Virginia's attitude toward the Compromise of 1850

Anne T. Gordon

Follow this and additional works at: http://scholarship.richmond.edu/honors-theses

Recommended Citation

This Thesis is brought to you for free and open access by the Student Research at UR Scholarship Repository. It has been accepted for inclusion in Honors Theses by an authorized administrator of UR Scholarship Repository. For more information, please contact scholarshiprepository@richmond.edu.
VIRGINIA'S ATTITUDE

TOWARD

THE COMPROMISE OF 1850.

By

Anne T. Gordon,

May 10, 1924.
As with an individual, a great conflict develops character and causes expression of ideals, so in the life of a nation conflicts develop the people, and give us a knowledge of their ideals and principles. It is mainly with the latter aspect of one great conflict - the struggle over the Compromise of 1850 - that this paper will deal. In this short article an effort will be made to show the attitude of Virginia - one section, small in territorial expanse when compared with the whole, but large in influence - as she faced this problem on the solution of which depended the happiness of many thousands.

The Compromise of 1850 was a final effort to straighten out problems which seemed well nigh insoluble. Of these, that of slavery in the territories was by far the most important. Though this subject had been thrashed over for decades, the bitterness of opposing factions had never before shown itself quite as intensely as it did in 1847. An appropriations bill was before the House by the passage of which President Polk hoped to be able to finance the purchase of California and New Mexico. To this bill Wilmot added the proviso that the money would be supplied upon the condition that all the territories which should be acquired should be free. The bill with the proviso passed the House, but failed of passage in the Senate. The proviso showed the irreconcilable difference of ideals and interests between the North and the South. The North felt that it was only right to stop the spread of slavery. The South thought that she was being kept out of lands to which she had as great a claim as any one. Loud protests were heard, and the South was solidified in defense of her institutions and economic system, while the North was
almost solidified in opposition.¹

The appropriations bill was finally passed without the Wilmot Proviso. Peace had been made in the meantime and California was taken in as a territory of the United States. The discovery of gold there in 1848 and the rapid increase in population made it imperative that California should be admitted as a state, but again the question of slavery prevented Congress from coming to any decision. Added to these were other problems. The boundary between Texas and New Mexico was under dispute. If all the territory east of the Rio Grande, which some claimed, belonged to Texas slavery was already legally established there. If, however, this was New Mexican land the question still had to be settled. Also, many northern members had advocated the abolition of the slave trade in the District of Columbia. Southerners objected because they feared this would be the beginning of complete abolition. Immediate steps were taken by them in opposition by bringing up a demand for more stringent fugitive slave laws. These were suggested by Meade of Virginia, as an amendment, at the time when Gott's resolution in regard to the slave trade in the District was before the Senate for reconsideration. Though ruled out of order, it accomplished its purpose in showing an additional grievance of the South.²

The contention grew stronger in Washington, and by January 22, 1849, the Southern members of Congress had held a meeting at which Calhoun was the leading spirit. At this meeting an address, reported by a committee of fifteen, was adopted to be sent by the representatives to their constituents in the South. This address set forth at length the grievances of the South, and urged loyalty to principles and united action on the part of the Southerners.³

Note 1 - Garrison, WESTWARD EXTENSION, p.267
Note 2 - Ibid. p.311
Note 3 - Ibid. p.312
Prior to this the question had been argued in the General Assembly of Virginia. Mr. Joseph Segar, a member of the House of Delegates from Elizabeth City and Warwick, arguing on behalf of the resolutions protesting against the power of Congress to enact the Wilmot Proviso, stated the seriousness of the question, and urged impartial judgment. He said of himself that he should make an honest endeavor to approach the grave subject "with feelings utterly divested of party." Denying the statement of one member that the action of the legislature would involve an "outrageous and insulting assumption of power," he set forth briefly, yet convincingly, the powers of the states, and urged Virginia through her legislature to stand up for her rights. "The evil is at our thresholds," he said. "All propositions, too, for an adjustment of the vexed question have failed: The Maryland portion of the district will not be ceded back, and the proposal to erect a state out of New Mexico and California has been reported against by the judiciary committee of the Senate of the United States as being barred by constitutional impediment. Now, if, while these things are transpiring under our very noses, and while too the legislature is in session, we say nothing, what will our silence be but acquiescence, and what will acquiescence be but ruin? Sir, we must speak out, or we give encouragement to those who are meditating outrage upon our rights." Further he deplored the fact that members from certain counties (Fauquier, Loudoun, and Fairfax) had urged the passage of resolutions which conceded the power of Congress to pass the Wilmot proviso, "a concession which prostrates every bulwark of southern rights; and surrenders not only the outpost, but the citadel as well," and, taking acts as far back as 1787 for precedent he proved that legislating for the territories was not a right of Congress. Continuing, he said that there were some Southerners, both Democrats and Whigs, who were

courting Northern popularity and others who, being remote from the border sections where danger and suffering were imminent, were indifferent to the subject. Then, in either case, he said, there was greater necessity for action on the part of Virginia. "However it may be with others, with us it is a question of self-preservation - of life or death. And however others may prove delinquent, let us, who have so much at hazard, look well to it before we concede everything to our assailants."5

Later on in the same year the Hon. R. K. Meade voiced the same sentiments to his constituents. "I regard the prohibition of slavery in the southern portion of the newly acquired territory as more vital to the South than any question which has ever yet been agitated. The abolition of slavery in the District of Columbia more immediately concerns the states of Virginia and Maryland. The remote southern states, apart from the principle involved, would be comparatively exempt from its practical evils. But the question of exclusion from the territories, is replete with various considerations of deep interest and unquestioned magnitude. The evil consequences to us are moral and physical, political and social. . . . . Now is the time for the South to take a firm and decided stand. We are now in a condition to protect ourselves from present and guard against future dangers; - we are strong enough to defy the world."6

In October 1849 a convention was held in Mississippi at which a resolution, advising the calling of a convention of Southern men at Nashville, Tennessee, during the spring of the following year, was passed. Though acted upon first by Mississippi, the real power behind the convention was Calhoun.

