Selective migration, he found, did not account for Southern unity, nor is it attributable to community religion, nor one-crop tillage, nor state rights, nor free trade, nor even slavery. Non-slaveholders in the South acted powerfully to preserve the

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<sup>17</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part II, p. 1118.

<sup>18</sup>Samuel Flagg Bemis, The American Secretaries of State and Their Diplomacy (10 vols.; New York: A. A. Knopf, 1927), III, 51.

<sup>19</sup>W. E. Dodd, "The Emergence of the First Social Order in the United States," American Historical Review, XL (January, 1935), 217-231.

<sup>20</sup>Ulrich B. Phillips, "The Central Theme of Southern History," American Historical Review, XXXIV (October, 1928), 30.

institution of slavery; and this element, as well as free negroes, gave warm support to the movement for Southern independence.<sup>21</sup> Though the influence of slaveholding magnates and large planters in setting the pattern for Southern thought is obvious, yet this group carried on with the support of the Southern masses. More important than the specific relation of master and slave was the whole complex of social relationship and biracial adjustment which arose from the presence among the whites of vast numbers of blacks who had to be not merely employed at labor but controlled in the interest of orderly government and the maintenance of Caucasian civilization.<sup>22</sup>

In the ante-bellum South, one found a conservative people who were satisfied with their civilization and minded to preserve it. The people found their ideal in the English Provinces, where man had come to terms with nature. Living materially along the inherited line of least resistance, it was the wish of the Southerner to put the surplus of energy into the free life of the mind.<sup>23</sup> With a comfortable rural establishment, he could give scope to the refinements of a settled life and could foster the greatest of arts, the art of living.<sup>24</sup>

When one took a closer view of Southern culture, certain factors emerged. In a large part, it was an Anglo-Saxon civilization. Thus, native Americanism was an important feature of the Old South, as of

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<sup>21</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part II, pp. 1410-1411.

<sup>22</sup>Ibid., Part I, p. 179; Phillips, loc. cit.

<sup>23</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 656.

<sup>24</sup>John Crowe Ransom, "The South Defends Its Heritage," Harpers Magazine, CLIX (June, 1929), 108.



the South today. Many were the Southern homes that had remained generation after generation in the same family. Attachment to the soil was strong; the economy of the South was agrarian economy. The industrial revolution had hardly arrived south of the Mason Dixon line.

Economically, the Old South was a "fabric of cotton."<sup>25</sup> The production of this great staple, from 1820, increased until it far surpassed tobacco, rice, indigo, and sugar in importance, and became the leading export product of the nation.

In 1792, cotton production in the country amounted to only 14,095 bales. Two years later, Eli Whitney's cotton gin was invented, and by 1801, exports alone mounted to 100,000 bales. By 1834, production was 1,000,000 bales.<sup>26</sup> Ginned cotton in the United States in 1850 was 2,445,793 bales.<sup>27</sup> From 1840 to the time of the Civil War, Great Britain drew from the Southern states of America about four-fifths of all her cotton imports.<sup>28</sup> During the fiscal year ending June 30, 1849, the South exported 63 millions of dollars of cotton.<sup>29</sup>

Cotton was something more than a crop or an industry; it was a dynastic system, with a set of laws and standards always under assault and peculiarly resistant to change. It was map-maker, trouble-maker,

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<sup>25</sup>"The South does now, and has always, depended upon cotton as its financial basis, and the bedrock foundation upon which the material development and progress of its industrial interests rest."--Harvie Jordon, "Cotton in the Southern Agricultural Economy," Annals of the American Academy of Political and Social Science, XXV (January, 1910), 1-7.

<sup>26</sup>Frederick J. Turner, The Rise of the New West, 1819-1829 (New York: Harper and Brothers, 1906), 47.

<sup>27</sup>Eighth Census of the United States, 1860 (Washington: Government Printing Office, 1864), xciv, xxvi.

<sup>28</sup>Frank L. Owsley, King Cotton Diplomacy (Chicago: The University of Chicago Press, 1931), 3.

<sup>29</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 6.

history-maker. It was cotton that made the South into a section. On cotton, the South built up a social and political economy essentially different from that prevailing in the rest of the country.<sup>30</sup> The full study of cotton in its relation to the life of the Old South, important and elaborate as were its agricultural aspects, was more than an agrarian study. It was a field in which politics, finance, business organization, economics, chemistry, and social psychology were elaborately intermingled. It was a culture complex. Despite the fact that cotton growing and slaveholding directly involved only a minority, it was nevertheless true that standards, conditions, and patterns of society were set by the basic staple.<sup>31</sup>

West of South Carolina, land was bought at government sales at a dollar and a quarter an acre or was even seized without the formality of a purchase by squatters who entered the public domain, built their cabins, cleared patches of land, and then defied the Federal officials to oust them. The ease with which one might raise a cotton crop and the relatively large returns which it brought, drew men of all classes to the lower South. Thousands of square miles of rich lands within easy distance of navigable rivers gave the people of the region a sense of new opportunity, a feeling that the world belonged to him who can exploit it, and a restless craving for a new life and wide acres--all

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<sup>30</sup>New York Times, June 1, 1930; Turner, *op. cit.*, 48; Robert B. Vance, Human Factors in Cotton Culture (Chapel Hill: The University of North Carolina Press, 1929), 252; Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 730.

<sup>31</sup>Ulrich B. Phillips, "The Decadence of the Plantation System," Annals of the American Academy of Political and Social Science, XXXV (June, 1910), 37-41.



of which influenced profoundly not only the lower South but the whole course of American history. Between 1820 and 1850, almost anything seemed possible to the enterprising man of the cotton country.

After the planters of Georgia, and later those of the other states, had gained the territory from the Indians, they had then to obtain the labor requisite to cultivate the vast area. Between the War of 1812 and the annexation of Texas, this problem solved itself. On the river bottoms of Maryland, Virginia, and North Carolina, or in the counties which bordered on the Piedmont region of those states, there were more than a million slaves whose number doubled every twenty years. Since the demand for tobacco had not greatly increased since 1800, and there was a general exhaustion of the soil, there was no profitable employment for these growing hordes of blacks, so emigration to new lands became necessary. About the only place they could go was to the lower South where the master could take his slaves with him. Thousands emigrated, thus adding their number and wealth to the cotton belt. Year after year the influence and power of the planters became more evident to the rest of the country.<sup>32</sup> This migration caused many of the poorer white settlers to go to the Northwest and also to Alabama and Mississippi where they established themselves as planters on a small scale. These pioneers became the most resolute and uncompromising of all the enemies of the Indian and the most ardent advocates of the institution of slavery.<sup>33</sup> Thus, practically the whole increase of the slave and the

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<sup>32</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, pp. 686-687.

<sup>33</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part II, p. 1117.

white population in the older South was emigrating and most of it was going to the new cotton region.

The census of 1850 gives the lower South, including Arkansas, as having 2,137,000 white people and 1,841,000 blacks. Nearly all of the negroes were slaves.<sup>34</sup> Practically all the produce of these lower Southern states was exported. But because nearly half the people of the cotton states were property, the per capita wealth of the planter was much greater than that of the Easterner; and notwithstanding the most unfavorable balance of trade against his section, he made great display of his wealth.

Rapidly increasing wealth made the planters begin a most vigorous campaign for the annexation of Texas.<sup>35</sup> From all parts of the Old South and from the East, adventurous men and prospective planters hurried into the disputed region, took up lands, and began the cultivation of cotton and the importation of slaves from the older South.<sup>36</sup> They were winning for the United States a new and promising empire, and wresting coveted land from the hand of Mexico. The Revolution of 1836 brought independence to the Republic of Texas and, eventually, annexation to the Union, through a coalition of Southern and Western party groups.<sup>37</sup> The Mexican War followed and still other vast areas of land were annexed. What cotton planters wanted, Congress somehow found a way to grant.

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<sup>34</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 559.

<sup>35</sup>Ibid., p. 605.

<sup>36</sup>Ibid.

<sup>37</sup>Ibid., p. 473; Vol. XXI, Part I, p. 479.

If ever people were taught to believe themselves invincible in politics, it was the people of the cotton country during the two decades which preceded 1850.<sup>38</sup> A vast region of rich cotton lands had been rapidly opened up to them; the natives had been driven beyond the distant Red River; a new state embracing more than two hundred and fifty thousand square miles had been annexed;<sup>39</sup> and the protective tariff policy by which Eastern manufacturers sought to possess the American markets free from competition had been abandoned. Thus, the motive of American expansion in the South was the acquiring of more land for agriculture--for cotton, tobacco, and cane.<sup>40</sup> The South remained agricultural while New England was becoming a manufacturing center.

The unprecedented migration across the Alleghenies brought a great demand for the manufactured products of the East, and the vital factor of improved transportation methods became a national necessity.<sup>41</sup> Coastwise ships and steamers served to unite the North and the South. But between the manufacturing North and thriving but needy West, lay only the poor roads and Indian trails. So these two sections agreed on a sectional policy of internal improvements, causing an extensive campaign of road and canal building which led to extravagance and debt. It became very plain that national aid to projects such as road-building, canal-digging, and railroad construction, which would bind

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<sup>38</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 473.

<sup>39</sup>Ibid., p. 178.

<sup>40</sup>Ibid., Part II, p. 1412.

<sup>41</sup>United States Statutes at Large, 18th to 23d Congress (Boston: Charles Little and James Brown, 1850), IV, 22, 23.



the industrial states of the North to the agricultural states of the West, was not popular in the Southland; it would have to pay its share for them without receiving proportional benefit.

Both North and South had different views on government aid to internal improvements which were issues in the national conventions of 1831, 1840, and 1848.<sup>42</sup>

On the tariff question, the South felt that an overpowering North was going to use federal authority, sooner or later, to impose Northern will for the promotion of Northern advantage, destroying the Southern industrial and social order quite regardless of local consequences and of financial ruin.<sup>43</sup>

The main breeding ground of discontent lay in South Carolina.<sup>44</sup> More specifically in the coastal plantation district near Charleston where the negroes outnumbered the whites several fold, and where a planter's family typically dwelt amid a horde of blacks, complete and chaotic ruin was envisaged as a result of upheaval or overthrow. These lowland planters, numbered by hundreds rather than by thousands, were far too few to contemplate a separate political destiny for themselves; and South Carolina was too small to make of herself an independent republic unless in dire emergency and in prospect of prompt adhesion by neighboring states.

The tariff act passed in 1816 had imposed a heavy duty on all

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<sup>42</sup>Horace Greeley and John Cleveland (Compilers), Political Textbook of 1860 (New York: The Tribune Association, 1860), 11, 13, 19.

<sup>43</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 545.

<sup>44</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part I, p. 452.

cotton and woolen goods imported from abroad,<sup>45</sup> which was unfavorable to the interests of Southern slaveholders, but benefited the agriculturists of the West and the manufacturers of the North.<sup>46</sup>

The Southerners were greatly angered by the passage of the Tariff of Abominations in 1828,<sup>47</sup> and the leaders used it to promote the open declaration of states'-rights doctrine.<sup>48</sup> Five Southern legislatures protested against the Act, and the legislature of South Carolina set forth its ideas in an Exposition and Protest, drawn up by Calhoun in December, 1828, in which it was argued that the state can use the power of veto to compel the general government to abandon an unconstitutional power. It suggested that a convention of the state of South Carolina should be held, to decide in what manner the Tariff Act ought to be declared null and void within the limits of the state. So threatening was the outlook that Webster was thoroughly convinced that the plan of a Southern confederacy had been received with favor by a great many of the political men of the South. Nothing more was done at the moment, because the Southerners expected to find in the newly elected President, Andrew Jackson, a champion of their cause.<sup>49</sup>

In 1832, Congress took up in earnest the subject of tariff

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<sup>45</sup>Annals of the Congress of the United States, 14th Congress, 1st Session (Washington: Gales and Seaton, 1854), XXIX, 1347, 1351; Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, pp. 304-305.

<sup>46</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 177.

<sup>47</sup>Register of Debates in Congress, 25th Congress, 2d Session, (Washington: Gales and Seaton, 1833), IV, 758, 786.

<sup>48</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 178.

<sup>49</sup>Ibid., p. 669.



revision;<sup>50</sup> the rates were lowered, but the protective system was reorganized on what promised to be a permanent basis. The South Carolinians determined to resist it, and to try the weapon of minorities, "state interposition."<sup>51</sup> The leader of this movement was Calhoun,<sup>52</sup> and the upholder of the rights of the federal government was Andrew Jackson,<sup>53</sup> who had given plain intimation of the line of conduct he would take if South Carolina should attempt to assert her pretended right of veto of national laws, and threatened to hang the first man who caused a drop of blood shed in opposition.<sup>54</sup>

The panic of 1837 ended a period of prosperity for the South. Hard times in England made it necessary for English banks to withdraw their funds from the banks in New Orleans, which were needed for marketing the cotton crop. When the New Orleans bank failed, this caused the banking systems of Louisiana and Mississippi to fail.

