

THE SEWARD-FILLMORE FEUD AND THE CRISIS OF 1850

Author(s): Harry J. Carman and Reinhard H. Luthin

Source: *New York History*, April 1943, Vol. 24, No. 2 (April 1943), pp. 163-184

Published by: Fenimore Art Museum

Stable URL: <https://www.jstor.org/stable/23134954>

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at <https://about.jstor.org/terms>



Fenimore Art Museum is collaborating with JSTOR to digitize, preserve and extend access to *New York History*

JSTOR

THE SEWARD-FILLMORE FEUD AND THE CRISIS OF 1850

HARRY J. CARMAN and REINHARD H. LUTHIN *

DURING the early years of the nineteenth century Thurlow Weed, described as "the most astute, skillful and indefatigable political manager ever known,"¹ started two promising young "York Staters" on their political careers—William H. Seward, of Auburn, and Millard Fillmore, of Buffalo. Seward was sent to the State Senate, Fillmore to the Assembly. In the early 1830's Weed steered his two wards into the Whig party.²

In few ways were Weed's protégés similar to each other. Seward's boldness and intellectualism were captivating; Fillmore lacked these qualities. Seward was radical on the slavery issue; Fillmore was conservative. Of the two, Seward had a firmer hold on Weed's affections. In 1838, for example, when Whig success against the Democrats was almost a certainty, Weed picked Seward as Whig candidate for Governor.³ Fillmore had to be content with a seat in Congress.

Seward occupied the Executive Mansion at Albany for two terms during which his relations with Fillmore became strained. The Buffalo man aspired to the Vice-Chancellorship of the State, and was hurt when Seward

* Dr. Carman is professor of history at Columbia University. Mr. Luthin is an instructor in history at the School of Pharmacy, Columbia University.

¹ *Reminiscences of Carl Schurz* (New York, 1907), II, 34; see also Jabez D. Hammond, *The History of Political Parties in the State of New York* (Cooperstown, N. Y., 1846), II, 339-340.

² The best biography of Seward is Frederic Bancroft, *The Life of William H. Seward* (New York, 1900), 2 vols. The authors of this article are preparing a new life of Seward. There is no adequate life of Fillmore. See, however, William E. Griffis, *Millard Fillmore* (Ithaca, N. Y., 1915).

³ C. Robinson to Bradish, Aug. 5, 1838; H. Ketchum to Bradish, Sept. 15, 1838; J. R. Lawrence to Bradish, Oct. 4, 1838; Luther Bradish Papers, New-York Historical Society, New York City; Whittlesey to Seward, Aug. 21, 1838, Simon Gratz Collection, Historical Society of Pennsylvania, Philadelphia; DeAlva S. Alexander, *A Political History of the State of New York*, II, 20-21.

selected another for the position.⁴ "I trust the intimacy of our relations and the frankness due to it," he wrote Weed, "will justify me in soliciting from you (if you know it) the *reason* why the Governor seems to have so determined a hostility to my nomination."⁵ When the Senate confirmed the Seward appointee Fillmore again wrote Weed: "I should disguise my own feelings and give a false impression as to others if I did not add that there was a strong desire to have the office located here [in Buffalo]."⁶

The election of a Whig, General William Henry Harrison, to the Presidency in 1840 provided another occasion for Fillmore to protest to Weed about Seward's attitude. He noted with indignation that all prominent Whigs, Seward excepted, were supporting his friend Francis Granger for a Cabinet post.⁷

By 1841 Fillmore had ambitions for the United States Senate, but Weed was cool to the suggestion.⁸ In the following year Fillmore's hopes were aroused by mention of his name for the Vice-Presidency, and at once he solicited Weed's support.⁹ But when 1844 came both Seward and Weed decided that Fillmore should be the Whig candidate for Governor of New York.¹⁰ Some of Fillmore's friends, aware that Seward himself had presidential aspirations, saw in this move an attempt to side-track Fillmore.¹¹ Fillmore shared his friends' views, and in April, 1844, he wrote Granger:¹²

⁴ Fillmore to Weed, Apr. 10, 1839, Thurlow Weed Papers, University of Rochester Library, Rochester, N. Y.

⁵ *Ibid.*

⁶ Fillmore to Weed, Apr. 23, 1839, Weed Papers.

