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Ruth Lazenby

University of Richmond

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Life of John Warwick Daniel

Ruth Lazenby

May 8, 1924

History

JOHN WARWICK DANIEL

John Warwick Daniel was born on the 5th of September, 1842, in Lynchburg, and died on the 29th of June, 1910. Only sixty-eight years of life, a short period when one measures the span of a lifetime and yet he crowded into these years so much that he has rightly come to be called soldier and orator, jurist and lawgiver, statesman and senator. As a soldier he was brave, loyal and devoted to duty, winning many honors for courage and gallantry. As an orator he was noted for his eloquence, charm and unsurpassed beauty of language, and it was perhaps in this field of achievements that he reached his zenith. As a lawyer his intellectual ability, his diligence and magnetism soon won for him such a high place that few lawyers of Virginia have surpassed him. As a senator he held a high rank among the statesmen of his time, contributing much from his experience, wisdom and intellect.

John Warwick Daniel came from a long line of distinguished men, all known for their bravery in war and their ability as lawyers. There is no information available which might in any way indicate the origin of the Daniel family in Virginia, excepting a brief notice found in the Richmond Enquirer in 1824 to this effect: "Died June 28, 1824, aged 83, Travers Daniel, Sr., descended from an ancestor who was captain in the Royal Army in the civil wars and came to Virginia." Several Daniel charts have been found in the family giving a Lancaster chart as the true line of the family and in these, taken from the English visitations of Lancashire, 1623 and 1664, we find that

Peter, Thomas and William Daniel all held positions of responsibility in the royal army of King Charles the First and later King Charles the Second. The Virginia records show that on January 2, 1634, a certain youth of 18 years, called Daniell Daniell came to Virginia in the Bonaventure. This is the first mention of the Virginia Daniels found in the Virginia records.

Peter Daniel, whose relationship to John W. Daniel is not clearly explained in the genealogies, was born in 1706. He was presiding justice for Stafford County, Virginia, and was openly and actively in favor of freedom for the colonies long before many men dared discuss independence.

Peter Vivien Daniel was born in 1784 and died in 1860. He studied law, was admitted to the bar in 1808 and in 1809 he became a member of the Virginia Legislature. In 1834 when Jackson and Congress were having a bitter struggle over the removal of deposits after the bank bill had failed, Jackson appointed Daniel to succeed Roger Taney in the Treasury Department, but Daniel declined to accept. In 1836 President Jackson appointed him Judge of the U. S. District Court, and in 1840, under Van Buren, he became Associate Justice of the U. S. Supreme Court.

William Daniel, Sr., grandfather of John Warwick Daniel, was born in Cumberland County, Virginia in 1770, and died in Lynchburg in 1839. Margaret Baldwin, his first wife, lived but a few years and after her death he married Pauline Cabell, from a very distinguished family. Judge Daniel, a man of great

intellect and unusual ability, was an outstanding member of the Virginia Assembly, serving with distinguished ability in the two famous legislatures of 1798 and 1799. In 1798 he delivered an able speech in the legislature advocating the Virginia "Resolutions" which James Madison had prepared in protest against the "Alien and Sedition Laws". In 1816 he was appointed Judge of the General Court of Virginia and served on the bench for 26 years.

William Daniel, Jr., son of Judge Daniel and his first wife, Margaret Baldwin, was born in Cumberland County in 1806, and died in Farmville, Virginia, March 28th, 1873. He was educated at Hampden Sidney College and the University of Virginia where he studied law. He was an able lawyer, a distinguished judge, and a most eloquent speaker. Before he was 25 years old, the required age for membership, he was elected to the Virginia House of Delegates, becoming of age before he actually served. In 1844 he was Presidential Elector and in 1846 he won an election to the Supreme Court of Appeals where he served conspicuously until 1865. In 1840, Judge Daniel, Jr., married Sarah Anne Warwick, of Lynchburg, whose father was John M. Warwick of that city and one of its leading citizens. She was a woman of rare charm and beauty of character as well as face, but at the early age of 24 years she died, leaving her two small children, John Warwick and Sarah Anne, a mere infant to the care of their maternal grandfather, John M. Warwick. John Warwick Daniel was indeed fortunate in having as guardian of his early and formative years such a man, of whom he has said:

"A nobler man never lived - hospitable, gentle, calm, self-poised - a gentleman in honor, in manners, in innate refinement. A pure and lofty soul, he seemed to me to be everything that a man could be to be respected and loved. Successful from his youth in business, he was rich and generous without pretension or pride. Yet when the end of the Civil War prostrated his fortune and he became old and almost blind, his easy dignity lost no feature of its serene composure, and out of his true heart came no complaint of man or fortune."* John Warwick Daniel who received his early education at private schools in Lynchburg soon showed himself to be ambitious, high-minded and gifted and by the time he entered Lynchburg Military College his powers of oratory and debate had clearly asserted themselves. Even at the age of 16 years he made a profound impression upon his auditors, holding them spellbound with his eloquence when he represented his class and recited Tennyson's "Charge of the Light Brigade."