Scores of new banks created during the migration failed when the declining price of farm products made it impossible for the farmers to repay their loans.

After the fall of the National Bank had removed all effective restraint on note issues, the Southwest, like the Northwest, had

<sup>50</sup>Appendix to the Congressional Globe, 27th Congress, 2d Session (Washington: Government Printing Office, 1842), pp. 108, 109.

<sup>51</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, pp. 140, 754; Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 687; J. F. Rhodes, History of the United States (7 vols.; New York: The MacMillan Company, 1900), I, 43-53.

<sup>52</sup>Register of Debates in Congress, 22d Congress, 2d Session (Washington: Gales and Seaton, 1833), IX, 791.

<sup>53</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 598.

<sup>54</sup>Ibid., also Part II, p. 1492, 1493; James Schouler, History of the United States (7 vols.; New York: Dodd, Mead & Company, 1894-1913), III, 498.

speculated in wildcat banking in which great quantities of bank notes were issued without a reserve. The withdrawal of the public funds from the fifteen "pet banks" to meet the installments of surplus distribution to the states climaxed the crash.<sup>55</sup>

As hard times followed the panic, taxes ceased to be paid, public revenues dwindled and disappeared, and the credit of the states themselves was shaken. Most of the Southern states, with exceptions of Delaware, Georgia, and North Carolina, were staggering under a burden of obligations which amounted to seventy-five million dollars. These debts had been accumulated by the lending of state credit to banks and by works of internal improvements such as roads, canals, and railroads.

Many of the Southern states had banks owned, financed, and managed by the state, such as Georgia, Alabama, South Carolina, and Arkansas, while other states of the South, by the sale of state bonds, had taken stock in private banks, so the failure of many of these banks deprived the state treasuries of the dividends on which they depended to meet the bond issue. When Florida became a state in 1845, it repudiated bonds which it had issued to its Union Banks, to the amount of three million nine hundred thousand dollars.<sup>56</sup>

Bank failures in the South increased in the years from 1837 to 1841. Because of the fact that cotton prices remained high for several years, the South yielded to the panic slowly. In 1837, cotton prices dropped from fifteen cents to ten, had a quick recovery, then a gradual

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<sup>55</sup>Register of Debates in Congress, 20th Congress, 1st Session (Washington: Gales and Seaton, 1828), XIII, 379, 382.

<sup>56</sup>R. C. McGrane, "Some Aspects of American State Debts in the Forties," American Historical Review, XXXVIII (July, 1933), 680.

decline in 1843 to six cents, and cotton growers faced ruin.

Diversified agriculture had been practiced in the upper South, so this section suffered less from the panic. In the newer states, tobacco had its place as one element of general farming, and as prices fell, the farmer depended on other farm products. Hemp displaced tobacco as a staple in middle Tennessee and Kentucky from 1819 to 1834, since the tariff protected it from foreign competition, and the superior fertility of the soil protected it from domestic competition. Most of it was sold to the cotton states in the form of cordage and cloth for baling. Other Southern states, such as Kentucky and Missouri, raised livestock, but the cotton grower had no substitute for cotton.

Northern financiers controlled the cotton markets, low prices, and cost of marketing. The planter sent his cotton directly to a factory in a port city or to his local agent, and was paid in drafts on New York or London, which were discounted at local banks, the rate of discount depending on the time element and the rate of exchange in New York. The planter lost the amount of the discount. The agents for Northern or English firms and New York banks were getting the profits.<sup>57</sup>

Two-thirds of the cotton crop went to England. The freight charges on its transportation across the sea amounted to a large sum, nearly a million dollars in 1843, and since most of the ocean shipping was owned by Northern interests, the freight charges went into Northern pockets. The North profitted on both exports and imports at the expense

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<sup>57</sup>A. H. Stone, "The Cotton Factorage System of the Southern States," American Historical Review, XX (April, 1915), 557.



of the South, which amounted to \$88,436,728 in 1849, while the huge profits of the South flowed North through consumption of Northern goods, tariffs, cost of cotton marketing, and the unequal operation of the federal government.<sup>58</sup>

The irritation felt by the Southern leaders over the graft of the North was intensified by the growth of the abolition movement there caused by: pious cranks as Benjamin Lundy, J. C. Birney, William Lloyd Garrison, John Brown, Harriet Beecher Stowe, and others; by the underground Railway; by the Nat Turner insurrection; and by ecclesiastical agitation.<sup>59</sup>

In the South there was a class of people who thought that economic and political measures were not sufficient to equalize the North and the South. They thought that the only way the South could rid itself of subservience to the North was by leaving the Union.<sup>60</sup>

In the late forties, two factors caused controversy and strife: economic sectionalism and the intensification of the slavery issue by the singling out of one narrow aspect--slavery expansion in the territories--<sup>61</sup> till it became the equivalent of "Southern rights" when viewed by one set of leaders, while by another group, the checking of such expansion was represented as synonymous with democracy and freedom.<sup>62</sup>

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<sup>58</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, pp. 396, 411, 705.

<sup>59</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part I, p. 453.

<sup>60</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, pp. 508, 516, 667; Robert S. Cotterill, The Old South (Glendale, California: The Arthur H. Clark Company, 1936), 199.

<sup>61</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part II, pp. 1120, 1121.

<sup>62</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 254.

The restless forties had been a period of notable expansion into Texas, Oregon, Utah, and California. The far West in 1840 had been but a vast expanse of unsettled country traversed by herds of buffalo, peopled by a sparse Indian population, and known only to a handful of white traders and trappers. There were few roads; the aridity of the land presented unfamiliar problems to men of the East; there was great hazard where crude trails forded rivers or crossed mountain and desert. In the Southwest, Sam Houston, by 1836, had won a quick decision for independence as leader of American settlers in Texas; and by 1845, the force of expansion had brought the great new commonwealth into the Union.<sup>63</sup> Polk concluded a treaty with England by which the Oregon claims were compromised on the line of the forty-ninth parallel.<sup>64</sup> A curious migration had brought the Mormons, fifteen thousand strong, to the shores of Salt Lake by June, 1848. In January of the same year, gold had been found on Sutter's ranch, and so occurred the gold rush into California.<sup>65</sup> By the close of the year 1849, California had a population of one hundred thousand.<sup>66</sup>

With the help of Larkin, the American consul at Monterey and Fremont, the "Pathfinder" events moved rapidly toward making California an independent state with a prospect of annexation to the United States.<sup>67</sup>

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<sup>63</sup>Congressional Globe, 29th Congress, 1st Session (Washington: Congressional Globe Office, 1846), Vol. XV, Part I, pp. 38, 99.

<sup>64</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part II, p. 1663.

<sup>65</sup>Ibid., Part I, p. 476.

<sup>66</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 261.

<sup>67</sup>Ibid., Part II, pp. 1365, 1366.



By 1849, they had perfected a constitution and were asking for admission as a free state into the Union. Meanwhile, the Mexican War having been waged,<sup>68</sup> the Treaty of Guadalupe Hidalgo, February 2, 1848, had clinched the American claim to the Rio Grande boundary of Texas, and had transferred to the United States a vast new territory which was to comprise California, Utah, Nevada, large parts of Arizona and New Mexico, and portions of Colorado and Wyoming.<sup>69</sup>

While the nation was accustoming itself to the new territorial expansion, the slavery controversy caused men to question whether the republic was not to be shattered and whether there was to be one nation, or two, or several.<sup>70</sup> There had come loud complaints that the Mexican War was a war of slavery expansion; and the Wilmot Proviso had presented to the statesmen of the period the challenging problem of somehow quieting extremists on both sides, protecting Southern rights, preventing war, and preserving a threatened Union. This Proviso, which declared that slavery was to be prohibited in the whole of the territory to be acquired from Mexico,<sup>71</sup> failed to pass the Senate.

Thomas Jefferson had long ago shuddered at the consequences "of the coincidence of a moral principle and a geographical line." But John Quincy Adams had said when celebrating the semicentennial of the

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<sup>68</sup>Congressional Globe, 30th Congress, 1st Session (Washington: Congressional Globe Office, 1848), Vol. XVII, Part I, p. 295.

<sup>69</sup>Senate Document No. 357, 61st Congress, 2d Session (Washington: Government Printing Office, 1910), Vol. XLVII, Part I, pp. 1107-1119.

<sup>70</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 1468.

<sup>71</sup>Ibid., pp. 256, 257.

Constitution in 1839, that if the day should ever come when the affections of the people of the states should be alienated from each other, it would be far better for the people of the disunited states to part in friendship from each other, than to be held together by constraint. But later, Webster, on the celebrated seventh of March, 1850, stated that he was convinced that slavery was excluded from the Mexican acquisitions by physical geography; considering that both California and New Mexico were destined to be free, and one would not take pains to reaffirm an ordinance of nature, nor to re-enact the will of God.<sup>72</sup> And it would not be wise to put in a Wilmot Proviso, for the purpose of a taunt or a "reproach."<sup>73</sup> Southerners were making demands for Congressional sanction of slavery's territorial expansion.<sup>74</sup>

In 1850, Congress, while admitting California as a free state<sup>75</sup> and thereby destroying the sectional equilibrium in the Senate, had organized Utah and New Mexico as territories without excluding slavery from them.<sup>76</sup> Northern predominance in Congress was made complete, while at the same time, the territorial demand of the South prevailed.<sup>77</sup>

Meanwhile, in the South, reaction from an outraged justice concerning the threatened exclusion of Southern property from national

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<sup>72</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part I, p. 480.

<sup>73</sup>Ibid., pp. 451-456, 481.

<sup>74</sup>House Document No. 733, 56th Congress, 1st Session (Washington: Government Printing Office, 1900), CXV, 186, 187.

<sup>75</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part II, p. 1111.

<sup>76</sup>Ibid., p. 1113; Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part II, pp. 1410, 1413.

<sup>77</sup>Ulrich B. Phillips, The Course of the South to Secession (New York: D. Appleton-Century Company, 1939), 145.

territory had gone far to solidify that consciousness of common culture and common grievance which was to become the essence of Southern Nationalism.<sup>78</sup> It was becoming evident that the South would secede rather than submit to the Wilmot Proviso.<sup>79</sup>

One of the disturbing factors of 1850 was the prospect that the exact numerical balance of free and slave states was about to be upset.<sup>80</sup> In 1812, there were nine free and nine slave states. Then six more states in the North had been balanced by six in the South,<sup>81</sup> so that in 1850 there were fifteen states on each side of the line. With the probable admission of California, however, the free states would have a majority, and the South saw no clear prospect of restoring the balance.<sup>82</sup> The prospect was that the free states would increase and that the population of the North would gain, thereby reducing the South to a position of distinct inferiority in the national Congress.<sup>83</sup> If the Wilmot Proviso should be made to apply to all future territory, thus shutting off the hope of admitting so much as a single additional slave state, the South would become "swallowed up," the maintenance of

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<sup>78</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part I, p. 451.

<sup>79</sup>House Document No. 733, 56th Congress, 1st Session, CXIV, 189; R. R. Stenberg, "Motivation of the Wilmot Proviso," Mississippi Valley Historical Review, XVIII (March, 1932), 535.

<sup>80</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, pp. 596, 597.

<sup>81</sup>The Northern states added since 1812 were Indiana (1816), Illinois (1818), Maine (1820), Michigan (1837), Iowa (1846), and Wisconsin (1848). Those of the South were Mississippi (1817), Alabama (1819), Missouri (1820), Arkansas (1836), Texas (1845), and Florida (1845); Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 437.

<sup>82</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, pp. 640, 641.

<sup>83</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part I, p. 451.



Southern "rights" in the Union would become hopeless, and disunion would offer the only hope of preserving a distinctly Southern culture.<sup>84</sup> South Carolina was rightly the center of the drive for Southernism in 1850, but it was considered politic to have the movement apparently initiated elsewhere, and through the efforts of Calhoun, a convention in Mississippi was induced to propose an all-Southern convention to be held in Nashville. Its purpose, the moderates said, was to consider what action should be taken in case essential Southern measures should fail in Congress; to the extremists the purpose was to strike at once for Southern independence regardless of Congress. Within South Carolina, a struggle was being fought out between those who, like Rhett and Bluffton,<sup>85</sup> favored secession by the state, and "cooperationists" such as Langdon Cheves, A. P. Butler, and R. W. Barnwell, who favored secession undertakings as would move side by side with similar efforts in other states of the South. As for Unionism in South Carolina, favored by such men as J. L. Pettigru and Joel R. Poinsett, who were squarely against secession whether by cooperation or not, it was already outside the main current of political agitation. The vital question in South Carolina in 1850 was not "Shall we secede?", but "Shall we secede independently?". Though the aggressive tendency was less manifest in other states, mass meetings were being held in various parts of the South.<sup>86</sup>

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<sup>84</sup>House Document No. 733, 56th Congress, 1st Session, CXV, 778, 779; Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 619.