---

Note 6 - Speech of Hon. R.K. Meade to his constituents of the 2nd Congressional District of Virginia, August 1849.
It seems that Calhoun had written to Col. C. S. Tapley, a prominent Mississippi Democrat prior to this October convention, suggesting that Mississippi take the lead in calling a Southern convention, stating that he saw no hope from the north - that the crisis would probably come in less than a year, and further stating that upon certain events secession was the only remedy.  

The disunion movement was already strong in the South. Calhoun's desire for union was not as strong as his desire for independence, and his was the guiding hand in Southern politics. In Virginia the ultras were led by the Hon. Nathaniel Beverley Tucker who avowed his desire to stimulate impossible demands in order that disunion would be inevitable. Muscoe R. H. Garnett, another Virginia citizen, published an article showing reasons why a Southern Confederacy would be desirable. "In this alarming situation," he said, "the South has no hope but in her own firmness. She wishes to preserve the Union as it was, and she must therefore insist upon sufficient guarantees for the observance of her rights and her future political equality, or she must dissolve a Union which no longer possesses its original character." Concluding, he said, "She (the South) is satisfied with her institutions, and she desires no change. She only asks to be allowed in peace to work out all the good of which they are capable, and to achieve the high destiny which lies before her. But to this end she must have guarantees of present and future equality of political power, so as to protect her interests, and above all maintain her rights and her honor. ... The South loves the equal Union of our forefathers for its historic associations, and the world wide glory of its stars and stripes. But she will not tamely submit to see her stars changed

Note 7 - The Richmond Whig, May 13, 1850, quoting Mr. Langdon, Editor of the MOBILE ADVERTIZER.
Note 9 - Muscoe R.H.Garnett, THE UNION, PAST AND FUTURE: HOW IT WORKS AND HOW TO SAVE IT.
into satellites. She wishes to preserve the Union; but in any event, come weal, come war, her course is fixed. She has cast the die - she has past the Rubican, and no power may stay her onward march to equality or independence.¹⁰ This had an enormous circulation and was declared by Clay to be "the most dangerous pamphlet he had ever read."

Thus, January 1, 1850, found the two sections of the country as far from settlement as they had ever been, and with actions on the part of both which presaged a greater breach between them. Clay had been returned to Congress from Kentucky in the hope that, under his leadership, some understanding might be reached. Webster was there from Massachusetts, and Calhoun from South Carolina. While these leaders were drawing up their forces in Congress the South was making plans for opposition in the shape of the Nashville Convention. Though Governor Floyd in his message to the General Assembly of Virginia had said, "The almost unanimous sentiment of the slave-holding country upon this subject is not the result of political agitation seeking for party ascendancy. It is the spontaneous outburst of a whole people, upon the conviction that their dearest rights are menaced,"¹¹ there seems to have been a great difference of opinion in Virginia at least in the way the South should manage its affairs. From the attitude of the "Richmond Whig" on the one hand, opposing almost continually the idea of the Southern Convention and that of the "Richmond Enquirer" on the other, upholding it just as strenuously, one suspects the entire truth of the statement that "Party prejudices and animosities are buried; every tenet of faith, and shade of political opinion, agree perfectly; and the novel spectacle is presented

Note 10 - Muscoe R.H.Garnett, THE UNION, PAST AND FUTURE: HOW IT WORKS AND HOW TO SAVE IT.

of eight millions of people, actuated by and obedient to a single determination arising as one man to stay the hand of usurpation and wrong." It is only fair to say, however, that the difference of opinion seems to have arisen more over the methods used than by the principles involved. When it came to the acceptance of the Wilmot Proviso and like measures the whole South stood as one in opposition, but when, in combating the proviso, the Southern Convention and possible disunion were named as the only means thereto, many men disapproved the action. In Virginia we find this disapproving element especially in the western part of the state where slavery did not have a strong foothold and where the love of the Union was strong. Lovers of the Union were not confined to Western Virginia, however, and we find many prominent men throughout the state speaking against the convention. Among these was the Hon. John Minor Botts who was fundamentally opposed to slavery as an institution, but who felt that it was for Virginia to say, now that she possessed them, what she should do with her own property. Mr. Botts always stood firmly for the Union. "I am no Southern man with northern principles," he said, when speaking against the annexation of Texas. "I am a Southern man with national principles." He regarded Calhoun as a leader of bosses in the South whose sole desire was to keep themselves in power. He thought that they sought to do this by uniting the South in opposition to the North over the slavery agitation, and thus to bring about a dissolution of the Union; therefore he determined to fight them at every step.