⁷ Same to same, Dec. 27, 1840, *Ibid.*

⁸ Same to same, Feb. 6, 1841, *Ibid.*

⁹ Same to same, June 28, 1842, *Ibid.*

¹⁰ Charles King to Fish, Feb. 4, 1844, Hamilton Fish Papers. The Fish manuscripts were in possession of Professor Allan Nevins, of Columbia University, to whom the present authors are indebted for their use.

¹¹ Alex. Kelsey to Forsyth, Apr. 15, 1844, James C. Forsyth Papers, New York State Library, Albany, N. Y.

¹² Fillmore to Granger, Apr. 7, 1844, Francis Granger Papers, Library of Congress.

I receive letters from my friends in various parts of the state stating that Gov. Seward's most intimate friends are *killing me with kindness*. It is said they have discovered that it is indispensable that my name should be used for the office of governor, and that it would be injustice to me and ruinous policy to the Whig party in the state, if I am nominated for the office of Vice-President.

I need not say to you that I have no desire to run for governor I am not willing to be *treacherously killed by this pretended kindness* Do not suppose for a moment that I think they desire my nomination for governor.

The Vice-Presidential place on the Whig ticket in 1844 went not to Fillmore, but to Theodore Frelinghuysen, of New Jersey. Fillmore's followers were certain that Weed had played a part in defeating their favorite for the nomination.¹³ Fillmore received the Whig designation for Governor—only to go down to defeat in November before his popular Democratic opponent, Silas Wright.¹⁴

Two years later (1846) when Whig prospects were brighter, Fillmore was turned down for the gubernatorial nomination and John Young was named.¹⁵ "It was just as certain as sunrise tomorrow," wrote Horace Greeley, junior political partner of Seward and Weed at the time, "that we could carry the State with Mr. Young and would probably lose it with Mr. Fillmore; and how could we hesitate?"¹⁶ Fillmore was somewhat appeased by being selected on Young's ticket for state comptroller. Both Young and Fillmore were elected.¹⁷

Seward and Weed, rather than Fillmore, continued to control Whig destinies in New York State. At the Whig National Convention, which met in Philadelphia in June, 1848, the Seward-Weed forces joined with Whigs of the

¹³ *Buffalo Economist*, clipped in *Albany Evening Journal*, May 8, 1844.

¹⁴ Alexander, *A Political History of the State of New York*, II, 79ff.

¹⁵ *Ibid.*, pp. 118-121.

¹⁶ Horace Greeley to Clay, Nov. 15, 1846, Henry Clay Papers, Library of Congress.

¹⁷ Griffis, *Millard Fillmore*, p. 33.

southern states in defeating Henry Clay and securing the Presidential nomination for General Zachary Taylor, hero of the Mexican war and a Louisiana slaveholder.¹⁸ Certain northern delegates insisted that the Vice-Presidency go to a northern man to balance the ticket geographically. On the other hand, Clay's supporters were determined that second place must go to a Clay follower. Fillmore met both requirements and consequently John Collier, a New York delegate and friend of Fillmore, sprang a surprise on the Sewardites by presenting Fillmore's name for Vice-President. The Convention chose the Buffalo man as Taylor's running-mate.¹⁹

Fillmore's selection for the Vice-Presidency aroused no enthusiasm in Seward. With Fillmore in second place, he foresaw that he and Weed might be placed in a most embarrassing predicament. "If this ticket shall be elected," Seward confided to Weed, "it seems to me that for the next four or even eight years we shall be in the unpleasant category of a faction apparently opposed to the New York Leader in the general Council of the Whigs of the Union. This is for them as well as us an unfortunate position of affairs."²⁰ Nevertheless, Seward, as an orthodox party man, took the stump for the Taylor-Fillmore ticket.²¹ A Democratic split in New York gave the State, and consequently victory, to Taylor and Fillmore in November.²²

Inasmuch as the Whigs secured control of the State

¹⁸ Arthur C. Cole, *The Whig Party in the South*, (Washington, D. C., 1913), pp. 128-130; Glyndon G. Van Deusen, *The Life of Henry Clay* (Boston, 1937), pp. 391-392; Oliver Dyer, *Great Senators of the United States* (New York, 1889), pp. 5, 8, 41-47, 68.

¹⁹ Grims, *Millard Fillmore*, p. 38; Harriet A. Weed (ed.), *Autobiography of Thurlow Weed* (Boston, 1883), p. 578; Dyer, *Great Senators of the United States*, pp. 79-80; Philadelphia *Daily Pennsylvanian*, June 10, 1848.