In 1824 George Long, an Englishman and a graduate of Trinity College, Cambridge, came to the University of Virginia to be professor of ancient languages. In 1828 when he returned to England as professor of Greek in the new University of London he was succeeded by Gessner Harrison, the most brilliant student of this great Latinist. George Long was author and translator of a vast number of works which cover a wide range of subjects and which reveal the extremely versatile and superior mind of the writer. Through his writings he exerted a wide

*John Warwick Daniel - Address delivered at the unveiling of Ezekiel's statue of Senator Daniel, by William M. Thornton.

influence on the teaching of Latin and Greek not only in England, but in other countries as well.¹ He was a scholar of profound knowledge and noted far and wide for his extensive and accurate learning.

For 30 years Gessner Harrison held the professorship of classical languages in his Alma Mater. During this time he studied closely the educational situation of the South and soon became convinced that a good preparatory Academy was needed in which students could receive adequate training for later university work. So in 1859 Dr. Harrison established just such an academy first at Locust Grove, in Albemarle County, and then in 1860 moving to a permanent location called Belmont, in Nelson County. John W. Daniel was among the very first to enroll in this new school, and entering the academy when it was organized at Locust Grove, he remained a student of this classical scholar until the spring of 1861 when he enlisted in the Confederate Army.

The inspiration and training received at this noted academy were inestimable and John Daniel, already extremely ambitious for a career as a lawyer was a hard, conscientious student, never allowing play to interfere with his studies, and yet entering enough in the sports of the school. One of his school mates said thus of him: "John Daniel's principal claim to distinction at school was his wonderful dexterity at the game of bandy. He was by all odds the best player in the school. His other big activity was in the debating society, and at the end of the session he was the orator, John Selden being the essayist. Daniel had the same quality then as subsequently of carrying away his audience by his rhetoric, his splendid musical voice,

and his wonderfully handsome features. He was already an accomplished elocutionist.* He was somewhat dignified and reserved even as a youth but underneath it all he was warm hearted, kind and affectionate to his friends.

In the meanwhile, during the boyhood days of John Warwick Daniel the faint rumblings of a coming storm were beginning to be heard in the distance. The question of slavery had long since become the most vital and stirring problem of the times, towards which the leaders of the country were directing their thoughts and energies. The abolition movement as such really began with Thomas Jefferson when he said "nothing is more plainly written in the stars than that these people ^{are} ought to be free", and the truly great thinkers of the South regretted slavery and were openly eager to rid themselves of this "unmitigated evil." But after 1830 this attitude in the South began to change and take the form of resentment against northern interference and as the abolition movement spread in the north, pro-slavery opinion was strengthened in the South. By 1860 the South had developed an economic system, based on slavery, which dictated her social, religious, and political life. Many of the southern planters, especially in the cotton belt raised cotton exclusively, until that product soon played a very large part in the total exports from the country. Although not all of the southern states were in this cotton belt yet all the south believed that cotton was king and therein lay her welfare. Of course she thought that slavery was

*John Warwick Daniel - Address delivered by William M. Thornton at the unveiling of Ezekiel's statue of Senator Daniel.

absolutely indispensable to such extensive cotton production and the south was apparently a slaveholding unit and acted as such. (except for Kentucky) in secession.

Henry Clay's Compromise of 1850 had seemed at the time to settle the question of slavery in the disputed territories, both the north and the south seemed more or less satisfied and were ready to settle down to an era of peace and prosperity. But in 1854 Stephen Douglas introduced the Kansas-Nebraska bill and the slavery controversy was renewed with more strength and bitterness than ever before. This bill, which provided for popular sovereignty in these two territories and for the repeal of the compromise of 1820, was immediately followed by successive steps which led to Civil War.