The first action on the part of Virginia as a state in regard to the Southern convention was the resolution introduced into the House of Delegates by Mr. Claiborne on January 2, 1850, "that so much of the governor's message as relates to the Wilmot Proviso and kindred subjects be referred to a select

committee, and that said committee enquire into the expediency of appointing delegates to represent this state in the Southern Convention which is to meet in Nashville, in Tennessee, in June next." On the next day the speaker announced the committee selected, and on the day following the "Enquirer" voiced its approval in these terms: "We are much pleased that yesterday Mr. Claiborne promptly brought forward and the House adopted, a resolution referring to a select committee the excellent views of Governor Floyd on the slavery question and also (on the motion of Mr. Martz) the expediency of appointing delegates to the Nashville convention, on the first Monday in June next. It will not do for gentlemen to attempt to throw cold water upon the movement, upon the ground that the Virginia Legislature travels out of the record, in acting too often upon the subject. The course Virginia has heretofore pursued makes it imperative on her to speak a solemn and united voice at present. Further reflection has but confirmed the extended views in favor of the Nashville Convention we thru out a few days since. Let the South send, as Delegates, her oldest, wisest, ablest and most discreet sons - let them calmly review the whole ground, and deliberately present the facts of the case, and take measures for her united action in self-defense - let such a course be pursued and we would regard it as most conservative of the Union, as well as vindicator of the rights of the south. As the Augusta (Georgia) "Constitutionalist" says: 'It would be bad policy, and disastrous in its consequences, to wait till a heavy and final blow is stricken by Congress before we raise a finger by way of warning or defense. We regard the proposal of the Convention as a grave necessity.' The "Richmond Whig" on the other hand had no such warm approbation for the action of the members of

Note 15 - Journal of Virginia House of Delegates, Year 1849/50, p.116
Note 16 - RICHMOND ENQUIRER, January 4, 1850.
drafting their resolutions which were reported on January 29. After a
preamble which stated that since the action of Virginia on the Wilmot Pro-
viso and kindred subjects had been received by the northern states in a way
only tending to bring more bitterness between the sections, and since it
was the desire of the state to preserve the Union if it could be preserved,
they resolved that in the event of the passage of the Wilmot Proviso or any
like measure Virginia would be prepared to unite with her sister slaveholding
states in any plan thought necessary for their mutual defense, that a south-
ern convention made up of delegates appointed by people of the several states
should be held, and that the people should hold primary meetings in each
city, county, or election district to elect delegates to a convention to be
held in May which should in turn elect delegates to the Nashville Convention.21
The vote was taken for each resolution separately and in each case was
unanimous or very nearly so.

On the same day in Washington Clay introduced eight resolutions into the
Senate looking toward the compromise which was so much needed. These resolu-
tions advocated the admission of California as a state with her free constitu-
tion, the establishment of territorial government in New Mexico without
restriction as to slavery, the settlement of the boundary between Texas and
New Mexico, the taking over by the United States government of the Texan
debt upon condition that she relinquish her claim to any part of New Mexico,
the prohibition of the slave trade in the District of Columbia without the
abolition of slavery, and the adaption of more rigid fugitive slave laws.
In concluding he urged upon the Senate the importance of a cool, impartial

Note 21 - For resolutions as reported in House of Delegates see Appendix I.
attitude toward the measures. He said that no one would have to sacrifice
any principles, but that "the plan is founded upon mutual forbearance
originating in a spirit of conciliation and concession not of principle,
but of matters of feeling." 22

To these resolutions Senator Mason of Virginia made a brief reply,
stating that he felt it his duty to voice the opinion of his state on some
of the fundamental questions involved. He regretted sincerely that a Senator
representing a slaveholding state should feel it his duty to offer such a
compromise and though he said he would go with him who went farthest, within
the limit of duty, he did not feel that he could move one step toward such
a compromise. Senator Mason said there was only one proposal to which he
could give a hearty assent, that was the organizing of territorial govern-
ment within the territories. To Mr. Clay's statement that slavery by law
did not now exist in these territories he made a firm denial. His attitude
was that of the majority of Southerners, that Mexican law which had formerly
been in force in the territory was not valid. If it were, then there would
be no necessity for legislation in regard to slavery, and the Southerners
were already deprived of the right to go in and settle with their slaves.
To Mr. Mason such a breaking away from established principles could not go
unrebuked. "I deemed it my duty," he said, "to enter a decided protest on
the part of Virginia against such doctrines. They concede the whole ques-
tion at once, that our people shall not go into the new territories and take
their property with them, a doctrine to which I will never assent, and for
which, sir, no law can be found." 23

---

Note 23 - Ibid., p.248.
The introduction of these resolutions was followed on February 5 and 6 by a speech in their defense from Mr. Clay. Though old and quite feeble, he yet presented a striking figure, and with his old persuasive eloquence he endeavored to make both sides see that in accepting the compromise they surrendered no principles but only conceded certain matters of sentiment for the good of the country as a whole. The first four resolutions were concessions to the North which he thought the South should grant. In regard to slavery in the territories he said there should be little fear on the part of the North for slavery had not existed there and perhaps, indeed most likely, never would exist there because of the climate of the country. The North, he said, should comply with Southern demands in the last four resolutions. In behalf of the South he said that the slaveholding states had just cause for complaint in the action of the North regarding the fugitive slave laws, and that something had to be done about it. Throughout he professed great loyalty to the Union, a Union which he had watched from its inception as it grew in prosperity and honor.24

Clay's speech was answered on March 4 by Calhoun. At the time Calhoun was ill, but he managed to be present at the reading of his speech by Senator Mason of Virginia. There was no thought of concessions in Calhoun's speech. In the beginning he said that the Union had started out with an equal distribution of power between the sections. The Northwest Ordinance and the Missouri Compromise had been the beginning of evil to the South, now the equilibrium was to be broken by the admission of California as a free state with the possibility that the territories of New Mexico and Utah would also

be free. The anti-slavery agitation had also arisen in the North, and this was tending to destroy the Southern social and economic system. Calhoun's suggestion was that an amendment to the Constitution be passed by which the South would be given equal territory with the free states and by which she would be assured of the fair execution of the fugitive slave laws and cessation of the anti-slavery agitation.