<sup>85</sup>C. S. Boucher, "The Annexation of Texas and the Bluffton Movement in South Carolina," Mississippi Valley Historical Review, VI (June, 1919), 3

<sup>86</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, pp. 33, 34, 450, 479, 516, 607, 695, also Part II, p. 1411.

## CHAPTER II

### THE NASHVILLE CONVENTION

The so-called Nashville Convention, which met in the city of Nashville, Tennessee, June 3, 1850,<sup>87</sup> was a meeting of Southern men representing a number of slaveholding states.<sup>88</sup> The chief purpose of this meeting was generally conceded to be the presentation of a united protest from the South against the attempt to exclude Southern men with their slaves from the national territories, which had recently been won from Mexico--in other words, to protest against all forms of the Wilmot Proviso.<sup>89</sup>

The advocates of the movement declared in support of their plan that the Constitution and the Union were in imminent danger from the threatened aggressions of the solid North; that the continuation of the Union in its integrity depended upon the organization of a great Southern sectional party; and that this was the aim of the convention.<sup>90</sup> On the other hand, those who emphatically opposed the plan, characterized it as a treasonable scheme instigated by ultra-factional leaders in South Carolina and Mississippi to sever the Union and

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<sup>87</sup> Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part I, p. 579.

<sup>88</sup> Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, pp. 294, 452.

<sup>89</sup> Ibid., Part II, pp. 938, 949.

<sup>90</sup> House Document No. 733, 56th Congress, 1st Session, CXV, 781, 782.

form a Southern confederacy.<sup>91</sup> These accusations came largely from members of the Whig party, who further stigmatized it as a second Hartford Convention.<sup>92</sup>

The Nashville Convention grew directly out of a call made by a State Convention held at Jackson, Mississippi, October 1, 1849. But there is evidence to show that the conception originated with some Southern representatives in Congress, the most conspicuous of whom were Senators Calhoun and Butler, of South Carolina, and Davis and Foote, of Mississippi.<sup>93</sup>

On the 8th of May, 1850, Senator Houston of Texas said that he regretted that the South deemed it necessary at this time to resort to the extraordinary mode of remedying existing evils, and averting others, by calling a convention; that it would not do to start in South Carolina, where discontent had in former times existed to an unlucky extent;<sup>94</sup> that it was unwise for Mississippi to be the champion and forerunner of this movement, even though Tennessee would become the theater for the organization of the different representatives from the states.<sup>95</sup>

Mr. Foote replied that the sovereign State of Mississippi, in the

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<sup>91</sup> Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 599.

<sup>92</sup> Ibid., pp. 413, 599, also Vol. XXI, Part I, p. 578.

<sup>93</sup> House Document No. 733, 56th Congress, 1st Session, CXV, 1204, 1205.

<sup>94</sup> Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 100.

<sup>95</sup> Ibid.; Hermann Eduard Von Holst, John C. Calhoun (Boston: Houghton Mifflin Company, 1917), 317, et. seq.



incipient movement towards the National Convention, for which she was responsible, was not instigated by South Carolina or her statesmen, but that Mississippi had acted upon her unbiased judgment, without instigation from any quarter.<sup>96</sup> However, by December, 1850, Foote had changed his mind and frankly admitted Calhoun's influence in instigating the movements in Mississippi which led to the calling of the Nashville Convention,<sup>97</sup> and that the Convention was more or less marked out by his great intellect.<sup>98</sup>

The Mississippi call for the Nashville Convention was closely connected with the once famous Southern address<sup>99</sup> issued by a number of Southern members of Congress in January, 1849.<sup>100</sup> The Mississippi Convention which issued that call referred to the address of the Southern delegation in the last Congress, to which the resolutions of the central and primary meetings in the State, and the proceedings of the Convention which followed them may be regarded as the response of Mississippi.<sup>101</sup>

In regard to this address, Senator Butler stated in the Senate that the meeting of Southern members of Congress, which resulted in the address, did not originate with South Carolina, nor was it suggested primarily by either of the senators or representatives of South Carolina;

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<sup>96</sup>Ibid.

<sup>97</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part II, p. 1391.

<sup>98</sup>Ibid., Part I, p. 100.

<sup>99</sup>Ibid.

<sup>100</sup>Ibid., Vol. XXI, Part I, pp. 578, 579.

<sup>101</sup>Ibid., Vol. XXII, Part II, pp. 1390, 1391.

that Mr. Calhoun knew nothing of it, and that there had been two or three meetings before he was consulted;<sup>102</sup> and that it did not originate with him, but that Mr. Foote of Mississippi, and Mr. Hunter of Virginia, met accidentally in a committee room of the Capital and they decided that matters had assumed such an aspect, and the position of affairs was such that something of the kind was called for. So the Convention idea originated with these two gentlemen, including Mr. Turney from Tennessee and Senator Houston from Texas, and was adopted afterwards by all.<sup>103</sup>

Although the plan may not have been the conception of Mr. Calhoun, as generally charged at the time, it is a fact that he immediately adopted the idea, and became the leading exponent of it.<sup>104</sup> What really took place was essentially this: on the 23d of December, 1848, a caucus of sixty-nine Southern Congressmen was held in the Senate Chamber, to consider some plan to avert the dangers that threatened their section. A committee of fifteen was appointed, which committee commissioned five of its members to prepare an address. Mr. Calhoun, who was the guiding spirit of this committee, drew up an "Address of the Southern Delegates in Congress to their Constituents."<sup>105</sup> On the 13th of January, 1849, the address was reported to the whole committee,

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<sup>102</sup>Ibid., Part I, p. 101

<sup>103</sup>Ibid.

<sup>104</sup>Republican Banner and Nashville Whig (Nashville, Tennessee), June 13, 1850.

<sup>105</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 581.

and it was finally adopted on January 22, 1849,<sup>106</sup> and sent to the newspapers of the South for publication. Only forty-eight Southern Congressmen signed the address and only two of these were Whigs (Mississippi). The address, after setting forth the attitude of the North, urged the Southern people to forget their political animosities and unite in one party for the defense of the South. The purpose of the address was primarily to promote a Southern party to include all Southern people. Whigs opposed it as they thought the program would be a Democratic program.

Although the address issued no call for a Southern convention, it has its part in promoting it. Apparently influenced by the address, a meeting in Jackson, Mississippi, May 7, 1849,<sup>107</sup> issued a call for a state convention to meet in October to consider the relations of the North and South.<sup>108</sup> The proceedings of this May meeting were sent to Calhoun, who suggested that the October meeting issue a call for a general Southern convention.<sup>109</sup>

Prior to the May Mississippi meeting, Mr. Calhoun wrote certain significant letters to leading men in the various Southern states, which indicated clearly his interest in the movement and his influence on it.

In a letter to John H. Means, of South Carolina, April 13, 1849, he said:

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<sup>106</sup>Hermann Eduard Von Holst, Constitutional History of the United States, 1846-1850 (Chicago: Callaghan and Company, 1900), II, 412-422.

<sup>107</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part I, p. 942.

<sup>108</sup>Ibid., pp. 578-579.

<sup>109</sup>House Document No. 733, 56th Congress, 1st Session, CXV, 778, 779, 1206, 1207.



I am of the impression that the time is near at hand when the South will have to choose between disunion, and submission. I think so, because I see little prospect of arresting the aggressions of the North. If anything can do it, it would be for the South to present with an unbroken front to the North the alternative of dissolving the partnership or of ceasing on their part to violate our rights and to disregard the stipulations of the Constitution in our favor; and that too without delay. ... But it will be impossible to present such a front, except by means of a convention of the Southern States.<sup>110</sup>

Mr. Hilliard M. Judge, of Alabama, on the 29th of April, replied to a letter from Mr. Calhoun, dated the 15th of March, in this language:

Your suggestion as to the necessity of a convention of the Southern States is perfectly obvious. We can not get along any other way--the North will not be deterred from her course of wanton aggression by resolutions of the State legislatures, but let the legislatures first declare the principles and the people of the States can give them force and effect in convention.<sup>111</sup>

To Andrew Pickens Calhoun, on the 24th of July, who was at the time in Alabama, he suggested the same plan, and asked whether Alabama might not be induced to make the call, adding that Atlanta would be a good point for the meeting.

In a letter to Colonel Tarpley, of Mississippi, dated July 9, 1849, he said:

I am greatly obliged to you for a copy of the proceedings of your meeting. I have read it with a great deal of pleasure.

You ask me for my opinion, as to the course, which should be adopted by the State convention, in October next. I have delayed answering your letter until this time, that I might more fully notice the developments at the North, before I gave it. They are more and more adverse to us every day. There has not been a single occurrence, since the rising of Congress, which does not indicate on the part of the North a fixed determination to push the abolition question to the last extreme.

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<sup>110</sup> Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part I, p. 100.

<sup>111</sup> Ibid.

In my opinion there is but one thing that holds out the promise of saving both ourselves and the Union; and that is a Southern convention, and that, if much longer delayed, cannot. It ought to have been held this fall, and ought not to be delayed beyond another year. All our movements ought to look to that result. For that purpose, every Southern State ought to be organized, with a central committee, and one in each county. Our is already. It is indispensable to produce concert and prompt action. In the meantime, firm and resolute resolutions ought to be adopted by yours and such meetings as may take place before the assembling of the Legislature in the fall. They, when they meet, ought to take up the subject in the most solemn and impressive manner. The great object of a Southern convention should be, to put forth in a solemn manner the causes of our grievances in an address to the other States, and to admonish them, in a solemn manner, as to the consequences, which must follow, if they should not be redressed, and to take measures preparatory to it, in case they should not be. The call should be addressed to all those who were desirous to save the Union and our institutions, and who in the alternative, should it be forced upon us, of submission or dissolving the partnership, would prefer the latter.

No State could better take the lead in this great conservative movement than yours. It is destined to be the greatest of sufferers, if the abolitionists should succeed; and I am not certain, but by the time your convention meets, or at the farthest, your Legislature, that the time will have come to make the call.

With great respect, I am

J. C. Calhoun<sup>112</sup>

As to Calhoun's influence in fostering the Southern convention, we had the testimony of Foote in a personal letter to Calhoun on September 25, just five days before the Mississippi meeting was held:

I am gratified to have it within my power to inform you that several leading gentlemen of both the two great political parties in Mississippi have promised me at our approaching convention to act upon your suggestion relative to the recommendation of a Southern convention.<sup>113</sup>

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<sup>112</sup>This letter is not in the collection edited by Professor J. F. Jameson for the American Historical Association. It was published in many Southern papers in 1850. See Republican Banner and Nashville Whig, May 27, 1850; also Nashville Free Whig, June 1, 1850; also see Von Holst, John C. Calhoun, 327.

<sup>113</sup>Von Holst, John C. Calhoun, 335.

This influence was further shown by a letter written to him by A. Hutchinson from Jackson, Mississippi, on October 5, 1849, just after the Mississippi convention. He wrote:

Two of your letters to General Foote were enclosed to me, to be used according to my discretion on the question of the crisis. That suggesting a Southern convention was shown by me to our mutual friends Chief Justice Sharkey and Judge Clifton, who, although Whigs, are well up to Southern rights. We adopted the idea with ardor, but all concurred in opinion, that if we should proceed on a course recommended from South Carolina, we should fail. The idea of a Southern convention had previously occurred here--but you may well appreciate how much your opinion strengthened, confirmed, and animated us. I dropped a note to General Foote stating that it had occurred in Mississippi that a Southern convention was the important action required. You will understand this.<sup>114</sup>

The Mississippi state convention, assembled at Jackson, October 1, 1849, was composed of both Democrats and Whigs; its chairman was the Whig chief justice, William L. Sharkey. The convention summed up its work in a series of resolutions, one of which was a call for a general Southern convention to meet at Nashville, Tennessee, the first Monday in June, 1850, "to devise and adopt some mode of resistance to these aggressions."<sup>115</sup>

Other resolutions were that the South would entertain a devoted and cherished attachment for the Union as it was formed, and not as an instrument of oppression; that if Congress passed the Proviso, or prohibited interstate slave trade, or abolished slavery in the District of Columbia, the legislature should authorize the governor to call a state convention to consider the mode and measure of redress;<sup>116</sup>

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<sup>114</sup>The Mississippian (Jackson, Mississippi), October 5, 1849.