The formation of the Republican party marked a division of the country in political parties on a sectional line, the Republicans gaining strength in the north while the Democrats rallied their forces from the south. In 1860 the Republican party nominated for the presidency Abraham Lincoln from Illinois, who was opposed to the extension of slavery and to secession. The southern states called Lincoln a "black Republican", looked upon him as a bitter opponent to slavery and threatened secession if he were elected. In 1860 Lincoln was elected by a minority vote and on December 20th, 1860 South Carolina withdrew from the Union. By February 4th, she was followed by five other states, Georgia, Alabama, Mississippi, Louisiana and Florida. On April 12th some Confederate soldiers fired on Fort Sumter and immediately the remaining four border states, Arkansas, Virginia, North Carolina, and Tennessee seceded from the Union

after much hesitancy and deliberation. And so the storm of war broke over the country.

Early in the eventful spring of 1861 John W. Daniel, then eighteen years old, withdrew from Dr. Harrison's academy and returned to Lynchburg where he enlisted as a private in Company B, Second Virginia Cavalry, then called the Wise troop of Cavalry, which was being recruited in Lynchburg at that time. Before this troop had completed its organization Daniel received his first commission. On May 8th Governor Letcher appointed him second lieutenant in the Provisional Army of Virginia. He was assigned to Company C, Twenty-seventh Virginia Infantry, which soon came to be called the "Stonewall Brigade." He immediately reported for duty to Lieutenant Colonel Thomas J. Jackson at Harper's Ferry, where due to his knowledge of military tactics acquired at Lynchburg College, he was appointed to drill master.

John Daniel fought in his first battle at Manassas in July 1861, in which battle he was struck three times. The first time a piece of shell struck his head, but his cap saved him from serious injury. The second time a spent bullet struck him in the breast, knocking him senseless to the ground, but again he was saved from actual injury by a metal button on his coat. At about this time the color bearer of the Twenty-seventh Regiment was shot down when Daniel grasped the standard and carried it forward into battle until he was relieved by order. In this same battle he received his third blow which proved to be a serious but not fatal wound, when a rifle shot struck him in the left hip. He was able to limp from the field of action, but he was later sent to his home in Lynchburg where he was

ill with fever for several weeks.

While he was still in Lynchburg the Provisional Army of Virginia was abolished and John W. Daniel found himself without a commission, but his gallant conduct and bravery in the battle of Manassas won for him a strong recommendation from his regimental commander and he was soon elected second lieutenant of Company A, Eleventh Virginia Infantry, called the Lynchburg Rifle Grays. Daniel was somewhat disappointed that he had not received a higher appointment, but in 1862 he was commissioned by Judah P. Benjamin, the Confederate Secretary of War at that time, as lieutenant of ordnance in the regular Confederate Army. However Daniel declined to accept this commission fearing that its duties would take him away from the actual firing line. He preferred to stay on the "firing line and in the picture of flashing guns" as he himself said. In this same year, 1862, upon the recommendation of Colonel David Funston, he was appointed first lieutenant and adjutant of the Eleventh Virginia Infantry, his own regiment; having received the commission after his courageous fighting at the battle of Seven Pines. Soon after this, during the battle of Boonsboro Mountain, Md., on September 14, 1862, Daniel was standing in the line of battle when a rifle bullet struck him on the hand with which he was holding his pistol. The bullet passed through his hand being stopped against the pistol he held. He calmly took out his pocketknife with his uninjured hand, cut the skin back and removed the bullet himself. He retained the bullet and after the war had it mounted as a watch charm which he treasured highly throughout life.

In March 1863 while still a mere youth of 20 years, Daniel became major in the Army of Northern Virginia and assistant adjutant general on the staff of the Confederate Army in the division under General Jubal Early. Of this great soldier Daniel has said: "Early was modest, but humility---I cannot say he had, for he was the proudest spirited mortal I ever knew, the strongest willed and the strongest hearted.. It was the instinct of Early's life to repress and not to express his feelings. Whatever pangs may have stirred his secret breast were never disclosed in outward manifestation. His hand never quivered, his face never changed when he launched the thunderbolts of war or received its rude shocks, and if ever he took account of danger or death or misfortune or blame or shame, it was a matter left behind the mask of his impassive countenance between him and his Maker."*(1) John Daniel loved his abrupt and formidable commander and admired his dauntless courage and a strong friendship was built up between the old general and his young staff officer. Once when Early accompanied his orders to Daniel with violent oaths Daniel stood at attention and said calmly and respectfully, "General, when you address me as one gentleman should address another, I will obey your orders, but not otherwise."*(2) Two soldiers facing each other, one an old experienced chieftan, the other a youth of 20 years, and Early was quick to realize his mistake and correct it.