Webster threw in his lot with Clay in defense of the Compromise. On March 1, he voiced his determination "to make an honest truth-telling speech and a Union speech." He bravely faced the danger of losing many supporters that the greater danger, the break-up of the Union, might be avoided. While more timid Whigs kept silent for fear of offending the North he took up a broader view of things and decided to uphold the only practical solution. Therefore, he faced the truth that the Wilmot Proviso was needless and would only be a source of irritation for the South which the leaders of disunion would take as an aid in their cause. He also, like Clay, showed his love of the Union which had grown stronger partly through their untiring efforts.

The speeches of these three leaders were received in various ways by the people of Virginia. From the first appearance of Clay's resolutions the papers were filled with articles both for and against them. The WHIG endeavored to remain loyal to Clay, but even here the spirit of the South leaped up, and we see that the measures were not such that they would approve. However, the WHIG stated that "The very fact that he has come forward to propose a compromise, is, in the present juncture, a matter of great importance.

to the country."\textsuperscript{26} At the same time the "Enquirer" denounced the measures as surrendering every question to the North. A few days later it censured the "Lynchburg Virginian" for indulging "in its party blindness" in a eulogy on Mr. Clay's resolutions while at the same time it published the following from the Lynchburg "Republican": "a more dangerous concession than that proposed by Mr. Clay could not be made on the part of the South; and if it be sanctioned by the adoption of this compromise bill Southern rights will be a mere empty name, and Southern property in slaves a thing that has been but is not."\textsuperscript{27}

Such opinions as these were given out from time to time, but gradually the articles tended more and more to approve, rather than denounce, the compromise measures. Certain it is that a large number of leading citizens of Virginia approved them from the beginning, and doubtless their opinion had much to do with making the general attitude of the state favorable to them. A letter from John Tyler to his son, Robert, on March 12, gave his opinion regarding Calhoun's speech: "Calhoun's speech does him no credit. It is too ultra, and his ultimatum impractical. How is agitation to be quieted or an amendment to the constitution to be obtained? And how, above all, can it be expected that the North will concede a power which has grown up under the constitution, and by our own concessions. How idle to complain of the ordinance of '87 as one of the causes of disturbance to the equilibrium of which he complained. That ordinance is our own and was pre-existent to the constitution and it is idle for us to complain of it. In short, I regard his speech as calculated to injure the Southern cause, and in that view I

\textsuperscript{Note 26 - RICHMOND WHIG, February 5, 1850.}
\textsuperscript{Note 27 - RICHMOND ENQUIRER, February 7, 1850.}
regret its delivery."28

Though Tyler was not the popular spokesman in Virginia and never could gain her support, his views coincided with a majority of her citizens. He was a strong state-rights man. As Virginians from the beginning of American history had clung to the right of local self-government, so Tyler and many others thought that there were matters which only a state could decide. Such a matter was slavery, and since the honor and integrity of Virginia was bound up in this question it was very important to see that in the resolutions there was nothing which would dull the honor of the state. From a letter to the Hon. H. S. Foote29 written by Mr. Tyler in May 1850 it would seem that in his mind at least the question was settled. After commenting upon the resolutions at length (a favor which Mr. Foote had asked of him) he made some suggestions (by no means practical or clever) as to the manner in which the question might have been settled, namely that the South might have given California with her gold to the North while the North might have allowed the influx of Southern institutions into the country south of thirty-six, thirty. In the adjustments which would come to the North would have the gold and the power which that brings. As to whether the last would have endured to the South was problematical, but in all events the states would have kept good faith to each other and good will would have prevailed. He added that "the bill as reported secures the South from insult - a gratuitous insult, and therefore the most difficult to be borne. The point of honor with us is saved, and this from the first has been the point at issue."30

Note 29 - The Hon. H.S.Foote of Mississippi was one of the leading advocates of the Compromise in the South. He worked tirelessly for it in the Senate, and later stumped Mississippi urging its acceptance by that state. His reelection to the Senate shows very well the attitude of Mississippi to the measures.
Mr. Tyler had alluded to the provision prohibiting the slave trade in the District of Columbia as early as January 1850. In a letter to the "Portsmouth Pilot" he had urged that the District should be closed as a slave market, a power which "each state has a right to exercise over its territory, and affecting no vested rights, and doing no violence to the right of property." 31

There were two leaders in Virginia at that time who upheld the Compromise. These were the Hon. John Minor Botts and Mr. Thomas Ritchie. The former was not in Congress when the measures were introduced, but, upon receiving a telegram from Clay urging him to come to Washington, he hurried to comply with his request. Upon arrival, Clay asked him to use his influence to secure the passage of his bill. It was Mr. Botts who, with Mr. Foote, advised referring the bill to a committee of thirteen, a plan which Clay opposed in the beginning, but which was carried out in the end. Because of this he felt justly proud of having in a measure made the acceptance of the compromise possible. 32 Though upholding the fugitive slave laws as a just protection of property, he did not sympathise with those who desired the spread of slavery, and expressed himself as entirely in favor of California's desire to be free from that social evil. According to him California was only asserting the right which every southern state upheld, that of the state to decide such matters for itself, when she presented her free constitution. "Upon the whole, then," he said, "I am clearly, distinctly and emphatically in favor of the compromise. I believe nine-tenths of the