²⁰ Seward to Weed, June 10, 1848, Weed Papers.

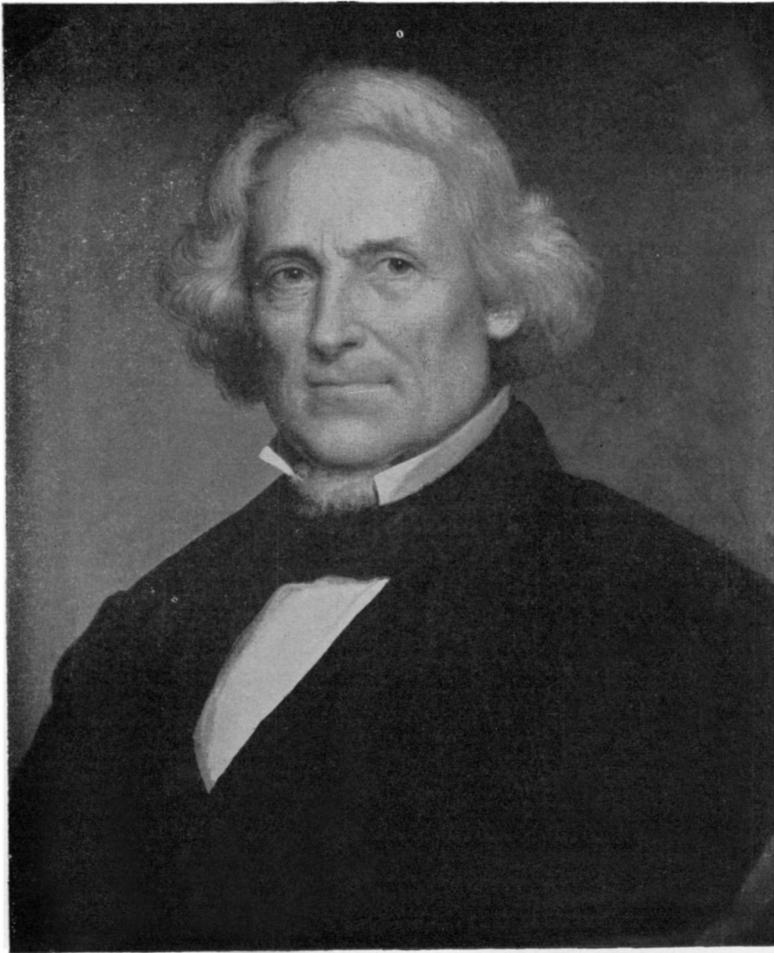
²¹ *The American Whig Review* (June, 1850), XI, 637; Reinhard H. Luthin, "Abraham Lincoln and the Massachusetts Whigs in 1848," *The New England Quarterly* (December, 1941), XIV, 631.

²² Edward Channing, *A History of the United States* (New York, 1930), VI, 73. The electoral vote is printed in *Journal of the House of Representatives*, 30th Cong., 2nd sess., serial no. 536, pp. 442-444.



MILLARD FILLMORE

—Courtesy of the Buffalo Historical Society



THURLOW WEED: NEW YORK POLITICAL LEADER

Painting by Asa W. Twichell

—*Gallery of The State Historical Association*

legislature Seward cast covetous eyes on a seat in the United States Senate. In this ambition he aroused anew Fillmore's hostility. Friends of the latter informed him that Weed had opposed his nomination for Vice-President at the National Convention.²³ Were Seward to go to the Senate, Fillmore foresaw that a powerful Whig rival from his own State would be in the national lime-light.²⁴ Accordingly, when Collier—who had placed him in nomination for Vice-President—expressed his wish to represent the Empire State in the Upper House of the National legislature, Fillmore and his associates threw their support to him and against Seward.²⁵ With the adroit Weed in control at Albany, there could be only one outcome—the decision of the Whig-dominated legislature to drop Collier and unite on Seward.²⁶ And in February, 1849, Seward won overwhelmingly.²⁷

Seward's victory was viewed with alarm by the conservative and Democratic press. "W. H. Seward has triumphed Fillmore and Collier, with their associates, had no power to carry their purposes into effect," one journal commented. "The election of Mr. Seward, with anti-slavery feelings and purposes, will create strong feelings of indignation in the Southern States and will call forth counter movements."²⁸ Seward's resolute opposition to the spread of Negro slavery had indeed made him only too well known below the Mason and Dixon line.²⁹

²³ I. H. Boyd to Fillmore, Dec. 12, 1849, in Frank H. Severance (ed.), *Millard Fillmore Papers (Publications)*, Buffalo Historical Society, Vol. XI), II, 291.