<sup>115</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part I, p. 578.

<sup>116</sup>Ibid., p. 579.



That the institution of slavery in the Southern states was guaranteed by the Constitution to be exclusively under the control of the states in which it existed as a part of their domestic policy, which they only, had a right to regulate, abolish, or perpetuate, and that all attempts on the part of Congress or of others, to interfere with slavery directly or indirectly, were in violation of the Constitution;<sup>117</sup>

That the passage of the Wilmot Proviso by Congress, which would in effect, deprive the citizens of the slaveholding states of an equal participation in the Territories would be considered as an unjust discrimination to the states of the South;<sup>118</sup> That the legislature should pass such laws that would encourage the immigration of citizens of the slaveholding states, with slaves to the new territories of the United States;

That the rights of the South in African service, existed not only under but over the Constitution. They existed before the government was formed and that the Constitution was rather sanctioned by them than they by the Constitution. Had the Constitution not admitted the sovereignty of those rights, it never would have been itself admitted by the South. It bowed in deference to rights older in their dates, stronger in their claim, and holier in their nature, than any other which the Constitution could boast. Those rights could not be changed

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<sup>117</sup> Congressional Globe, 36th Congress, 2d Session, Vol. XXX, Part II, p. 970.

<sup>118</sup> Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part II, pp. 648, 649, 995.

even by a change of the Constitution. They were out of reach of the 1940  
nation. The confederacy might dissolve and the Constitution pass  
away, but those rights will remain unshaken and will exist while the  
South exists and when they fall the South will perish with them;<sup>119</sup>

That a committee of six be chosen by the Convention to prepare  
an address to the people of the slaveholding states.<sup>120</sup> Also, an  
address to the people of the South was drawn up and adopted, stating  
that the controversy was a most alarming one to every lover of the  
Union.<sup>121</sup> It was a dispute between fourteen states on the one side  
and sixteen on the other side, or of fifteen on each side, if Delaware  
should fraternize with the South;

That the Union must be preserved. The slave states, in resist-  
ing such dangerous and destructive usurpations of the federal govern-  
ment, were defending the Constitution and the Union. Their position  
was wholly defensive--defensive of their domestic relations, and their  
private rights of property--defensive of their laws, upon which these  
domestic relations and rights of property were founded--defensive of  
the Constitution and the Union--defensive of law, order, and good  
government, of the right of the people to govern themselves, by the  
governments and laws of their own making, throughout the world.<sup>122</sup>

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<sup>119</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI,  
Part I, p. 578. See Appendix for complete resolutions.

<sup>120</sup>Ibid.; The Mississippian, October 5, 1849.

<sup>121</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session,  
Vol. XXII, Part I, p. 581, Part II, p. 1131.

<sup>122</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI,  
Part I, p. 578.

But should the non-slave states combine to enforce anti-reclamation acts, and continue to pass laws to prevent the extension of slavery into the Territories, or further attempt to abolish it in the District of Columbia, or attempt, by an amendment of the Constitution, to abolish it in the slave states--what protection did the slave states have against these aggressions, and these dangerous usurpations of undelegated power, under a Constitution by which they ought to be enabled both to protect themselves and possibly save the Union. The states, before the ratification of the Constitution, had been assured that states, as organized communities, could successfully resist all such aggressions.<sup>123</sup>

Because the sixteen non-slave states exceeded the number of slave states by two, and could send a majority of four senators to Congress, and by their population, having a larger majority in the House of Representatives, and Free Soil and Abolition Senators and Representatives, and a Free Soil and Abolition President, they could make the federal government a means to destroy slavery in the fourteen slave states--first by excluding slavery from the Territories, in order that, by admitting new states into the Union, they might increase the number of non-slave states to three-fourths; second, by abolishing slavery in the District of Columbia, or in all places where Congress might exercise exclusive legislation; and lastly, by changing the Constitution by an amendment, to abolish slavery in the United States. If the slave states submitted to it, they would cease to exist as

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<sup>123</sup> Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part II, p. 1165.



states and as sovereign parties of the Union, Resistance to such usurpations was their moral, social, and political duty.<sup>124</sup>

Mr. Calhoun wrote to Andrew Pickens Calhoun on October 22, 1849, sanctioning Mississippi's action on the slave question, stating that every Southern state should send delegates to Nashville.<sup>125</sup>

Some sort of action with reference to the convention was taken in various Southern states, following the Mississippi Convention of October 1, 1849.<sup>126</sup> A majority of the state legislatures passed resolutions endorsing it, and in most instances, authorizing some plan of representation.<sup>127</sup> However, there was little regularity in the methods of selecting delegates. As shown above, Mississippi's October Convention appointed delegates. But on the 20th of March following, the legislature met in joint session and for some unknown reason chose other delegates. This action caused considerable dissatisfaction, especially among members of the Whig party.<sup>128</sup> A protest was entered, signed by twenty-seven members of the legislature, in which they alleged that the majority had overstepped their authority. In imitation of the method of choosing delegates to a national convention,

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<sup>124</sup>Ibid., Vol. XXI, Part I, p. 578.

<sup>125</sup>Ibid.; House Document No. 733, 56th Congress, 1st Session, CXV, 772, 773. See Appendix for names of Delegates.

<sup>126</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part I, pp. 578, 579, 599.

<sup>127</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 598.

<sup>128</sup>The Vicksburg Whig (Vicksburg, Mississippi), March 20, 1850, had this to say of the attitude of the Whigs toward the action of the state legislature: "Nearly all the Whigs of that body have placed on record their solemn belief that as the October Convention pledged the people to abide by the Nashville Convention, it must be peculiarly appropriate to permit the people to have some direct agency in the appointment of delegates."

they selected delegates upon a basis of two for each representative in Congress, making four from the state at large, and two from each Congressional district.

In Alabama and South Carolina, the state legislatures passed resolutions endorsing the issue as proposed by Mississippi, and providing for the election of delegates. Later, in Alabama, a great deal of harsh criticism was provoked in the ranks of the Whig party, because, as they claimed, the legislature had usurped the privilege of the people.<sup>129</sup>

Mr. Hilliard, a prominent Alabamian of Whig sympathies, opposed the convention in a letter (dated April 21, 1850) to a friend. He said:

As to the Nashville convention, my opinion, as things now stand, is against it. I adhere to the position taken by me last summer--that no convention ought to be held in advance of some act of aggression on the part of the government. The most of the legislature should have done, was to agree upon some clear, sensible, firm resolution upon the subject, and empower the government, in the event of an aggression, to call a convention of the people to consider the question in all its bearings: the wrong, the remedy.

I quite agree with you that there was no authority on the part of the legislature to appoint delegates. Our friends ought not to connect themselves with it.

We shall settle the question, California will be admitted, and the other portions of the Territory organized into governments without the Proviso.<sup>130</sup>

In order to pacify these murmurings and to unite the two parties, the legislature subsequently empowered the governor to call conventions in the various counties of the state in order that the people might

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<sup>129</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, pp. 38, 142; Republican Banner and Nashville Whig, April 23, 1850.

<sup>130</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 399.

approve or disapprove the action of the legislature. These meetings were usually well attended, and, almost without exception, endorsed the methods and candidates of the legislature.<sup>131</sup>

The Georgia legislature passed resolutions in the latter part of March, or early in April, wherein they endorsed the convention and empowered the governor to hold elections for the selection of delegates. In these resolutions, they declared the proposed admission of California would be a good and sufficient reason why the Union should be dissolved. Mr. Toombs himself repudiated this feature. At the elections held soon after, although a majority of the counties that held them voted for the convention, not more than one-twentieth of the state's entire vote was polled.<sup>132</sup>

In Florida, the governor was invested with the power of appointment by the legislature, which also endorsed the plan. It is interesting to note that Governor Brown, in reply to a letter from the Florida delegation in Congress, prior to the action of the legislature, urging him to exert his influence to have delegates appointed, refused on the ground that the plan was of a revolutionary character. The Governor

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<sup>131</sup>Ibid., p. 398.

<sup>132</sup>The Republican Banner and Nashville Whig of June 21, 1850, quotes from the Augusta Chronicle (Augusta, Georgia), June 21, 1850, the following: "In glancing over the delegation from Georgia, we felt some curiosity to see how many voters they represented, and therefore addressed ourselves to the investigation, by which we ascertained the following results: Messrs. McDonald and Colquitt were appointed by the legislature, and may, therefore, be regarded as representing that body. Of the others in attendance, Messrs. Benning, Crawford, Gibson, and Fouche were elected by the people of their respective Congressional districts, and received in the aggregate, 2,409 votes, whom they may be considered as representing. The remaining four are appointees of Governor Towns, and may be supposed to represent his Excellency. Georgia numbers probably one hundred thousand voters, and yet these men who receive less than one-fortieth part of them, assume to represent her in this assembly."



advocated constitutional methods of redress for all wrongs, and suggested that the South might obtain justice through the Supreme Court in case of any infringement of rights.<sup>133</sup>

The North Carolina method, so far as it was carried out, seemed to have been for each Congressional district to meet in convention and elect two delegates to the Nashville Convention, and to elect six delegates from each county, who should assemble at Raleigh to elect four delegates from the state at large.

The Virginia resolutions, adopted by the legislature on the 4th of February, looked upon the proposed Nashville Convention as a body to consult and to advise what action should be taken in case of any interference with slavery. In case the Wilmot Proviso should be passed, the governor was authorized to call a state convention which should be empowered to select delegates to a Southern convention. Nevertheless, public meetings were held in many counties to elect delegates. Madison, Jefferson, Westmoreland, King George, and Princess Anne Counties elected delegates. In Richmond and Albemarle Counties, the convention element was defeated. In Albemarle, immediately after the regular meeting adjourned, those who favored the convention met and appointed seventeen delegates to their district convention. Mr. Stevenson, late minister to London, presided at this meeting.<sup>134</sup> There was little or no sympathy with the movement in western Virginia. T. Hayman, of Virginia, declared in the House of Representatives, May 21, "Sir, the

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<sup>133</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 260.

<sup>134</sup>Republican Banner and Nashville Whig, April 19, 1850.

effort to get up meetings to send delegates to the Nashville Convention has been almost an entire failure in Virginia."<sup>135</sup>

The general assembly of Tennessee passed resolutions of endorsement, and provided for the appointment of delegates by the governor in the ratio of two for each representative in Congress. This law was killed, however, by the Whig Senate. The citizens of Davidson County held a convention in the city of Nashville, at which the convention element was voted down, and the meeting seems to have ended in a split.<sup>136</sup> The minority, which favored a convention, then met behind closed doors, passed the resolution offered at the former meeting, and selected delegates to attend the convention.

On February 27, 1850, Mr. Anderson, of Kentucky, introduced in the legislature resolutions favorable to the convention, which were killed by a vote of twenty-six to nine.

In compliance with the law passed by the Texas legislature, elections were held in eastern and western Texas for the selection of delegates. Very little interest was manifested in the matter.

Thus, recognition of some character, generally by their legislatures, was almost universal through the South during the fall of 1849 and the spring of 1850. The delegates were given no definite instructions, but were left to exercise their own judgment as to what action they should take. The acts of the convention were not intended to be final or to have any binding force. But it was to consult, to advise, and to recommend, leaving to the people of the states concerned, the

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<sup>135</sup> Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 599.

<sup>136</sup> Nashville True Whig (Nashville, Tennessee), May 7, 1850.

privilege of adopting or rejecting the results of its deliberations.<sup>137</sup>

The convention held two sessions. For convenience, they may be designated the session before and the session after the Compromise of 1850. When the first session adjourned, Mr. Clay's famous Omnibus Bill, afterwards known as the Compromise of 1850, was pending in Congress. These measures were passed before it reassembled.<sup>138</sup>

The convention met at Nashville, June 3, 1850, with one hundred and seventy-nine delegates in attendance. Representatives from only nine states were present, although others had been appointed. They were as follow: Virginia, six; South Carolina, seventeen; Georgia, twelve; Mississippi, eleven; Texas, one; Alabama, twenty-one; Arkansas, two; Florida, six; and Tennessee, one hundred and two.<sup>139</sup>

The meeting<sup>140</sup> was formally called to order by Governor A. V. Brown, of Tennessee. Judge William L. Sharkey,<sup>141</sup> of Mississippi, was elected president by acclamation. Honorable Charles J. McDonald,<sup>142</sup> of Georgia, was chosen vice president. The convention next undertook the examination of the credentials of all delegates, after which they took their

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<sup>137</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part II, p. 1392.