Note 32 - C.C.Webster, JOHN MINOR BOTTS - ANTISECESSIONIST, In Richmond College Historical Papers, Vol. I, p.20.
people of this state and of the country are in favor of it: and I am only surprised when the whole country - tired, worn out, and disquieted as it is, with the agitation of this question, and all demanding its settlement, that the people are not everywhere more active in getting up instructions to their misguided representatives to vote for its adoption, for it looks to me like madness, amounting almost to wickedness, in the South to defeat it."33

Upon the day that Clay presented his first set of resolutions, Mr. Ritchie, editor of the Washington "Union" and "Richmond Enquirer", showed himself to be in sympathy in an article in the "Union". After reviewing the struggle for independence and the compromises which had made the federal government possible, he gave a glowing account of what would be the future of the country "rising on a new continent" - stripped of the antique prejudices and aristocratic privileges which defaced the ancient world - with an immense surface of young and unappropriated land, capable of supporting a teeming population and of furnishing an asylum to all the oppressed emigrants of Europe - abounding in rivers and sea-coasts, and all the facilities of commerce and manufactures - blessed with liberty."34 Finally, he called for the patriots who were willing to face the storm that was threatening the country and who would fight against the storm, though it meant loss of office or worse, that their glorious country might be spared.

Mr. Ritchie did not approve of the plan of excluding slavery in the territories by extending the laws of Mexico to it, and in a masterful way he tried to bring Clay to his way of thinking. Articles began to appear in

---

Note 33 - Speech of Hon.J.M.Botts, delivered at Powhatan Courthouse, Va., June 15, 1850.

Note 34 - C.H.Ambler, THOMAS RITCHIE - A STUDY IN VIRGINIA POLITICS, p.280, quoting the "Richmond Enquirer" of September 10, 1852.
the "Union" saying that another leader must be sought since Mr. Clay had failed in this effort at compromise. As editor of the "Union" and the "Enquirer" he had much power for good or evil to the compromise. Clay knew this, and sought to win the editor (with whom he had not been on particularly friendly terms) over to his way of thinking. In the end Clay agreed to accept Ritchie's suggestion of allowing the territories to decide the question of slavery for themselves. Throughout the fight in the Senate for the Compromise Ritchie stood firmly by Clay, quite willing to risk what he had called on others to risk, his fortune and his popularity, for a cause he thought just. In the storm of reproach which fell upon him one of the loudest voices was that of the Hon. Richard K. Meade from his own state.

It cannot be said, however, that this disapproval was general or that it showed the attitude of the majority. Mr. Meade was throughout the struggle unbending and unconciliatory. He was alarmed for the future of slavery in the South when the balance between the states would be broken by the admission of California, Utah, New Mexico, and Oregon as free states. "Then," said he, "the pressure on our side will cause southern respiration to grow thick and short: the serpent's folds will become tighter and tighter, and the days of our fair land with its wonderful civilization will be numbered."35 Ritchie did not believe that there was such danger in the Compromise. He thought the greatest danger lay in the dissolution of the Union, a dissolution that would be made impossible by the passage of these measures.

As the idea of the Compromise grew, interest in the Nashville Convention seems to have decreased. From an early date announcements of primary meet-

Note 35 - C.H.Ambler, THOMAS RITCHIE - A STUDY IN VIRGINIA POLITICS, p.284, quoting the Washington UNION, June 8, 1850.
ings in the "Enquirer" and "Whig" show very small attendance, most of them adjourning because of a quorum not being present. The Compromise measures held up to them the hope of a peaceful settlement of the question while the Southern Convention seemed to lead to direct disaster through disunion. Thus we hear their feelings from the "Whig": "The bare idea of a dissolution of the Union is abhorrent to the people of Virginia. They have no idea of abandoning their rights under the Constitution, neither have they any thought of entrusting their destinies to nineteen men in Nashville. They have better remedies for all their grievances in the Union than they would have out of it, and they intend to exhaust them. They leave the game of Disunion to Garrison and company and their allies."36 A Western Virginian, writing at about the same time, gave the attitude of his section. "In the whole length and breadth of Western Virginia, there is not a public man of any character or future expectations, who would go before our people and avow his wishes for Disunion - nor is there any distinguished man among us who will risk his fame or future hopes by being a delegate to this Southern 'Hartford Convention', for, should he do so, well he knows his race is run; his history is already written."37

These articles may seem to go rather far in assuming that the convention was mainly for the purpose of adopting plans of disunion. That idea had, however, already taken strong root in the South. All of the Southern States upheld the right to secede, and, as later events go to prove, many of the members did have the opinion that withdrawal from the Union was the only means of obtaining justice for the South.

Note 36 - Richmond WHIG, February 1, 1850.
Note 37 - Ibid., February 5, 1850.
Throughout April and May the people of the various counties met and passed resolutions, and in the latter month the convention was held to select delegates. In the end only six went from the state of Virginia, Judge Nathaniel Beverley Tucker being the most influential. Henry A. Wise had been among the men chosen, but he could not attend. He wrote to Mr. William B. Roy, president of the state convention, discussing the question with him. "I never weighed and never will weigh - no man can weigh the value of the Union, nor count the cost of its dissolution. I abhor the man who would deliberately impair it even in the affection of the people. He is a traitor to the best bond and security of civil liberty who would betray its safety by any devised snare whatever. He is an enemy to his country and to mankind who is not sincere in these times upon this subject.