Until 1864 Daniel served on Early's staff as his favorite officer and in this capacity he fought in many of the greatest battles of the War, among which were Fredericksburg, Winchester

*(1) Speeches and Orations of John Warwick Daniel, compiled by Edward M. Daniel.

*(2) John Warwick Daniel - Address delivered by William M. Thornton at the unveiling of Ezekiel's statue of Senator Daniel.

and Gettysburg, but on May 6, 1864, in the battle of the Wilderness he saw the end of his military career when he was wounded seriously by a Minie ball. General Lee has been criticized by many able military critics for fighting against the Union forces in the Wilderness and whether they are correct we cannot say but we do know that three of the bloodiest battles of the Civil War were fought here, Chancellorsville, Wilderness and Spottsylvania. During the great battle of the Wilderness Daniel observed a regiment of troops thrown into confusion by the loss of its colonel who had been shot and killed. He took in the situation at a glance and realizing that something must be done immediately, he rode quickly to the front and placed himself in command of the disordered troops. While in the process of rallying the forces he was struck in the left thigh and falling from his horse he dragged himself to the protection of a fallen tree where he found his thigh bone shattered and the femoral artery cut. Realizing that he would bleed to death if he waited for rescue he took a silken girdle from his waist and arranged it so as to stop the flow of blood. This act saved his life but the wound caused him continuous pain and discomfort and left him a cripple for life, for which people thereafter called him the "Lame Lion of Lynchburg."

After he retired from his soldier's career many titles were conferred upon him but throughout life he preferred and clung to that of "Major". When James L. Kemper became Governor of Virginia after the war he appointed John Daniel as colonel on his staff, but he was not known by his title, feeling as he himself said that that of "Major" was "my most honorable title."

On April 9, 1865 ~~he~~ surrendered to Grant, the four years of long and bitter struggle were at an end and the Confederate soldiers, weary and wounded returned to their homes to take up the thread of life where they had left it at the call to arms. It was not the way of John Warwick Daniel to return to a life of bitterness and despondency and, although the war had left him physically handicapped and deprived of wealth he determined to make for himself a name and career. Still retaining his boyhood ambition to become a lawyer, a profession for which he was peculiarly suited, he entered the law school at the University of Virginia in 1865 where he studied under John B. Minor who exercised a great influence on the professional life and writings of Daniel.

On June 28, 1866, while a student at the University and only twenty-three years old he delivered an address before the Jefferson Literary Society. This speech, called "The People", made a marked impression upon his audience and was remarkable for its style and sentiment. It is full of classical, mythological and historical allusions and reveals a conversant knowledge of the most remote personages and incidents, and although it is somewhat oratorical and idealistic yet Daniel's political trend of thought is beginning to be very manifest even at this early date. In it he said: "The power that molds all issues is the People.....That vague and mysterious power which men term public opinion is the governing principle of the universe..... It is not in the codes and constitutions of states that we seek for insight into their social system, but in the manners and customs which the people have ordained....The law is but a mere dry skeleton, nerveless, heartless, brainless, until it

is clothed with the muscles of the People's strength."* He expressed the urgent need of education especially to train the great masses of immigrants who were landing in America, bringing with them their lower standards of living and their ideas and customs so different from our own.

In the fall of 1866 after studying at the University for only one year during which time he gained prominence as a law student and as a public speaker, John Daniel began the practice of law in partnership with his father in Lynchburg, a partnership which lasted until the death of the senior partner in 1873. For the first few years he was very active in the practice of his profession and indeed he never gave up his practice entirely, but as the years went on he was drawn more and more into public political service feeling that his state needed him. He was very active in the State and Federal courts of Virginia and also in the Supreme Court of the United States, and his learning, dignity and rare eloquence won for him distinction and fame in his profession.

In 1869, three years after he began the practice of law he published his first legal book, "Law of Attachments under the Code of Virginia," which met with great success and has since been used as a text book. In 1876, after eight years of diligent research work among original authorities he published his second book on "Negotiable Instruments," which is his masterpiece and considered by able critics as a leading authority among legal literature. By all the courts of English-speaking countries this treatise is recognized as being without an equal, or even without a rival. John B. Minor, one of the greatest,
* Speeches and Orations of John Warwick Daniel, compiled by Edward M. Daniel.

if not the greatest law instructor of this country said: "Upon the subject of negotiable instruments I bow my head to John W. Daniel, my pupil." This book, which has passed through five editions was perhaps instrumental in winning for Daniel the honorary degree of LL. D. from the University of Michigan and from Washington and Lee.