<sup>138</sup>Ibid., Part I, p. 645.

<sup>139</sup>Republican Banner and Nashville Whig, June 5 and 6, 1850. See Appendix for names of Delegates.

<sup>140</sup>The proceedings of the Convention were fully reported in the Nashville papers, especially the Republican Banner and Nashville Whig. The reader is referred to these files as the authority for all statements unless other reference is specifically given.

<sup>141</sup>William L. Sharkey was Chief Justice of Mississippi. He was one of the leaders in the convention of his state that called the Nashville Convention.

<sup>142</sup>McDonald was elected Governor of Georgia in 1839 and re-elected in 1841 by the Union party. In 1851, he became the candidate of the Southern Rights party, but was defeated by Howell Cobb of the Union party.



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The question of the ratio of representation in voting provoked much discussion. There was a strong sentiment in favor of voting by states, each state counting equally. This method was finally adopted.

A resolution, introduced by Governor Brown, of Tennessee, was adopted, which provided that each state delegation should choose two of its members to serve as a committee on resolutions, and that they might report on any other matter that they thought necessary. The members of this committee were: Messrs. Newton and Gordon, of Virginia; McDonald and Benning, of Georgia; Barnwell and Hammond, of South Carolina; Murphy and Campbell of Alabama; Boyd and Clayton, of Mississippi; Henderson, of Texas; Forman and Pearson, of Florida; Brown and Nicholson, of Tennessee; Roane and Powell, of Arkansas. Gordon of Virginia was elected chairman.

In taking the chair, Judge Sharkey addressed the convention. He made an earnest appeal for harmony, and insisted that they should adopt courageous but conservative measures, and bear constantly in mind the great object for which they were assembled; namely, the perpetuation of the Union in its original purity.<sup>143</sup>

The session continued ten days, and during that time many resolutions and measures were proposed. These were freely discussed, after which they were referred to the committee on resolutions. The committee's draft of the resolutions was submitted late in the session, and was read before the convention by Mr. John A. Campbell, of Alabama. They were essentially those earlier proposed by him. With

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<sup>143</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part I, p. 578.

a few minor changes, they were unanimously adopted.

The same committee prepared and submitted along with the resolutions an address to the people. This was finally adopted, although some opposition was manifested, especially to that part that opposed specifically the compromise measures.

So far as evinced by the report made, the entire proceedings, speeches, and resolutions of the several states were thoroughly harmonious upon the main issues to be considered; namely, the absolute equality of the states, the doctrine of state sovereignty, the right of a state to settle its own domestic relations and shape its own policy toward the institution of slavery, and the right of each state to an equal participation in, and protection of its property in all national territory. The Missouri line of compromise was regarded as a generous concession from the Southern states, but acceptable as the price of peace, in default of their just claims.<sup>144</sup> No threats were made in anticipation of the defeat of their demands, but simply a provision for the reassembling of the convention after Congress had adjourned, to devise further and effective means of redress in that event.<sup>145</sup>

The address was styled "An Address to the People of Maryland, Virginia, North Carolina, South Carolina, etc." naming all the Southern states. This lengthy, exhaustive, and logical document was written by Mr. R. B. Rhett, of South Carolina, a leader of acknowledged ability in his state, and an extremist on Southern rights. It gave first a

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<sup>144</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part II, p. 1394.

<sup>145</sup>Republican Banner and Nashville Whig, June 13, 1850. See Appendix for complete Address.

historical review of the increasing aggression of the North.<sup>146</sup> It asserted that the South was reviled by the North on account of slavery, and that its condition in the Union was growing from bad to worse. The different measures of the compromise were severally taken up and thoroughly criticized. With the single exception of the Fugitive Slave Law, they were condemned in no uncertain terms. The Address, in conclusion, however, declared itself in favor of reasonable and adequate compromises, urging that the Missouri line be extended.<sup>147</sup>

Referring to the bill to admit California in 1849, it stated that the South was excluded by the bill from the whole of that part of California lying on the Pacific, including one hundred and fifty thousand square miles of territory, by the legislation of Congress, erecting California into a state and excluding slavery, an exclusion which almost every Southern state in the Union had declared she would not submit to.<sup>148</sup> A free people cannot be satisfied with the mode in which they are deprived of their rights; a sovereign state will disdain to inquire in what manner she is stripped of her property, and degraded from an equality from her sister state.<sup>149</sup>

In regard to the partition of Texas, it continued, the bill took from Texas, territory sufficient for two large states, and added it to New Mexico, which, like California, would be admitted as a state

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<sup>146</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part II, p. 1138.

<sup>147</sup>Ibid., Part I, p. 260.

<sup>148</sup>Ibid., p. 259, also Part II, p. 1020.

<sup>149</sup>Republican Banner and Nashville Whig, June 13, 1850. See Appendix for complete Address.



with a constitution excluding slavery from its limits--for without such exclusion she could not hope to be admitted by the non-slaveholding states into the Union. The effect would be that territory, over which slavery did not exist, equal to two states, would be wrested from the South, and would be given up to the non-slaveholding states. By the bill, two states were to be taken from the Southern and given to the Northern states; and this wrong was aggravated by compelling the South to pay for it, through the Treasury of the United States.

It then proceeded to discuss the bill to abolish the slave trade in the District of Columbia, which declared that if any slave was brought into the District for sale, they should be liberated and freed; the South thought the next step would be to liberate slaves because they were in the District.<sup>150</sup>

The Fugitive Slave Bill perpetrated an usurpation on the reserved rights of the states.<sup>151</sup> It could abolish slavery in the states. Thus, a power was assumed in the bill which virtually extended the jurisdiction of Congress over slavery in the states.<sup>152</sup>

The South was willing to compromise and proposed the Missouri Compromise three times, only to have it rejected by the North; then the South twice proposed a compromise by which she consented to leave it to the courts of the United States to determine her rights, but this too was rejected by the North.<sup>153</sup>

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<sup>150</sup>Ibid.

<sup>151</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, pp. 438-441.

<sup>152</sup>Republican Banner and Nashville Whig, June 13, 1850.

<sup>153</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, pp. 260, 660, 661.

Some in the South thought that the Missouri Compromise, if extended to the Pacific Ocean, should be accepted, provided there was a distinct recognition of their right to enter the territory south of 36 degrees 30 minutes north latitude.<sup>154</sup>

As stated above, the delegates were not a unit in their endorsement of the address.<sup>155</sup>

The committee was divided, and, being unable to compromise their differences, a minority report was submitted, which caused some excitement in the Convention. The opposition came principally from the representatives of the Whig party. They simply stated their reasons for not supporting the address, however, without entering any protest. These were: First, because the Convention had given them no authority to prepare an address, but simply report resolutions; and Second, that they themselves were not prepared to say that the impending compromises might not be so altered as to make them acceptable.

After a continuous session of nine days, the Convention adjourned June 12, 1850. In the event of failure on the part of Congress to comply with their demands, it was agreed they should reassemble on the

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<sup>154</sup>Republican Banner and Nashville Whig, June 13, 1850.

<sup>155</sup>When Mr. Hammond took his seat, the previous question was called, and sustained. The main question was then put and the address adopted unanimously by states, the amendment being out off. "Mr. Abercrombie then moved that the states be called, that those who were opposed to portions of the address might record their vote in the negative. The call was made accordingly, and Messrs. Abercrombie, Davis, Murphy, Judge, Byrd, and Hunter, of Alabama; Gholson, of Virginia; Forman of Florida; and Sharkey of Mississippi; recorded their votes in the negative."--Republican Banner and Nashville Whig, June 13, 1850; Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 581, and Part II, p. 1138.

sixth Monday after Congress had adjourned, or at such a time after Congress had acted as the President might appoint. The proceedings and spirit <sup>156</sup> of the first session were firm, manly, and dignified. Throughout the Southern states, conventions and public meetings<sup>157</sup>

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<sup>156</sup>The Nashville True Whig, June 18, 1850, said:

"We have been led to these reflections by the action of the so-called Southern convention, convened in this city, and the spirit in which it has been received in this immediate community. We have no sympathy with the movement. We regarded it from the beginning as unwise and inauspicious--as a dangerous, and at the same time, an inefficient remedy in its self for the grievances of which we complain--as we shall show it to be in the end. But whatever may be said of its impolicy, or its unauthorized and unconstitutional character, or the old heresies of nullification and secession which it has put forth in all their odiousness, it embodied a vary large amount of talent, eloquence and learning; it was composed of individuals of extensive popular influence in nine of the Southern States; its deliberations were conducted with marked ability, and indicated throughout a thorough determination on the part of the large majority, to carry out, in spirit and in letter, the purport of their published proceedings."

<sup>157</sup>The Alabama Journal (Montgomery, Alabama), July 23, 1850, gave the following account of a ratification meeting in Montgomery, Alabama: "In accordance with a notice which had been given in all the papers of the city, a large and intelligent meeting of the citizens of the county and city of Montgomery, assembled at the court house, to ratify and approve the action of the Nashville Convention.

"Mr. Goldthwaite commenced by giving a full account of the convention and its proceedings. He passed a high encomium on the abilities and patriotism of Judge Tucker, of Virginia. Langdon Cheves, the favorite son of South Carolina, from the generation of a former age, around whose venerable brow clustered the honors of more than half a century's devotion to the cause of his country, and upon whose head had fallen the snows of eighty winters, was there to lend to their councils the wisdom of experience and the dignity of age. Mississippi was there represented by her learned chief justice, and other distinguished citizens, as firm in the councils as they had ever been gallant in the field; and so on of the rest. He traced the unjust and unconstitutional action of the North from the ordinance of 1787 down to the present time--their entire faithlessness in observing the Constitution as well as the legislative compromises which they forced upon the South. The associated and affiliated abolitionists pressed slavery in the States. Urged on by a blind and bigoted fanaticism, they claim a dignity and a religion higher and purer than that of Christ, and a political conscience above the Constitution. All this they claim for the purpose of supporting those insurrectionary movements, which will spare neither helpless infancy nor hoary age.



were held, at which the action of the Convention was endorsed.<sup>158</sup>

Occasionally, however, the address met with some opposition.

The second session convened at Nashville, November 11, 1850. In the meantime, Congress passed the famous compromise measures.<sup>159</sup>

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<sup>157</sup>(Continued)

"The Missouri compromise was offered in the convention as an extreme concession--this had been in effect rejected by the Senate of the United States, which offered only another indication and an additional proof of the urgent necessity for prompt and efficient Southern organization."

<sup>158</sup>The Republican Banner and Nashville Whig, July 2, 1850, contained the following account of a speech by Mr. Rhett at Charleston, South Carolina:

"He declared the Federal government to be a failure, so far as the South was concerned; and frankly and boldly unfurled the flag of disunion, as the only refuge of the South, and as offering her not only a release from the fetters of a faithless and oppressive confederacy, but as calculated to crown her with prosperity and glory. Nay, he even went so far as to contend that, if every Southern State should quail and cower in the existing crisis, South Carolina alone should make the issue, and either live free or perish with honor. He undertook to maintain the paradox (to use his own language) of 'proving to freemen that they were not free'; and went on to establish the propositions that the people of the South, under the workings of our present system of government were slaves. 1. In respect of Federal taxation; 2. In respect of Federal expenditures; and 3. In respect of their peculiar domestic institutions. He showed that the Nashville Convention had done much; contrary to the evil vaticinations of its enemies and the acknowledged apprehensions of its friends. It had met--the South had at length dared to meet, and, with great unanimity, had proposed the Missouri line--not, however, on the old principle of positively inhibiting slavery North, and admitting or excluding it South of the line, as the people of the region should decide, on their coming into the Union as States, but with a positive recognition of slavery south of the line, as an equivalent for its exclusion north of the line. The proposition was therefore a partition of the disputed Territory, between the North and South, adapted to the circumstances of the case. The old Missouri compromise was applied to slaveholding territory--the new compromise is to be applied to non-slaveholding territory--and hence the reason and necessity of the change. He was frank and candid enough, however, to avow that the idea of effecting an adjustment, on that basis, was utterly hopeless--the North would never assent to it."

<sup>159</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, p. 115; Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part I, pp. 246, 247.

President Sharkey<sup>160</sup> did not issue a call for a second meeting of the convention.

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<sup>160</sup>Judge Sharkey does not seem to have had very firm convictions as to what was the wisest policy. Personally, he believed in the justice of the full Southern claims. He did not think that these were granted by the compromise measures; but he did not consider it wise to insist on more than could be obtained, nor to advocate more than Southern public opinion could agree upon.