²⁴ Thurlow W. Barnes, *Memoir of Thurlow Weed* (Boston, 1884), p. 174.

²⁵ *New York Herald*, Jan. 25, 1849.

²⁶ *Ibid.*, Feb. 3, 1849; Philip Hone Diary, MS., Vol. 27, p. 87. This latter manuscript is in the New-York Historical Society, New York City.

²⁷ *N. Y. State Assembly Journal*, 72nd sess., I, 355-357, 529, *N. Y. State Senate Journal*, 72nd sess., pp. 167, 240.

²⁸ *New York Herald*, Feb. 3, 1849.

²⁹ See, for example, *Charleston Mercury*, Mar. 16, 1850.

Worse still, the nation was on the verge of a sectional crisis that might split the Union asunder.³⁰

Immediately after his election to the Senate, Seward journeyed to Washington to meet General Taylor. He had a two-fold task: To destroy Fillmore's possible control over the federal patronage for New York and secure that control for himself and Weed: and to prevent Taylor from falling under southern influence.³¹ By cultivating social relations with Taylor's family Seward gained easy *entrée* to the President-elect.³² He also became intimate with members of the recently formed Cabinet, particularly the incoming Secretary of State, John M. Clayton, and the new Secretary of the Interior, Thomas Ewing. On March 1, he could report to Weed: "General Taylor, Mr. Clayton and Mr. Ewing are frank, open, and confiding towards me."³³ Following Taylor's inauguration on March 4 the federal patronage was distributed. And the great bulk of the New York offices was parcelled on Seward's advice, much to Fillmore's chagrin and bitter disappointment.³⁴

When Seward left Washington in late March, he had good reason to feel satisfied. He had captivated practically all Cabinet members except Secretary of War George W. Crawford, a Georgian. Besides establishing himself with Clayton and Ewing—the two strongest Cabi-

³⁰ The scholarly literature on the sectional crisis of 1849-1850 is voluminous. See especially Philip M. Hamer, *The Secession Movement in South Carolina, 1847-1852* (Allentown, Pa., 1918); Richard H. Shryock, *Georgia and the Union in 1850* (Philadelphia, 1926); Cleo Hearon, *Mississippi and the Compromise of 1850* (Publications, Mississippi Historical Society, Vol. XIV); Arthur C. Cole, "The South and the Right of Secession in the Early Fifties," *The Mississippi Valley Historical Review* (1914-1915), I, 376 ff.

³¹ "I think Fillmore would naturally have a powerful influence with the old man! for I heard General Taylor say with all the simplicity of his heart, 'I wish Mr. Fillmore would take all the business into his own hands. . . .'"—so wrote a Seward-Weed follower to Weed. See "Charles" to Weed, Jan. 14, 1849, Weed Papers.

³² Frederick W. Seward, *Seward At Washington as Senator and Secretary of State* (New York, 1891), II, 87-88.

³³ Seward to Weed, Mar. 1, 1849, Weed Papers.

³⁴ Fillmore to Granger, Apr. 17, 1849, Millard Fillmore Papers, Buffalo Historical Society, Buffalo, N. Y.

net members—he had come to an understanding with Secretary of the Treasury William M. Meredith and even with Secretary of the Navy William B. Preston, a Virginian.³⁵ In deep disgust the southern Whig leader, Congressman Alexander H. Stephens of Georgia, declared later: “Preston was an able and true man. . . . Somehow, strangely enough too, Seward, by some sort of blandishment, came it over him. . . . Preston . . . looked on Seward as a great leader. Seward was put virtually in possession of the power of distributing the entire Federal patronage in New York. This was the state of affairs when I left Washington [in] March, 1849.”³⁶ Well might a Seward-Weed lieutenant boast that “Seward has the Cabinet his own way.”³⁷

During the Congressional recess from March until December, Seward and Weed, blessed by Presidential favor, continued to dominate New York Whiggery, with Fillmore having little voice in securing federal jobs for the party faithful.³⁸ Indeed, Seward in his communications with Weed stressed the necessity for shunning the Vice-President:³⁹

You can get *nothing, nothing, nothing* by Mr. Fillmore's consent My asking his consent only sets him in motion to defeat my wishes and your own.