In the meantime the Congressional policy of reconstruction was being put into effect. Lincoln's plan of reconstruction had been mild and lenient as was characteristic of that great man's gentle nature, and Johnson, his successor had attempted to carry out his plans but he met with stubborn opposition from Congress and was finally over ruled. These radical leaders in Congress wanted to enjoy the fruits of war and punish the south and they became very bitter and hostile in their plans. The Fourteenth Amendment marked the culmination of this policy when it enfranchised the negroes and barred from public office any person who had fought against the Union. This amendment was of course designed to cut down the leadership of the southern whites, and it left the south largely under the domination of negroes, carpet-baggers and radicalism. The political chaos and confusion in Virginia called for men of strength, wisdom and untiring energy and faith, and among just such men who answered the call to service was John Warwick Daniel, who entered his political career almost immediately after the period of reconstruction. He gave his powers and energies to the rebuilding of the state for which he had so gallantly fought and soon became the central figure among the leaders for conservative reform. He was a true Democrat as his ancestors had been

before him and throughout his life he boasted that he had never scratched a Democratic ticket.

In 1869 he was elected to the Virginia House of Delegates, his constituency being that of Campbell County and in this capacity he served for three years. In 1874 the same constituency elected him to the Virginia Senate where he served until 1881, being reelected in 1878. In both branches he was recognized as an able statesman and a brilliant orator and he soon won the love and confidence of his entire state. In 1880 he was delegate at large for Virginia in the national Democratic convention and thereafter held that position in the years 1888, 1892, 1896, 1900, 1904 and 1908, and in 1896 he was temporary chairman of the convention.

In 1881 a bitter fight for the election of the governor of Virginia began, the great issue of the campaign being the funding of the state debt. William Mahone, a politician of questionable principles had built up a large following among the Republicans and Liberals, calling themselves the Readjusters, and while they did not at first openly repudiate the state debt they did stand for a complete readjustment of the debt. The more conservative men in the state organized and called themselves the Funders, or the Conservative party. The Funders maintained that since the debt was contracted honorably and for public utilities the state should recognize the debt as it stood, holding this to be the only honorable thing to do. The Readjusters replied to this by saying the interest on the debt had accumulated during the war and reconstruction and no state was compelled to pay against its wishes.

At the Convention in Richmond in August John W. Daniel was nominated by the regular Democrats, a step which created much excitement among the friends of his native city. These proud friends planned a great celebration to be held on the night of August 12, at which time all the houses were decorated with flags and bunting.. A long torchlight procession led by the band and military companies marched through the streets to the opera house where a patriotic meeting was to end the celebration. J. S. Diggs read a set of resolutions which pledged the support of Lynchburg to the Democratic nominee, and then R. G. H. Kean introduced Daniel who limped forward, and after the storm of applause subsided addressed the people on the issues of the campaign.

The Republicans, combined with the Readjusters nominated Hon. William E. Cameron from Petersburg, Virginia, an able and brilliant man, and with two such opposing candidates the campaign became as someone has said "the most brilliant ever waged in Virginia". Cameron who was an experienced politician and an aggressive opponent knew how to enter into the rough contests of the stump, with the one big idea always of securing as many votes as possible. But not so with Daniel. He conducted his debates and addresses with characteristic dignity and honor, not seeking to win votes so much as the respect and confidence of his countrymen. The result showed that in spite of the efforts of the ablest leaders in Virginia the influence of the Readjusters was still strong and so the Mahone candidate was elected. However, by 1883 the legislature was Democratic by a large

majority and the Mahoneites were overwhelmingly defeated. Their political trickery and dishonesty had resulted in many evil effects and the people rejoiced at their overthrow.

Although Daniel lost the governorship he won, as a result of the campaign, the love and loyalty of all of Virginia and especially of his native town, Lynchburg, where the people made him their leader and followed him without question or doubt. Soon after the election, efforts were made to start a new Commercial Bank in Lynchburg which opened in 1883 with John W. Daniel as president, and J. F. Kinnier, cashier. Lynchburg was growing rapidly into a progressive, prosperous city and Daniel always interested in every plan for further improvement became one of her leading workers in spite of the fact that duties of his state and country called him away from home frequently.