Before the first session of the Nashville Convention met, he became discouraged and wrote to Senator Foote:

"We must take things as they are, and not as we would have them, and shape our conduct according to exigencies. It would have been folly to have insisted on what you and I may regard as strictly Southern rights. Nothing could have been obtained by that course. If the compromise can be adopted, our honor at least is safe. Indeed, it secures the principle for which we have been contending. The mass of the Southern people would be content with it. True, it does not suit all men. ... Could you do anything that would please all even of your own party? I think not. Ultra men can never be pleased. ... Take my word for it, conservative men will approve your course. The Whigs generally approve it, and the moderate men of your own party. In short, I think it will be approved by the people."--Republican Banner and Nashville Whig, June 15, 1850.

After the first session met and showed some vigor, he changed his mind. On June 21, he wrote to the editor of the Southron (Jackson, Mississippi). Referring to his letter to Foote, he said:

"... The letter was written at a time when it was believed by me as well as by others, not only here but elsewhere, that the convention movement would result in total failure. Some of the States had declined to appoint delegates; it was believed the delegates appointed by others would not attend, and everywhere great opposition was manifested toward the measure. It seemed impossible to rally the South in vindication of her rights. The advice from Washington City seemed to dispel any hope of a creditable convention, and a failure could have no other effect than to encourage aggressions on the South. It was also believed that the compromise was the best that could possibly be obtained; so, indeed, I was distinctly informed. Under such circumstances, I wrote the letter referred to, in reply to one which contained but a syllabus of the compromise, not having seen the details of the measure. But, in expressing that opinion, I did not intend to admit that the South was entitled to nothing more. My opinions on the subject of her rights are too well known, I trust, to be the subject of doubt. I repeatedly declared that the South was entitled to an equal portion of the new territories. Since that letter was written, the Nashville Convention has met. Its enemies have been disappointed and its friends gratified. ... "I trust the whole South will unite, in a spirit of firm determination, to insist upon the line of compromise which we have recommended. This shall be my course, and I hope by pursuing it to accomplish the preservation of the Union unimpaired."--The Eufaula Democrat (Eufaula, Alabama), July 2, 1850. For some reason he seems to have changed his mind again and determined to take no part in the second session.

But as the former meeting had decided upon a day for assembling, the president's call was regarded as a mere matter of formality, and preparations were made for the second session. New delegates were appointed by the state legislatures or conventions of the people in some instances, while in others the former ones were sent and the vacancies filled.

The body reorganized on the motion of General Gideon J. Pillow, by calling the former vice president, Grover McDonald, of Georgia, to the chair. On the following day, Tuesday, he was unanimously elected to the presidency by acclamation. Honorable Reuben Chapman, of Alabama, was chosen vice president at the same time. President McDonald, on taking the chair, addressed the convention in a short but eloquent appeal, in which he tentatively favored secession, without actually recommending that extremity.<sup>161</sup>

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<sup>161</sup>Mr. McDonald said, in part:

"The Constitution, then, is the great temple of our religious, political, and individual liberty. The sacred rights of millions of free-men are intimately interwoven with its structure. If it be destroyed, they must perish with it, unless they can be otherwise preserved. The polluted and polluting hands of a wicked fanaticism and sectional ambition have already shaken its foundation stone. It is in imperial peril. Unless it can be rescued from the machinations and violence of evil men, it must fall. Every breeze that comes from the North, wafts to our ears the intelligence of some fresh wrongs and injustice, of tumults and insurrections against the Constitution, and the laws. It may be that while I now speak, the life blood of citizens of Georgia crimson the streets of Boston, and that, for the prosecution of their rights under that Constitution and those laws. Can it be the settled purpose of infatuated and maddened fanatics to drive the states of the South to the last measure of safety, short of revolution, secession from the Union--a measure that should be resorted to only in cases of extreme necessity, and after all other measures have failed? I do not speak thus to excite resentment, to exasperate. No, it requires wisdom, calmness, moderation, courage, to meet the crisis. Those who will contemplate the immense blessings which have flowed from the Constitution, when faithfully administered, cannot fail to see the finger of God in its wonderful construction. Let us then set to work earnestly to



On the second day, it was found that several members of the former committee on credentials had not returned, whereupon new ones were put in their place.<sup>162</sup> Later, the committee announced that the following states were represented: Alabama, Florida, Mississippi, Tennessee, South Carolina, Georgia, and Virginia.<sup>163</sup>

The different states then announced the new appointments to the general committee on resolutions. General Gordon was retained as chairman of this committee.

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<sup>161</sup>(Continued)

preserve it, trusting in Him to direct us in the means. Shall we rest quietly, seeing the approaching dissolution, and make no exertion to avert it, and adopt no measures of safety if it must come? No, no. If the Constitution be doomed to perish, we must nerve our arms to secure the rights it was intended to guarantee, relying on the guidance and aid of the Omnipotent in so just a cause."--Nashville American (Nashville, Tennessee), November 12, 1850.

<sup>162</sup>The following were the committee in full: Messrs. Pillow, of Tennessee; Hutchinson, of Mississippi; Buford, of Alabama; Gordon, of Virginia; McWhorter, of Georgia; DuPont, of Florida; Pickens, of South Carolina. From the Nashville American, November 13, 1850.

<sup>163</sup>The following is a list of delegates representing the different states:

Alabama--R. Chapman, G. W. Williams, C. C. Clay, Sr., J. M. Calhoun, and J. Buford.

Florida--C. H. DuPont, J. H. Verdier, P. W. White, Jno. E. McGhee.

Mississippi--J. Macker, J. J. Davenport, A. Hutchinson, W. K. Kilpatrick, P. Smith, T. J. Wharton, J. C. Thompson, C. M. Lawn.

Tennessee--A. V. Brown, G. J. Pillow, A. O. P. Nicholson, A. J. Donelson, J. B. Clements, T. Claiborne, M. Esselman, W. G. Harding, F. McGavock, T. Morton, W. H. Polk, J. McClarin, J. D. Moseley, and L. P. Cheatham.

South Carolina--Langdon Cheves, W. J. Hanna, F. W. Pickens, W. C. Young, J. N. Whitner, J. Bradley, S. Otterson, D. Nance, D. F. Jamison, W. Griggs, G. A. Trenholm, J. S. Wilson, J. Chestnut, Jr., W. DuBose, R. B. Rhett, and R. Barnwell.

Georgia--J. G. McWhorter, J. A. Jones, Jno. D. Steel, W. P. Parker, G. R. Hunter, R. Bledsoe, J. M. Bethune, J. Sneed, C. J. McDonald, H. G. Benning, Mr. Daniel.

Virginia--General Gordon

From the Nashville Gazette (Nashville, Tennessee), November 15, 1850.

Resolutions were introduced from almost every state, which claimed to be an expression of its attitude towards the questions at issue. Set speeches were made during the convention by Messrs. Cheves, of South Carolina; McWhorter, of Georgia; and Governor Brown, of Tennessee. Throughout the session of seven days, a marked change from the conciliatory tone of the June meeting prevailed. The Tennessee delegation, although dominated by the conservatives, was itself divided. General Pillow's resolutions, on the part of the Tennessee delegation, indicated an acquiescence in the late acts of Congress, but declared a determination to resist any further aggression against Southern rights. Honorable Langdon Cheves, in the resolutions introduced for his state (South Carolina), indicated secession as the proper remedy for the grievances of the South, and followed it with a speech of about two hours, in which he reviewed the difficulties between the two sections of the Union, the several recent acts of Congress, and recommended secession as the proper means of future security. In the course of his speech, when he reached the climax of his eloquence on the present condition of the South, he exclaimed: "It is already done; the Rubicon is crossed; even now the Union is divided."<sup>164</sup> Messrs. Hunter, Jones, and Sneed, of Georgia, also introduced resolutions, in which they took essentially the same position as South Carolina.

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<sup>164</sup>"We call this argument of Mr. Cheves the manifesto--the hand of South Carolina. Coming from the most able of her sons, there cannot be a doubt that it meets with the hearty approval of the able, but misguided delegation. We cannot dignify it with a higher appellation. South Carolina may be correctly represented in this convention, but we cannot be cajoled into the belief that the people of any Southern states are leagued with her in her designs upon the unity and peace of the Republic."--Nashville Gazette, November 15, 1850.

Mr. McWhorter, of Georgia, later addressed the convention for one hour. He denounced the Fugitive Slave law as a "quid pro quo of a false character." "Union and slavery," said he, "cannot long exist together, and what is the South to get? Self-preservation is the first law of nature, with states as with individuals."<sup>165</sup>

Mr. Claiborne, of Tennessee, then followed in the same strain for himself, as he said, rather than for his state, as he was in the minority in his delegation. Secession was boldly and freely spoken of as the only hope of the South. The resolutions, proposed by Mr. Clay, of Kentucky, on February 5 and 6, were bitter and uncompromising in their condemnation of the compromise measures, which were termed the "adjustment scandal."<sup>166</sup>

Resolutions were introduced by Mr. Davenport, of Mississippi, in support of which, he said, a majority of the people in his state had acted favorably. They endorsed the right of secession, and enumerated the wrongs inflicted upon the South: "In view of these aggressions and outrages inflicted upon the South and those threatened and impending," they recommended that each of the Southern states appoint delegates to a general convention, the time and place to be determined later; that these delegates be

clothed with full authority to deliberate and act, with all the sovereign power of the people, with a view to arresting further aggression, and restoring the constitutional rights of the South--if possible--and if not, then to provide for the safety and independence of the South in the last resort.<sup>167</sup>

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<sup>165</sup>Nashville Gazette, November 15, 1850.

<sup>166</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I, pp. 115, 154, 157.

<sup>167</sup>Nashville American, November 19, 1850.



The Mississippi, Alabama, and Georgia delegations proposed in their reports that a Southern convention or congress, as the Alabama report styled it, be held at some future date; delegates to be chosen by "primary meetings of the people," in such manner as might be suitable to the states participating; and that they be clothed with power to take authoritative action with reference to the late acts of Congress. The Alabama report said:

We recommend to those States who think themselves aggrieved by those acts (compromise of 1850), and who wish to unite against future aggression, to elect delegates to meet in Georgia some time next spring.<sup>168</sup>

Montgomery was also suggested as a suitable place for holding this Southern congress.

The conservative element, who favored peaceful acquiescence in the compromises of 1850, upon the one condition that they be faithfully executed, constituted a very small minority of the second convention. The Tennessee delegation favored resolutions endorsing these compromises. They, however, were almost alone in that position, there being only a few individuals from the other states of a similar mind.

All resolutions were referred to the committee on resolutions, whose report was made just before the convention adjourned, and was adopted by a vote of six to one. Tennessee voted in the negative. Some excitement and disorder was witnessed at the closing scene of the convention, because, as previously agreed upon, the report was adopted without further discussion.<sup>169</sup> No address was issued.

Of the closing scenes, an editorial said:

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<sup>168</sup> Republican Banner and Nashville Whig, November 20, 1850.

<sup>169</sup> Nashville American, November 20, 1850.

That the matter may be understood, we give a brief history. The committee on resolutions had unanimously instructed their chairman, on reporting the resolutions on Monday morning, to move the previous question on their adoption. The members were anxious to return home; it was known that if a debate once commenced it would be almost interminable. Messrs. Brown and Nicholson, representing Tennessee on the committee, both stated in convention that while they dissented from the report, they would take some other opportunity of laying their views before the public, and admitted that the reasons for taking the vote without debate were satisfactory, and, in committee, consented that the previous question should be moved. The previous question was sustained and the resolutions adopted. Major Donelson then moved a reconsideration of the vote adopting the resolutions, stating that he had at the meeting of his delegation voted in favor of them, for the purpose of moving a reconsideration. The president stated that as the vote had been taken by states, each state giving one vote, a reconsideration could only be made by a state--that the convention had no knowledge, and could have none, of the votes of individual delegates in their private conferences--and that, as the state of Tennessee had voted in the minority, her delegation, and much less one member of it, could not move a reconsideration.<sup>170</sup>

The resolutions, which were prefaced by a lengthy preamble, were as follow:

Resolved, That we have ever cherished, and do not cherish a cordial attachment of the constitutional Union of the States, and that to preserve and perpetuate that Union unimpaired, this convention originated and has now reassembled.

Resolved, That the Union of the States is a Union of equal and independent sovereignties, and that the powers delegated to the Federal government can be resumed by the several States, whenever it may seem to them proper and necessary.