Schoolcraft [Congressman John L. Schoolcraft] will tell you that all that has been *lost* has been lost by the Vice President's favorites, and everything that has been saved has been saved by actually defeating and disgracing him.

Meanwhile, the sectional controversy over the future of slavery in California, New Mexico, and Utah—terri-

³⁵ Seward to Clayton, Apr. 7, 9, 1849, John M. Clayton Papers, Library of Congress; Seward to Ewing, Apr. 9, May 29, 1849, Thomas Ewing Papers, Library of Congress; George R. Poage, *Henry Clay and the Whig Party* (Chapel Hill, N. C., 1936) pp. 184-186; Seward, *Seward at Washington*, II, 106.

³⁶ Myrta L. Avary (ed.), *Recollections of Alexander H. Stephens* (New York, 1910), p. 25.

³⁷ John L. Schoolcraft to Weed, Dec. 13, 1849, Weed Papers.

³⁸ Lathrop to Weed, Oct. 26, Nov. 9, 1849, *Ibid.*

³⁹ Seward to Weed, March 21, 1849, *Ibid.*

tories secured by the recently-terminated war with Mexico—grew more intense. In October (1849) a group of Mississippians, inspired by John C. Calhoun of South Carolina, met in Jackson and issued a call for a convention of the southern states to meet at Nashville, Tennessee, the following June, “to devise and adopt some mode of resistance” to Northern aggression. Mississippi’s clarion call found favor in the South. South Carolina, Virginia, Georgia, Alabama, Tennessee, Texas, and Arkansas chose delegates to the proposed Nashville convention.⁴⁰ In this so-called “Southern Movement” many Whigs below the Mason and Dixon line cast party orthodoxy to the winds. “This blotting out of party lines by sectional interest,” comments a southern historian, “was aided, first, by the dissatisfaction of Southern Whigs with the cabinet formed by President Taylor and, later, by their perception that Taylor was falling more and more under the influence of Seward.”⁴¹

The South’s suspicion that Taylor and his Cabinet were dominated by Seward soon deepened. The southern Whigs had supported Taylor for President because they believed that he, as a southerner and slaveholder, would champion the interests of his section. Now they viewed him as completely under the spell of the “abolitionist” New York senator. The President’s failure to make a definite announcement concerning his views on slavery and the protection of “southern rights,” caused them to have misgivings and to conclude that he was under the spell of the New Yorker. To make matters worse, they had every reason to believe that Seward was heretical enough even to favor the Wilmot Proviso.⁴² It is not surprising,

⁴⁰ William M. Meigs, *The Life of John Caldwell Calhoun* (New York, 1917), II, 425-427, 430-431, 433n-434n; Hamer, *The Secession Movement in South Carolina, 1847-1852*, pp. 2-5, 8-10, 15-17, 23, 28-31, 38-43; Hearon, *Mississippi and the Compromise of 1850*, pp. 35-43, 46, 50, 59, 63-68, 117-118.

⁴¹ Hearon, *Mississippi and the Compromise of 1850*, p. 43.

⁴² Cole, *The Whig Party in the South*, pp. 134, 147, 151-152; Ulrich B. Phillips, *The Life of Robert Toombs* (New York, 1913), pp. 64-66; Shryock, *Georgia and the Union in 1850*, pp. 236-239.

therefore, that Georgia's Whig chieftain, Congressman Robert Toombs, should pen the following:⁴³

During the last summer [of 1849] the government with the concurrence of the whole cabinet except Crawford threw the entire patronage of the North in the hands of Seward & his party. This was done under some foolish idea of Preston's that they would get rid of a Northern competitor for 1852, as Seward stood for 1856. The effect of which was to enable Seward to take entire control of the New York organization & force the whole Northern Whig party into the extreme anti-slavery position of Seward, which of course sacked the South. I knew the effect of this policy would certainly destroy the Whig party & perhaps endanger the Union.