"But if the Constitution of the United States shall be nullified by a majority doctrine and become frittered away, by the awful pacification of compromises upon compromises the Union will no longer exist as it was formed by the Adamses and Shermans and Franklins, etc. It will cease itself to be a compromise, the compromise of compromises as it was in 1789, it will become the absolutism of a many-headed monster of opposition, inequality, and dishonor to us, and we will be obliged to resent it as our fathers did 'taxation without representation.'" 38

The Convention met on the third of June, and began the discussion of the best means of combating the northern aggressions. The delegates from Virginia had an important place at the convention though it was thought that

Note 38 - Barton H. Wise, LIFE OF HENRY A. WISE, p.162.
the small number of her representatives showed a lack of the old spirit of loyalty on her part. Of the Virginia delegation Judge Tucker was by far the most eminent. He had served his state in both a political and literary way while holding the professorship of law at William and Mary, and was quite competent to uphold the rights of the South. Before Judge Tucker made his memorable speech another delegate from Virginia, T. S. Gholson, addressed the convention. It was Mr. Gholson's belief that the Union could be preserved, and that without sacrifice either of rights or of honor. "I agree that firmness is indispensible," he said, "but moderation is not less so." Opposing the idea of disunion, he yet thought that if the North continued such demands upon the South as she had made in recent times that no other action remained to the South. However, he did not wish to commit the convention against the compromise measures because he thought that with certain amendments which the South should propose they would be acceptable.

Judge Tucker answered this speech with one of great eloquence and power. Contrary to Mr. Gholson, he argued for secession from the Union. He believed this could be done peacefully, for he, like many other Southerners of the time believed that "cotton was king" and that upon the dissolution of the Union economic conditions would make the North comply with the South in all demands. "So let the people of the South," he said, "once see distinctly they must choose between the Union, and all the rights and interests that the Union was intended to protect, and they will not hesitate to renounce it, even though a bloody war should be the consequence." He went on to say,

Note 39 - The Southern Convention, THE SOUTHERN QUARTERLY REVIEW, 1850.
Note 41 - The Southern Convention, THE SOUTHERN QUARTERLY REVIEW, 1850.
Note 42 - PRESCIENCE - Speech delivered by Hon.N.B.Tucker at the Southern Convention at Nashville, Tenn., June 1850.
however, that there was no thought of a war between the two sections, the South could have no motive for fighting, and the North apprehended no such move. "The Southern states of this Union are confessedly the only cotton growing country of the world, and slave labor the only means by which it can be produced. Whatever may be their spite against us, and however they may cant about slavery, they will be careful to do nothing to interfere with the production of cotton." The three men, Clay, Webster, and Cass, who argued that the Union was indissoluble, he compared with Caesar, Crassus, and Pompey. He spoke of this union of former enemies as being very ominous, and later compared the South to old blind Sampson who stands in the midst of the Philistines who might at any time bow herself in her might, not like him, to die, but to stand unhurt among the ruins. Finally, he came to what was really one of the main purposes of the convention, the finding of a way to preserve the Union. "I expect them to see at a glance that the true way to preserve the Union is to let the people of the North see that all understand our true position, and all see the matter in this light. Let them see that even those among us (if there be any such) who would surrender every right sooner than expose themselves to the horrors of war are sensible that there is no danger of war, and no reason why they should submit to insult, outrage and wrong lest a worse thing befall them. Let the North understand, sir, that such are the views and temper of the South, and the spirit of encroachment will stand rebuked, and the statesmen of the North will at once, and with anxious earnestness acknowledge our rights and in good faith address themselves to those who speak for us, not to cajole and bribe them to betray us, but to ascertain what will actually and permanently satisfy us."

Note 43 - PRESCIENCE - Speech delivered by Hon. N. B. Tucker at Southern Convention at Nashville, Tenn., June 1850.
Certain resolutions were submitted and adopted by the convention. These declared that the people of all the states had an equal right to go into the territories of the United States, and to occupy them with their property, that Congress had no right to exclude the property of any people, of whatever nature it might be, from the territories, and that all foreign laws were void within them. They also insisted upon the establishment of the line thirty-six, thirty to the Pacific as the boundary of slave territory. These resolutions effected nothing in themselves, but the whole Southern Convention had shown the country even better than other things how great was the need of settlement. Consequently there was an increased endeavor on the part of Congress to obtain the passage of the Compromise measures. Mason and R. M. T. Hunter were the Virginians who entered into the debates over the measures. The former stood firmly by the principles of his friend Clay, now dead. The latter would not consent to any measures which destroyed the equality of the southern states. Finally, after three months of debate the resolutions were adopted in August 1850.

Until then there had been articles in various Virginia papers which still gave hints of dissatisfaction. On June 6 the "Whig" published an article which set forth the "many blots which we humbly think should be fatal to its success in the South," two of the most important being the converting of so many acres of land into free territory and the giving to Texas of $15,000,000 for land thus surrendered. Another on July 4 declared that the public mind was changing, and that many persons "were at first led into the support of the Compromise, by the hope that it would quiet the

---

Note 44 - CONGRESSIONAL GLOBE, Year 1849/50, Vol. XXII, Part I  
Note 46 - Richmond WHIG, June 6, 1850.
dangerous sectional agitation of the country and in view of this great end entirely overlooked the objections which upon a nearer inspection cannot fail to present themselves to every reflecting mind." Nevertheless, the earlier feeling seems to have prevailed, for as the time approached for the vote to be taken there seems to have been less and less opposition to it, at least openly expressed.