Resolved, That all the evils anticipated by the South, and which occasioned this convention to assemble have been realized, by the failure to extend the Missouri line of compromise to the Pacific Ocean. By the admission of California as a State. By the organization of Territorial governments for Utah and New Mexico without giving adequate protection for the property of the South. By the dismemberment of Texas. By the abolition of the slave trade, and the emancipation of slaves carried into the District of Columbia for sale.

Resolved, That we earnestly recommend to all parties in the

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<sup>170</sup>Ibid.

Slaveholding States, to refuse to go into or countenance any National convention, whose object may be to nominate candidates for the presidency and vice presidency of the United States, under any party denomination whatever, until our constitutional rights are secured.

Resolved, That in view of these aggressions, and of those threatened and impending, we earnestly recommend to the slaveholding States, to meet in a congress or convention to be held at such time and place as the States desiring to be represented, may designate, to be composed of double the number of their senators and representatives in the Congress of the United States, entrusted with full power and authority to deliberate and act with a view and intention of arresting further aggression, and if possible, of restoring the constitutional rights of the South, and if not to provide for their safety and independence.

Resolved, That the president of this convention be requested to forward copies of the foregoing preamble and resolutions to the governors of each of the slaveholding States of the Union, to be laid before their respective legislatures at their earliest assembling.<sup>171</sup>

The convention adjourned sine die November 18, 1850. A few words will sum up its history. During the fall and winter of 1849-50, the outlook seemed to indicate success, and the prospects up to the early spring of 1850 were full of encouragement to the leaders of the movement. In most of the Southern states, many of the most prominent men in both political parties expressed themselves favorably toward it; and in a few instances, public opinion rang clear upon the issue. Already several of the state legislatures had rendered a favorable verdict. Even in those states never represented in the convention; namely, Maryland, Louisiana, Missouri, Kentucky, and North Carolina, some sort of encouragement was promised. But so far as known, delegates were not actually appointed except in the case of North Carolina. The Kentucky Senate killed a resolution of endorsement in the spring of

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<sup>171</sup>Ibid.



1850, which seemed to have ended her part in the matter; and in Maryland somewhat the same fate overtook the movement. Governor Johnson, of Louisiana, in a published letter upon the subject, said:

It is with a feeling of lively satisfaction that I see the South poising herself in a lofty and patriotic attitude in defense of her rights. In my opinion, there is little reason to believe there will be any cessation of hostilities at the North, and I earnestly recommend to the State of Louisiana that she promptly take the necessary steps to have delegates at Nashville.<sup>172</sup>

At a meeting of Southern Senators, held in Washington, April 16, at which all but four were present, a full recognition of the necessity for holding a convention was unanimously recognized.<sup>173</sup> But by this time a persistent state of indifference among many Democrats, and a growing disaffection among Whigs generally, had grown to threatening proportions. To counteract this tendency, much zeal was spent by those deeply interested. Open letters were written by Southern representatives in Congress to their constituents. In some sections, speakers addressed the people in stirring words of eloquence. The sympathy and support of the West was sought and promised. Honorable John W. Davis, ex-Speaker of the House of Representatives, in reply to an invitation to attend the convention, expressed himself as sorry for having it reach him so late that he could not attend. He said:

Had it reached me in time, I should certainly have given it my attention with a view to serving the South by attempting to bring the West to the rescue of the South in maintaining the Constitution against the attacks made upon it at the North. I earnestly urge, however, that the South forego a threatening aspect for a time at least. In my opinion, the

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<sup>172</sup> Montgomery Advertiser (Montgomery, Alabama), February 6, 1850.

<sup>173</sup> Ibid., April 16, 1850.

West will stand for the Constitution. I think the South has very just cause to feel deeply interested in the matter of wanton disregard of the Constitution practiced by the Northern fanatics. I believe the Government is with the South.<sup>174</sup>

In those days, when confidence and hope reached the high-water mark, the opinion was frequently expressed in different parts of the country, "that upon this vital question to the South there is perfect union of parties." These rumors caused a state of alarm at the North of sufficient intensity in some places to call forth public meetings of such a character and in such numbers as to justify the conviction that Northern representatives in Congress would be forced by public sentiment among their constituents to submit to the Southern demands in regard to the territorial question.<sup>175</sup> The excitement and apprehension was sufficient at one time to cause the circulation of the report that the president would issue a proclamation about the middle of May warning the citizens of the Southern states not to take part in any treasonable action; and that General Scott would be ordered to the neighborhood of Nashville with a military force to put down any movement against the government.<sup>176</sup>

The satisfaction of the Southern leaders also reached its climax then, and their confidence found expression in the prediction that the convention would accomplish its chief aim so effectually, even before it could assemble, that there would remain little necessity for actually holding the meeting. Congress, they thought, would interpret

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<sup>174</sup>New Orleans Delta (New Orleans, Louisiana), December 3, 1850.

<sup>175</sup>Montgomery Advertiser, April 24, 1850.

<sup>176</sup>Ibid., March 27, 1850.

the bent of public sentiment throughout the Union, and yield to the South upon the questions agitating the nation. Some expressed the belief that the great, patriotic, conservative heart of the nation would respond to the appeal, and the whole question would be finally and satisfactorily settled if the states were fully represented in the convention.

But during this period of uncertain promise, the movement passed its palmyest days. In most instances, the favorable action of the state legislatures and the poorly attended conventions proved to be hasty and unrepresentative of the whole people's attitude; for the fact soon became apparent, as the pulse of the Southern masses was tested more accurately, that the plan must be a signal failure so far as the accomplishment of its original intent was concerned.<sup>177</sup> The irregularity in the method of the selection of delegates, and the indefinite instructions given them, were further indicative of the fact that the people were not deeply concerned and were disposed to await developments. This was especially true of the leading representatives of the Whig party. Still others were never quite decided in their opinions as to the motives inspiring the movement and the objects to be attained.<sup>178</sup>

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<sup>177</sup>Farrar Newberry, "The Nashville Convention and Southern Sentiment of 1850," South Atlantic Quarterly, XI (March, 1850), 259-273.

<sup>178</sup>Governor Brown, of Florida, in reply to an address from his state's representatives in Congress, requesting him to cause the selection of delegates, he said: "I have no right to recognize such a convention, and, furthermore, believe it to be revolutionary and contrary to the spirit of the Constitution, which says, 'No State shall enter into any treaty, alliance, or confederation.'"--Montgomery Journal, (Montgomery, Alabama), March 17, 1850.



Extreme conservatism in a few instances, bitter ultraism on the part of some,<sup>179</sup> party jealousy and distrust, militated much more against the success of the convention. At a meeting in Montgomery, May 13, Messrs. William H. Yancy and Jefferson Noble pled with all true lovers of the South to stand together upon this issue. "Already," said Mr. Noble, "the opposition to it and the disunion of the South upon this great question had worked us more real harm than all the abolitionists at the North combined."<sup>180</sup>

The Whig press, as the time for the assembling of the convention approached, became, almost universally, loud and bitter in its condemnation. "Ultraism," "treason," "traitor," and "rebellion" were common epithets. Its originators were often held up to the public as ambitious demagogues and dissatisfied politicians seeking to gratify their own selfish ambition, and ready in their reckless desperation to destroy the Constitution and the Union.

Mr. Clay's ability and reputation kept many Whigs hopeful that Congress would settle the territorial question satisfactorily. Besides, Mr. Webster, in his 7th of March speech, by his conciliatory attitude, and by his cordial support of Mr. Clay, aided in the

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<sup>179</sup>In a pamphlet, entitled "The North and the South," published at Columbia, South Carolina, and circulated throughout the Southern states, the view of the situation taken by the extremists was set out in five propositions:

"First, there is a controversy between the North and the South.

"Second, this controversy cannot amicably be settled.

"Third, a collision is inevitable.

"Fourth, immediate dissolution of the Union--a Southern Confederacy and a taking possession of certain Territories by force of arms, is the only remedy.

"Fifth, that this should be the object and action of the Nashville Convention."

Quoted from Montgomery Journal, April 23, 1850.

<sup>180</sup>Montgomery Journal, April 26, 1850.

reactionary sentiment among Southern men. On the 31st of March, Mr. Calhoun died.<sup>181</sup> When his part in getting up the convention is borne in mind, there can be no doubt that his death was an inestimable loss to the movement.

Whatever possibility there might have been for the union of the whole South upon this issue, vanished when Congress passed the compromise measures;<sup>182</sup> that was, indeed, the final stroke that killed this forlorn hope. A majority of the people in the South accepted this adjustment, no doubt, in a spirit of sacrifice, for the common good. It will be remembered that President Sharkey refused to call the November session on the ground that, while not all that he had wished, the compromise was the best that might be expected.<sup>183</sup> Following his example, few, if any, Whigs or conservative Democrats attended. In the elections that followed in the next few months, a great majority of the Southern people ratified the action of Congress.

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<sup>181</sup>Congressional Globe, 31st Congress, 1st Session, Vol. XXI, Part I, p. 620.

<sup>182</sup>Appendix to the Congressional Globe, 31st Congress, 1st Session, Vol. XXII, Part I. p. 645.

<sup>183</sup>Ibid., pp. 595, 645, 780.

## APPENDIX

Following is the list of delegates to the Nashville Convention.

It seems to contain some names twice and probably contains some misprints, but it is given precisely as it appeared. (From the Republican Banner and Nashville Whig, June 5 and 6, 1850.)

- Virginia Delegates: Willoughby Newton, R. H. Claybrook, Wm. F. Gordon, W. O. Goods, Thos. S. Gholson, and Beverly Tucker.
- South Carolina Delegates : L. Cheves, R. W. Barnwell, J. H. Hammond, Samuel Otterson, Jno. A. Bradley, J. W. Whitner, A. C. Young, Maxey Gregg, James Chestnut, Jr., W. J. Hanna, R. F. W. Alston, F. W. Pickens, Drayton Nance, Geo. A. Trenholm, Wm. DuBose, D. F. Jamison, and R. Barnwell Rhett.
- Georgia Delegates : Hon. Walter T. Colquitt, Hon. Chas. J. McDonald, Col. H. N. Benning, M. J. Crawford, Esq., Obediah C. Gibson, Esq., Jas. W. Ramsey, Obediah Warner, Simpson Fouche, Gen. Robert Bledsoe, Andrew H. Dawson, Dr. Jno. G. McWherter.
- Alabama Delegates : Gov. B. Fitzpatrick, Jno. A. Campbell, Jno. A. Winston, L. P. Walker, Nicholas Davis, Jas. Abercrombie, W. M. Murphy, S. B. Bethea, B. Boykin, G. W. Guyon, S. Buford, R. Shorter, Geo. Goldthwaite, J. S. Hunter, Daniel Coleman, Wm. Cooper, R. Chapman, Thos. A. Walker, G. S. Walden, Jno. L. Erwin, W. M. Byrd.
- Mississippi Delegates : Judge Wm. L. Sharkey, C. P. Smith, A. M. Clayton, J. W. Mathews, T. J. Word, J. L. Neil, J. J. Pettus, J. J. McRae, E. C. Wilkinson.
- Texas Delegate : Gen. J. P. Henderson
- Arkansas Delegate : J. Powell
- Florida Delegates : Jas. Hernandez, B. M. Pearson, A. J. Forman, O. H. DuPont, J. F. McClellan, G. E. Cabel.
- Tennessee Delegates : Col. R. Warner, R. Jones, W. A. Sewell, F. W. Brents, Howell Taylor, Jas. L. Green, Thos. Shepard, Gen. W. Hall, Wm. B. Bate, E. Broddie, Geo. W. Allen, G. W. Winchester, Gen. D. Donelson



: G. W. Bond, Isaac M. Gower, Boling Gordon,  
 S. B. Moore, Edward Gantet, J. W. Whitfield,  
 B. B. Satterfield, G. B. Fowlkes, Jas. Patterson,  
 T. J. Kennedy, A. Ezell, Geo. T. Malone, F. T.  
 McLauren, Geo. Everly, Thos. Buford, Col. Jno.  
 Dergan, D. R. S. Nowlin, N. Y. Cavett, J. E. R.  
 Ray, Jno. Poindexter, H. L. Johnson, D. P. F.  
 Norflett, Wm. Overton, Jas. H. Estill, C. C. Garner,  
 W. E. Venable, H. R. Estill, Thos. Jackson, Gen.  
 G. J. Pillow, Wm. K. Polk, W. G. Strayham, G. R.  
 Gantt, A. J. Porter, W. C. Whitham, C. J. Dickin-  
 son, Jas. Walker, F. Watkins, Robert G. Payne,  
 Patillo, Patton, R. A. L. Wilkes, C. Polk, R. D.  
 Casey, Thos. H. Hopkins, W. P. Rowles, Wm. B.  
 Hall, Wm. Moore, A. W. Overton, A. Ferguson, Gen.  
 Robert Armstrong, Gov. A. V. Brown, A. O. P.  
 Nicholson, V. K. Stevenson, Wm. Williams, Dr. Jno.  
 Maxey, J. J. B. Southall, Jno. McIntosh, Dr. J. N.  
 Esselman, Andrew J. Donelson, Willo Williams,  
 Jacob McGanock, Daniel Graham, A. W. Johnson,  
 Andrew Jackson, W. F. Watkins, Frank McGanock,  
 Gen. W. G. Harding, Thos. Claiborne, L. P. Cheat-  
 ham, W. E. Owen, M. Barrow, W. B. Shepherd, Gen.  
 E. W. Hickman, L. Hunter, H. Atkinson, J. B.  
 Clements, T. D. Mosley, F. Robertson, Gen. Daniel  
 Donelson, Westley H. Humphreys, Geo. W. Buchanan,  
 Jno. T. Neil, Samuel Doke, Sam H. Whitham, Geo. M.  
 Cunningham, E. L. Paget, J. M. Quarle, R. F.  
 Eupton, Jno. Stephens.