The centennial celebration held in Lynchburg in 1886 was planned in the form of a centennial fair at the head of which John W. Daniel worked faithfully and indefatigably. The preparations were elaborate and on the first day of the fair the city was crowded with visitors from far and wide. John Daniel delivered the address of the occasion and related at length the history of Lynchburg and spoke eloquently of her increasing prosperity.

On August 7, 1884 at the Convention in Roanoke the Democrats nominated John Daniel for Congress from the sixth congressional district and on November 4th he was elected, while Grover Cleveland, the Democratic candidate was elected

president of the United States. Almost immediately after this election Daniel was elected to the United States Senate for the term beginning March 4, 1887, to which office he was reelected five consecutive times until his death. The period of his senatorial service, covering^{ed} more than 23 years, the length of which period no other Virginian ever equalled, or even half way approached.

It was as statesman and Senator that he gave to the country his greatest service and won his great fame. But it was as a great orator that John W. Daniel won his unique place in the history of Virginia, and in the hearts of her people. Mr. Slemp, a Virginia Congressman on the Republican side said of him: "His style was that of a Cicero, copious and grateful, rather than of a Demosthenes, condensed and powerful. In incomparable beauty of language and purity of diction he interpreted the sentiments of his people."* He was not an incessant talker. In fact he was somewhat reticent in speech but when he spoke people listened to him because they knew he had something to say. He seldom if ever spoke extemporaneously but only after careful preparation and study. He usually dealt with great questions and before speaking he always shut himself alone in a large library where he could meditate and study upon his theme with books and other authoritative material before him.

On June 30, 1883 at the unveiling of Valentine's great recumbent statue of Robert E. Lee, at Lexington, Virginia,

* Memorial Address on the Life and Character of John Warwick Daniel.

Daniel was asked to deliver the memorial address. To those who heard him it seemed that he had centered all his strength, magnetism and charm into that one oration with the result that it became his masterpiece and will stand as a splendid classic through the years to come.

Another oration which ranks but little below that on Lee was the one delivered at the Dedication of the Washington Monument, February 21, 1865, when Daniel represented Virginia on that occasion. To quote Mr. Slemp again, he said, "I have been told that as one sentence followed close upon another in this great oration, Daniel seemed to grow in stature until he loomed high above things terrestrial, and drew down, from the vaults of the celestial, language comprehensive of his great theme."* While these two orations are unquestionably his greatest there are many more which will long be remembered for their beauty and eloquence, among which are those on "Jefferson Davis", "Stonewall Jackson" and "Thomas Jefferson". Few public occasions were held in Virginia when Daniel was not asked to be a speaker on the program and from his youth to his death he was in constant demand as an orator. He delivered more speeches than any other man of his time.

John Daniel's political ideals and qualities were those which made him a typical Jeffersonian Democrat, believing as did Jefferson that the strength and safety of our nation rested upon the "patriotic intelligence" of the voters. He believed firmly in State's rights and thought the functions of the national government should be restricted within the limits laid down by the Constitution. But he also believed that the

* Memorial Addresses on the Life and Character of J.W.Daniel.

safety and authority of the national government should not be destroyed and he worked just as hard to preserve the one as the other. That he could rise above party beliefs and temporary political conditions was clearly manifested in his support of a resolution approving the action of President Cleveland in the great Chicago strike, when the freight handlers demanded an eight hour day. During these riots when life and property in Chicago were in danger and when the United States mails were held up and the State authorities made little if no attempt to interfere, the president without consulting the Governor of Illinois, sent Federal troops to suppress the riots. Daniel said, "Anarchy is no remedy for anything. It intensifies every evil that exists. It impedes every remedial process. It should be stamped out wherever it shows itself. The President is Commander-in-Chief of the Army and Navy. He has the plain right, and it is his plain duty to employ them whenever and wherever the Constitution and laws of the Federal Government are forcibly resisted by combinations of men...Sections and parties disappear in the face of society imperilled. We should know only the country, the Constitution and the laws; and as the President says, in such an emergency discussion may well be postponed."*

John Daniel differed from his colleagues in the political and public arena in that he was decidedly a statesman of an earlier age and the problems he attacked, with but few exceptions, were those handed down by the early leaders of the nation. During this long period of public service he witnessed many changes in policies and problems but usually he avoided

* Memorial Addresses on the Life and Character of John Warwick Daniel.