Since the General Assembly was not then in session legislative action in Virginia upon the Compromise was not taken until the Assembly convened in December. Nothing definite was done until in January when Mr. Phillip A. Bolling from Cumberland introduced certain resolutions approving the action of Congress in passing the Compromise measures, but giving a warning that the repeal of the fugitive slave law and the abolition of slavery in the District of Columbia would be, in the eyes of Virginia, a dissolution of the Union. Though further consideration of these resolutions was indefinitely postponed, other resolutions were brought up later, among these being the set by Mr. Robert E. Scott of Fauquier, submitted on March 20. These were referred to a select committee of thirteen which presented its report five days later. To the action of South Carolina in calling a Southern Congress the resolutions replied that though Virginia sympathised with her sister state in feelings aroused by the interference of the North with southern institutions she did not think it wise at that time to take any action calculated to destroy the Union, and "That, regarding the said acts of the Congress of the United States, taken together as an adjustment of the exciting questions to which they relate, and cherishing the hope that, if

Note 47 - Richmond WHIG, July 4, 1850.
fairly executed, they will restore to the country that harmony and confidence which of late have been so unhappily disturbed, the state of Virginia deems it unwise (in the present condition of the country) to send delegates to the proposed Southern congress."49 Virginia appealed to her sister state of South Carolina to desist from any meditated secession which could but tend toward the destruction of the Union, and invoked all living under the Union to adhere more strictly to it and to preserve the safeguards which insured the rights of individual states.

The vote on the resolutions was taken separately, and all were in the affirmative. Later, in the Senate the resolutions were passed also. Thus we see that sectional interests and party differences were laid aside, both Whig and Democrat joining in support of the measures.50

Taking the evidence presented, both for and against the Compromise, it can justly be said that Virginia never throughout the whole struggle showed any smallness or narrowness in her feelings. In the first she looked upon the questions, as most southerners did look upon them, as the attempt of the northern states to compel the South to accept their decrees. It was not simply the opposition to northern domination which governed her course, but something that lay deeper, something which was rooted in the very fiber of her being, the question of the right of the states to independence and equal authority within the Union. Seeing before her two ways which she might follow - one leading to the destruction of the Union and every possible disaster, not only to herself, but to others as well - the other leading to peace through mutual concession, Virginia, under the wise leadership of her most worthy

Note 49 - Journal of Virginia House of Delegates, 1850/51, p.401
See Appendix, II, for resolutions.
Note 50 - Ambler, SECTIONALISM IN VIRGINIA FROM 1776 TO 1861, p.300.
sons, changed her viewpoint, and finally accepted the compromise way, "hailing with joy the apparent prevalence of better and more fraternal feelings between patriotic citizens of the Southern and Northern states." 51

No doubt she saw that in complying with the demands that California be free and that the territories be allowed to decide the question of slavery for themselves, she was surrendering no more of her principles than the North was when it submitted to the fugitive slave laws, the continuance of slavery in the District of Columbia and the slave trade between the states. She knew already that southern men who had emigrated to California were "opposed to the extension of slavery within their limits," 52 and that there was little doubt that the territories of Utah and New Mexico would be free because of climatical conditions even were the line thirty-six, thirty accepted. Whether it would have been possible for slavery to have existed there in the future or not, the greater problem, the greater danger, was that, in holding out against the compromise she should precipitate the dissolution of the Union. This she would not tolerate. No state had more reason to love the Union than she, because it was her sons who had done so much to bring it into being. Now when she looked upon a future without that Union she drew back from the dark possibilities which confronted her. She did not surrender her principles when she accepted the Compromise. Her belief in the right of the state to local self-government and to secession were as strong as ever. The time was not ripe for secession, however, and when it did come in 1861, Virginia still showed her love of the Union by being one of the last to leave it.

---

Note 52 - Speech of Hon. J. M. Botts at Powhatan Courthouse, Virginia, June 15, 1850.
APPENDIX

I. Report of the Joint Committee presented January 29, 1850.

Journal of Virginia House of Delegates, 1849/50, p.220:

"Whereas the recent action of the General Assembly upon the Wilmot Proviso and kindred subjects, and in relation to fugitive slaves, has met with no other response from the non-slave-holding states than violent denunciation and systematic perseverance in the wrongs of which we complain: And whereas it is apparent that the inevitable result of such a course of action on the part of a portion of the states must be to excite bitterness, jealousy, and distrust among the rest; to kindle the angriest passions, to extinguish that spirit of concession, and destroy that mutual forbearance and fraternal affection which founded and have sustained our confederacy: and, finally, to dissolve the Union itself: and whereas we are anxious, if possible, to avert the evils which threaten us, and believe that the most effectual means of doing this are to be found in the cordial union of the whole South for the maintenance of the Constitution and the preservation of the Union if it can be preserved, and for their own preservation if it cannot:

1. Be it therefore resolved by the Assembly of Virginia, That upon the questions thus perseveringly and recklessly forced upon the country, Virginia has taken her position, and that
position will be maintained. Her loyalty to the Union is no matter of empty profession. It is stamped upon every page of her history. No state has done as much to form the Union; none is prepared to do more to perpetuate it in the spirit in which it was formed, and in which alone it can be preserved. But, loyal as she is and always has been, it were a fatal error to suppose that Virginia will ever consent that that Union, to which she has looked as a source of happiness and honor, shall be converted into an instrument of degradation and oppression.