On the third day, the following new names were enrolled:

From Arkansas, Ex-Governor Sam C. Roane;  
 From Alabama, Thos. J. Judge.

The following delegates' names were stricken from the list, not  
 being present on June 5:

General Robert Armstrong of Tennessee; Jas. N. Fernandez; E. C. Cabel  
 of Florida.

The full resolutions of the Nashville Convention of 1850 are given below. (From the Republican Banner and Nashville Whig, June 13, 1850)

1. Resolved, That the Territories of the United States belong to the people of the several States of this Union as their common property. That the citizens of the several States have equal rights to migrate with their property to these Territories, and are equally entitled to the protection of the Federal Government in the enjoyment of that property so long as the Territories remain under the charge of that government.

2. Resolved, That Congress has no power to exclude from the territory of the United States any property lawfully held in the States of the Union, and any act which may be passed by Congress to effect this result is a plain violation of the constitution of the United States.

3. Resolved, That it is the duty of Congress to provide proper government for the Territories since the spirit of American institutions forbids the maintenance of the military government in time of peace, and as all laws heretofore existing in Territories belonging to foreign powers which interfere with the full enjoyment of religion--the freedom of the press--the trial by jury and all other rights of persons and property as secured or recognized in the constitution of the United States are necessarily void so soon as such Territories become American Territories, it is the duty of the Federal Government to make early provisions for the enactment of those laws which may be expedient and necessary to secure to the inhabitants of, and emigrants to, such Territories the full benefits of the constitutional rights we assert.

4. Resolved, That to protect property existing in the several States of this Union, the people of these States invested the Federal Government with the powers of war and negotiation, and of sustaining armies and navies, and prohibited to the State authorities the exercise of the same powers. They made no discrimination in the protection to be afforded or the description of the property to be defended, nor was it allowed to the Federal Government to determine what should be held as property. Whatever the States deal with as property, the Federal Government is bound to recognize and defend as such. Therefore, it is the sense of this convention that, all acts of the Federal Government which tend to denationalize property of any description recognized in the constitution and laws of the States, or that discriminate in the degree and efficiency of the protection to be afforded to it, or which weaken or destroy the title of any citizen upon American Territories are plain and palpable violations of the fundamental law under which it exists.

5. Resolved, That the slaveholding States cannot and will not submit to the enactment by Congress of any law imposing onerous conditions or restraints upon the rights of masters to remove with their property in the Territories of the United States, or to any law making discriminations in favor of the proprietors of other property against them.

6. Resolved, That it is the duty of the Federal Government plainly to recognize and firmly to maintain the equal rights of the citizens of the several States in the Territories of the United States, and to repudiate the power to make a discrimination between the proprietors of different species of property in Federal legislation. The fulfillment of this duty by the Federal government, would greatly tend to restore the peace of the country and to allay the exasperation and excitement which now exist between the different sections of the Union. For it is the deliberate opinion of this convention that the Congress has given to the notion that Federal authority might be employed incidentally and indirectly to subvert or weaken the institutions existing in State confessedly beyond Federal jurisdiction and control, is a main cause of the discord which menaces the existence of the Union and which has well-nigh destroyed the efficient action of the Federal government itself.

7. Resolved, That the performance of this duty is required by the fundamental law of the Union. The equality of the people of the several States composing the Union, cannot be disturbed without disturbing the frame of the American institutions. This principle is violated in the denial of the citizens of the slaveholding States of power to enter into the Territories with the property lawfully acquired in the States. The warfare against this right is a war upon the Constitution. The defenders of this right are defenders of the Constitution. Those who deny or impair its exercise are unfaithful to the Constitution, and if disunion follows the destruction of the right, they are disunionists.

8. Resolved, That the performance of its duties upon the principles we declare, would enable Congress to remove the embarrassment in which the country is now involved. The vacant Territories of the United States, no longer regarded as prizes for sectional rapacity and ambition, would be gradually occupied by inhabitants drawn to them by their interests and feelings. The institutions fitted to them would be naturally applied by government formed on American ideas and approved by the deliberate choice of their constituents. The community would be educated and disciplined under a republican administration in habits of self-government, and fitted for an association as a State, and to the enjoyment of a place in the confederacy. A community so formed and organized might well claim admission to the Union and none would dispute the validity of the claim.



9. Resolved, That a recognition of this principle would deprive questions between Texas and the United States of their sectional character, and would leave them for adjustment without disturbance from sectional prejudices and passions, upon considerations of magnanimity and justice.

10. Resolved, That a recognition of this principle would infuse a spirit of conciliation in the discussion and adjustment of all the subjects of sectional dispute, which would afford a guarantee of an early and satisfactory determination.

11. Resolved, That in the event a dominant majority shall refuse to recognize the great constitutional rights we assert, and shall continue to deny the obligations of the Federal Government to maintain them, it is the sense of this convention that the Territories shall be treated as property and divided between the sections of the Union, so that the rights of both sections were adequately secured in their respective shares. That we are aware this course is open to grave objections, but we are ready to acquiesce in the adoption of the line 36 degrees 30 minutes north latitude, extending to the Pacific Ocean as an extreme concession upon considerations of what is due to the stability of our institutions.

12. Resolved, That it is the opinion of this convention that this controversy should be ended, either by a recognition of the constitutional rights of the Southern people, or by an equitable partition of the Territories. That the spectacle of a confederacy of States, involved in quarrel over the fruits of a war in which the American arms were crowned with glory, is humiliating. That the incorporation of the Wilmot Proviso in the offer of settlement, a proposition which fourteen States regard as disparaging and dishonorable, is degrading to the country. A termination to this controversy by the disruption of the confederacy or by the abandonment of the Territories to prevent such a result, would be a climax to the shame which attaches to this controversy, which it is the paramount duty of Congress to avoid.

13. Resolved, That this convention will not conclude that Congress will adjourn without making an adjustment of this controversy, and in the condition in which the convention finds the question before Congress, it does not feel at liberty to discuss the methods suitable for a resistance to measures not yet adopted which might involve a dishonor to the Southern States.

Given below are some extracts from "An Address to the People of Maryland, Virginia, North Carolina, South Carolina, etc.,"

(naming all the Southern states). (From the Republican Banner and Nashville Whig, June 13, 1850.

Referring to the bill to admit California, it said:

The South is excluded by the bill from the whole of that part of California lying on the Pacific, including one hundred and fifty thousand square miles of territory; and if this be done by the legislation of Congress, the mode in which it is done, is of no importance. California belongs to the United States, and all action by the individuals in that Territory, whether from the United States or from the rest of the world appropriating the soil to themselves or erecting a government over it, is of no validity. They constitute a people in no proper sense of the term; but are citizens of the States or countries from which they have come, and to which they still owe their allegiance. When, therefore, Congress attempts to carry out and confirm the acts of these individuals, erecting California into a State and excluding slavery therefrom, it is the same thing as if Congress had originally passed a law to this effect, without the intervention of these individuals. The exclusion of slavery from California is done by the act of Congress and by no other authority. The constitution of California becomes the act of Congress; and the Wilmot Proviso it contains, is the Wilmot Proviso passed and enforced by the legislation of Congress. Here, then, is that exclusion from this territory by the act of Congress, which almost every Southern State in the Union has declared she would not submit to, plainly and practically enforced by this bill. A free people cannot be satisfied with the mode in which they are deprived of their rights; a sovereign State will disdain to inquire in what manner she is stripped of her property, and degraded from an equality from her sister State. It is enough, that the outrage is done. The mode is of little consequence.

In regard to the partition of Texas, it continued:

The next measure is in perfect keeping with this first feature of "the report." It takes from Texas, territory sufficient for two large States, and adds them to New Mexico. What the bill contains with respect to slavery will be of little consequence; for it is designed that next winter New Mexico thus constituted, shall follow the example of California, and be admitted as a State with a constitution excluding slavery from its limits--for without such exclusion she cannot hope to be admitted by the non-slaveholding States into

the Union. The effect will be that territory, over which slavery now exists, equal to two States will be wrested from the South, and will be given up to the non-slaveholding States. The pretext is, that there is some doubt as to the boundaries of Texas. Texas, by her laws, when she was admitted into the Union, had but one boundary towards the west, and that boundary was the Rio Grande. Congress in the resolutions admitting her into the Union recognized this boundary, by laying down a line of limitation between the slaveholding and non-slaveholding States--(Being the Missouri compromise line of 36 degrees 30 minutes parallel of north latitude)--through that very part of her territory, her right to which is now questioned. Her boundary of the Rio Grande to its source alone gave her this country; and was thus recognized and ratified by the resolutions of annexation. To vindicate this boundary for Texas, as a member of the Union, the Mexican war took place; and in the treaty of Gaudalupe Hidalgo, it was finally vindicated and settled by a clause in the treaty, designating the Rio Grande as the boundary between Mexico and the United States. Thus, by the laws of Texas, by the legislation of Congress, and by a solemn treaty of the United States, the Rio Grande is the western boundary of Texas. Yet the pretension is set up, that her territory does not extend to within three hundred miles of the Missouri compromise line, where Congress in receiving her into the Union, determined that her territory should be divided between the slaveholding and non-slaveholding States. Texas is the only State in the Union which has the solemn guarantee of the government of the United States in every possible form to her boundaries. Yet this is the government which disputes them; and under the pretext that they are very doubtful, proposes to take from her nearly one-half of her territory. It is by virtue of such pretensions, that by the bill two States are to be taken from the Southern and given to the Northern States; and this wrong is aggravated by compelling us to pay for it, through the Treasury of the United States.

It is undoubtedly proper, that Texas should be quieted as to her boundaries; but she should be quieted by a law of Congress, plainly acknowledging them. If after her boundaries are settled, the general government, to carry out the purposes of the constitution, or in good faith to fulfill all the obligations the annexation of Texas to the Union requires, should think proper to purchase any territory from Texas, the arrangement may be unobjectionable.

It then proceeded to discuss the bill to abolish the slave trade in the District of Columbia, as follows:

No one can suppose that Maryland and Virginia, slaveholding States now, could have designed to give Congress power over



the institution of slavery in this territory. Independently of the wrong to the people of the District, to emancipate their slaves, it would be an intolerable evil to have a District between them, where emancipation prevails by the authority of Congress. Congress, in the bill reported as a part of the so-called compromise, now begins the work of the emancipation by declaring that if any slave is brought into the district for sale, he shall be "liberated and free." If a slave is liberated because he is brought into the District, the next step, to liberate him because he is in the District, is not difficult.

In regard to the Fugitive Slave bill, it said:

If these authorities do not enforce the requirements of the Constitution, and aid in the recapture and recovery of fugitive slaves, Congress can do little to enforce them. The bill providing for the cooperation of the few officers of the United States government in a State, is practically quite insufficient to accomplish its aim.

\* \* \* \* \*

The bill then, is, in the first place, quite inadequate to restore to us our fugitive slaves, and in the second place, gives the South nothing but what she is entitled to. If this was all, there would be nothing in the bill for which we should concede anything to the North. But it is not all. Under the pretext of bestowing on us a benefit, it perpetrates a usurpation on the reserved rights of the States. It provides that a slave may arraign his master, by the authority of laws made by Congress, before the courts of the States and of the United States, to try his right to his freedom. If Congress can legislate at all between the master and slave in a State, when can its power be stayed? It can abolish slavery in the States. Thus a power is assumed in the bill, which virtually extends the jurisdiction of Congress over slavery in the States.

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