the pulsing questions of the time. Once he said in one of his orations, "Race problem, Phillipine problem, trust problem, what will you do with them? This is not the time nor am I here to answer."* The question of national bimetallism did interest Daniel and he attacked the problem with great force and vigor only to meet defeat in the end, but as he said in later life, he "fought the free silver fight to the last ditch." In a speech delivered before the Senate on September 14, 1893, Daniel listed the causes of the panic of that year and emphasized the destruction of our great silver interests, and the fact that the European kings, and especially England had tried to "derange and minimize our financial system to a gold basis, in order to at one blow enhance the value of her Australian gold mines, and to increase the riches of her capitalists upon the wreck of our fortunes,"* doing this by destroying the bimetallic basis of credit. He believed the remedy for the panic would be in more money, in silver, since there was a shortage of gold, and also the coinage of gold and silver without discrimination against either metal. In the whole question Daniel simply failed to understand fully the financial measures of the modern world.

Another kind of problem which appealed strongly to John Daniel was the Venezuelan boundary dispute in which he was keenly interested. President Cleveland used the Monroe Doctrine as an important reason for interference and recommended arbitration to England but her prime minister, Lord Salisbury,

* Speeches and Orations by John Warwick Daniel, compiled by Edward M. Daniel.

stood out against it. In his reply to Secretary Olney he said that the "doctrines of Monroe are generally inapplicable to the state of things in which we live at the present day and especially concerning the dispute involving the boundary line between Great Britain and Venezuela".* When the British people realized the seriousness of the controversy between England and the United States they were eager to accept arbitration, and peace was restored. Daniel's exposition of the Monroe Doctrine upon that occasion would merit a permanent place among political literature in America. In analyzing the doctrine and its history he said, "I am not for the doctrine because Monroe uttered it or anybody else has supported it. I am for it because it is sound American doctrine and embodies an American policy which is necessary to our tranquillity and safety....The time has passed, it has long been overpast, when the foot of foreign intrusion could be set upon American soil either to assail us in our homes or to seize and appropriate the territory of our neighbors to their uses under any kind of pretext, or to envelop us with armaments of war without arousing the universal resentment and resistance on the part of our people".*

In 1901 Daniel was elected a member of the Virginia Constitutional Convention and would without doubt have become its president if he had allowed himself to be nominated, but this he declined to do.. For many years after the Civil War Virginia as well as the other southern states had been forced to submit to negro domination in local affairs, and they feared Federal interference if they attempted to diminish

* Speeches and Orations of John Warwick Daniel, compiled by E.M. Daniel.

this power of the blacks. As the years went on and bitterness decreased people all over the country realized the mistake of negro suffrage and Virginia began to feel the demand for a new constitution. After several vain attempts the people voted for a constitutional convention to be held at Richmond, where the existing constitution would be revised and amended. John Daniel was made chairman of the committee on suffrage and became the author of the suffrage provision which was adopted. This clause of the constitution, which clearly revealed the attitude of men of Daniel's training and thought was designed to do away with negro voting without directly violating the fifteenth amendment. The suffrage problem was one of the most perplexing questions before the convention and he worked so vigorously upon it that following a trying session in Congress, his health became so impaired he had to withdraw from public service altogether for a few months.

For thirty years John W. Daniel was the leader of the Virginia Democracy and he was for many years before his death, prominent in the Democratic national convention, being very influential in framing the platforms and policies of that party. As the period of his senatorial career lengthened he gradually rose from a local leader to a national leader putting his efforts and powers into preserving the welfare and safety of the nation as a whole before all else. He was one of the most conspicuous members of the Committee on Foreign Relations of the Senate and was very influential in directing our relations with foreign nations. He was also an active and influential member

of the Appropriations and Finance Committees of the Senate. Due to his wisdom, ability and statesmanship he gained a national reputation and many think he would have been nominated for the presidency and probably elected on the Democratic ticket had he lived in some other section of the country than the South.

That Daniel traveled far from his early political ideals and policies to a deeper, broader view of state-craft may be shown by quoting from one of his very earliest and one of his very latest orations. In his speech called "The People," delivered at the University of Virginia in 1866, he said: "From first to last Virginia was foremost in the picture by the flashing of the guns, and though her fair domain has been reddened with the heart's blood of her children and blackened with the ashes of happy homesteads, we rejoice today as we rebuild our ruins and scatter roses o'er our brother's graves that all have preserved unstained their sacred honor....And now, once more, our sisters of the south as they array themselves in fair order to advance to the glorious conquests of civilization, call aloud for Virginia to lead them".* And again in 1900 at the centennial celebration of Congress when Daniel was spokesman for the Senate: "Great peoples are made of the mixture of races, like the beautiful bronzes which are composed of many metals. The brightest and bravest blood of the world's great races is mixed in our blood. This is the only great nation that ever passed through its formative conflicts