2. Resolved, That in the event of the passage of the Wilmot Proviso, or of any law abolishing slavery or the slave trade in the District of Columbia, or between the states, Virginia will be prepared to unite with her sister slaveholding states in convention or otherwise, in the adoption of any measures that may be necessary to provide for their mutual defense, or to secure their common safety.

3. Resolved, That, in the opinion of the general assembly, a Southern Convention, in which the states as states are represented should consist of delegates elected by the people of the several states in convention assembled, who should carry with them all the authority derived from such an appointment, and be prepared to act for those whom they represent.

4. Resolved, therefore, that upon the happening of either of the contingencies contemplated in the second resolution, the governor be authorized and requested (instead of convening the legislature) to issue his proclamation for the election
of delegates to a state convention to take into consideration the mode and measure of redress, to appoint delegates to a southern convention, and to adopt such measures as the crisis may demand: The said delegates to be chosen by each city, county, or election district, according to its representation in the House of Delegates, and to receive the same pay and mileage as members of the general assembly.

5. Resolved, That regarding the convention proposed to be held at Nashville on the first Monday in June next, as intended to enable the people of the South to take counsel together as to the best and most effectual means of resisting the aggressions of the North, of enforcing a compliance on their part with their constitutional obligations, and thereby of preserving the union of these states, now in imminent peril by reason of the course pursued by the non-slaveholding states, and their representatives in Congress, in the ceaseless agitation (and that too in the most unfriendly spirit) of questions involving the peace, the institutions and the very existence of the Southern states - and approving the objects of said convention, as above set forth, the general assembly doth recommend to the good people of this commonwealth to send delegates thereto, and that to this end they hold primary meetings in each city, county, and election district in the state, and appoint delegates to a convention to be held in each congressional district in the month of May next; and that the dis-
strict conventions so constituted, do each select two persons (one from each of the two political parties of the country) who shall be delegates to the said Nashville Convention.

6. Resolved, That the governor of this commonwealth be requested to send a copy of these resolutions to each of the states of the Union, and also to our senators and representatives.

II. Resolutions submitted by Mr. Scott of Fauquier on March 20, 1851, relative to the compromise measures, and reported from a Select Committee March 25. Journal of Virginia House of Delegates, 1850/51, p.401:

"Whereas the legislature of the state of South Carolina has passed an act to provide for the appointment of delegates to a Southern Congress, 'to be entrusted with full power and authority to deliberate with the view and intention of resisting further aggression, and if possible of restoring the Constitutional rights of the South, and if not to recommend due provision for her future safety and independence'; which act has been formally communicated to this general assembly:

1. Be it therefore resolved by the general assembly of Virginia, That whilst this state deeply sympathises with South Carolina in feelings excited by the unwarrantable interference of non-
slaveholding states with our institutions and whilst diversity of opinion exists among the people of this commonwealth in regard to the wisdom, justice, and constitutionality of the measures of the late Congress of the United States, taken as a whole, and commonly known as the compromise measures yet the legislature of Virginia deems it a duty to declare to her sister state of South Carolina, that the people of this state are unwilling to take any action (in consequence of the same) calculated to destroy the integrity of this Union.

2. Resolved, That, regarding the said acts of the Congress of the United States, taken together as an adjustment of the exciting questions to which they relate, and cherishing the hope that, if fairly executed, they will restore to the country that harmony and confidence which of late have been so unhappily disturbed, the state of Virginia deems it unwise (in the present condition of the country) to send delegates to the proposed Southern congress.

3. Resolved, That Virginia earnestly and affectionately appeals to her sister state of South Carolina to desist from any meditated secession upon her part, which cannot but tend to the destruction of the Union, and the loss to all of the states of the benefits that spring from it.

4. Resolved, That Virginia, believing the Constitution of the United States, if faithfully administered, provides adequate protection of the rights of all the states of this
confederacy, and still looking to that instrument for defense within the Union, warned by the experience of the past, the dangers of the present, and the hopes of the future, invokes all who live under it to adhere more strictly to it, and to preserve inviolate the safeguards which it affords to the rights of individual states and the interest of sectional minorities.

5. Resolved, That all legislation or combinations, designed in any way to affect the institutions peculiar to the South, deserves the most unqualified reprobation, is derogatory to the rights of, and peculiarly offensive to the Southern states and must, if persisted in, inevitably defeat the restoration of peaceful and harmonious sentiments in these states.

6. Resolved, That the governor of this commonwealth be requested to transmit a copy of these resolutions to the executive of the state of South Carolina with the request that they be laid before her next legislature, and that copies be also transmitted to the executive of each of the other states of the Union - the State of Vermont only excepted.
**BIBLIOGRAPHY**

I. **SOURCE MATERIAL:**

The Congressional Globe, 1849/50. Vol. XXII
Journal of Virginia House of Delegates, Years 1849/50 and 1850/51.
Virginia Political Pamphlets, Vol. IV
The Southern Quarterly Review, 1850
"Prescience" - Speech delivered by the Hon. N. B. Tucker at Southern Convention at Nashville, Tennessee, June 1850.
Speech delivered by the Hon. J. N. Botte at Powhatan Courthouse, Virginia, June 15, 1850.
The **Union, Past and Future: How it Works and How to Save It,** by a Citizen of Virginia (Muscoe R. H. Garnett).
The Richmond Enquirer, 1849/50.
The Richmond Whig, 1850.

II. **SECONDARY MATERIAL:**

American Historical Review, 1921-1922. Vol. XXVII
Richmond College Historical Papers, Vols. I and II., Richmond, Virginia.
Southern Historical Society Papers, Vol. XXV., Richmond, Virginia; 1897.