* Speeches and Orations of John Warwick Daniel, compiled by Edward M. Daniel.

without inflicting in a single case the penalty of death for a political cause. Does not this fact alone speak volumes for free thought, for free speech, for the government for the people, for the high character of the American? If we have had strife it has been the proud and lofty strife of the brave and the true, who can cherish honor, who can cherish principle, who can cherish love, but who cannot cherish hate. And be this never forgotten: our only strife was over the heritage which empire foisted upon our ancestors against their will and which the Republic has removed forever. Great problems lie before us - race problems, trust problems, Phillipine problem. We may well view these and others with deep solicitude and anxious reflection. But if our problems be mighty, they grow out of our might and have the mighty to deal with them - They came to those who have never been confounded by problems and have never dodged one; who have solved problems just as great or greater than any new presented; who have left them all behind with monuments of their solution builded upon them".* These quotations also show the change in his oratory from that florid, elaborate style to something far more simple, direct and concrete than any of his earlier orations show.

The private life of John Warwick Daniel was simple and uneventful. He lived and died a comparatively poor man and yet he did not lack the comforts and even the luxuries of life. In 1869 he married Julia Elizabeth Murrell, the daughter of Dr. Edward H. Murrell, of Lynchburg, who was a prominent and

* Speeches and Orations of John Warwick Daniel, compiled by Edward M. Daniel.

wealthy citizen of that town. She was not an unusually brilliant woman, in fact it has been reported that she herself said that "she had the money and John W. had the brains". One of his several children was somewhat below normal in intelligence, a fact which caused John W. Daniel much distress. Many think it was due to this, with the suffering from his wound that caused him to drink rather heavily in later life. In 1896 when he was temporary chairman of the Democratic Convention he was under the influence of liquor to such an extent that he was unable to deliver his speech. In spite of this weakness, he was greatly loved and admired by all who knew him. He was tall and handsome with classic features which revealed his great strength and intellect. There was a certain seriousness and proud reserve in his bearing that made him appear cold and austere to those who knew him slightly, but not so to his friends.

In 1909 while in Philadelphia, Daniel was taken ill with pneumonia and before he had recovered entirely from this illness, he had a slight stroke of paralysis which affected his right hand and leg. However he recovered from this attack and was soon able to return to Lynchburg. During the winter of 1910 he went to Florida upon the advice of his physicians, hoping that he would regain his health and strength, but on March 8, he suffered another stroke of paralysis which affected his whole left side and which proved to be very serious. On April 24th he was able to be moved back to Lynchburg where he died on June 29th after many weeks of suffering. All

Lynchburg, as did all Virginia, mourned his death.

In due course of time a monument was erected to John W. Daniel in his native city of Lynchburg, and on May 26, 1915 at the unveiling of the statue, William M. Thornton delivered an address in which he said: "This noble monument which we unveil today is therefore more than the memorial of a great and good man. It is the memorial of the end of an era. It is the effigy of the man who interpreted that era to the modern world with an eloquence, a beauty, a sweetness, a nobility that men who knew him can never cease to remember and to reverence. His aspect was that of an earlier world - the aspect of a patrician, serene and calm and almost beautiful... This august bronze will figure for coming generations, not Daniel alone but that earlier age of which Daniel was the essential product and the latest flower. When time comes to assess his value as a statesman, to weigh and measure his gifts and his genius, he must be compared not with the men of his own epoch, but with the statesmen of that earlier day. If the speaker were required to assign to John Warwick Daniel his just place in that great company, he would rank him below Daniel Webster, or Henry Clay or John C. Calhoun, but higher than John Randolph of Roanoke, higher than Alexander H. Stephens, higher than Jefferson Davis".*

In the hearts of Virginians Daniel does hold a high place because he was to them the embodiment of all that a

* John Warwick Daniel - Address delivered by William M. Thornton at the unveiling of Ezekiel's statue of Senator Daniel.

chivalrous, noble and true Virginia gentleman should be.¹ They loved him for his nobleness of character and for the loftiness of his ideals and they followed him because he represented so completely their beloved state. But in history I cannot believe he will rank even as high as John Randolph or Davis or Stephens. These were men who met the great problems of their day and had a hand in framing the destinies of our nation, men who, if omitted would form a great gap in the writing of American history. While Daniel was an able statesman, he had little to do in the forming of national policies and his place in history will be slight.

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