When Congress assembled in early December, Seward was supremely confident. He reported to Weed: "The President will be put on the North side of the Mason & Dixon line, and he will not flinch from any duty."⁴⁴

Taylor's message to Congress strengthened the southerner's conviction that he was not on their side and that Seward was in the political saddle. Taylor simply announced that the people of California had framed a state constitution, would probably apply for admission as a State, and recommended "favorable" action by Congress on California's petition. The Chief Executive also told Congress that New Mexico in the near future would take the same course as California. In short, Taylor's proposal for the settlement of the whole conflict between North and South—called his "non-action" plan—was simply to admit California and New Mexico with the state constitutions which those regions adopted, leaving Utah to be governed temporarily by the Mormon Church, and sidestepping both the southern demand for a new fugitive-slave law and the northern proposal for slavery

⁴³ Robert Toombs to Crittenden, Apr. 23, 1850, John J. Crittenden Papers, Library of Congress.

⁴⁴ Seward to Weed, Dec. 3, 1849, Weed Papers.

abolition in the District of Columbia. Since California had already adopted a state constitution prohibiting slavery, and New Mexico and Utah had outlawed slavery years before, Taylor's "non-action" policy (which proposed to do or say nothing about slavery) was practically equivalent to the Wilmot Proviso.⁴⁵ "The plan of the Administration cannot save the Union," Calhoun warned the Senate on March 4, 1850, "because it can have no effect whatever towards satisfying the States composing the southern section of the Union. . . . It is, in fact, but a modification of the Wilmot Proviso. It proposes to effect the same object, to exclude the South from all territory acquired by the Mexican treaty."⁴⁶

Early in 1850 Senator Henry Clay—opponent of Seward, friend of Fillmore, and ardent nationalist—sought to stem the tide of militant sectionalism. On January 29 he submitted to the Senate eight resolutions which, he believed, would settle the controversy: First, that California be admitted into the Union as a free state; second, that Congress provide territorial governments for New Mexico and Utah without any restriction as to slavery; third, that the disputed boundary line between Texas and New Mexico be set by Congress in favor of New Mexico; fourth, that a money payment be made to Texas, in return for accepting the decision of Congress on the boundary; fifth and sixth, that the slave trade (but not slavery) be abolished in the District of Columbia; seventh, that a more effective fugitive-slave law, for the capture and return of runaway Negroes to their southern masters, be passed by Congress; eighth, that Congress declare that it possessed no power to prohibit or obstruct the trade in slaves between the slaveholding states.⁴⁷

⁴⁵ James D. Richardson (ed.), *Messages and Papers of the Presidents, 1789-1897* (Washington, D. C., 1897), V, pp. 18-19.

⁴⁶ *Congressional Globe*, 31st Cong., 1st sess., p. 454.

⁴⁷ *Ibid.*, pp. 246-247; Poage, *Henry Clay and the Whig Party*, pp. 199-201; Carl Schurz, *Life of Henry Clay* (New York, 1887), II, pp. 331-333.

On March 8, Seward, supporting only those portions of Clay's proposals that favored northern interests, delivered his historic anti-slavery "higher law" speech favoring the immediate admission of California as a free state.⁴⁸ To Calhoun the oration seemed nothing less than destructive of all government.⁴⁹ Seward's speech was scorchingly assailed in the southern press,⁵⁰ and was even regarded as a dangerous tirade by such moderates as Clay and Daniel Webster. The repercussions produced by the speech were the more turbulent because of Seward's well-known influence with President Taylor.⁵¹

Meanwhile, as debate rocked Capitol Hill and the Union hung in the balance, Millard Fillmore remained outwardly calm. "Outside the Senate Chamber, in which he was absolutely impartial," writes his biographer, "the vice-president had little influence and no power. By Seward and Weed he was treated with marked contempt and the Taylor administration gave him the cold shoulder. No favors he had asked had been granted. The appointment of two personal friends at Buffalo was denied him and their places given to Seward's partisans, or anti-Fillmore Whigs."⁵² All this time Fillmore was receiving reports from his Albany lieutenants, detailing Weed's efforts to "de-nationalize" the New York Whig organization by making it an "abolition party."⁵³ One informed him that the Seward-Weed leaders were accusing him of nurturing Presidential ambitions.⁵⁴

Unable to withstand his opponents' attacks longer, Fillmore decided to strike back. He and his group raised

⁴⁸ Congressional Globe, 31st Cong., 1st sess., Appendix, pp. 260-269.

⁴⁹ Meigs, *The Life of John Caldwell Calhoun*, II, 458, 458n.

⁵⁰ *Charleston Mercury*, Mar. 16, 1850; *Raleigh Register*, Mar. 20, 1850; *Raleigh North Carolina Star*, Mar. 20, 1850.

⁵¹ Calvin Colton (ed.), *The Private Correspondence of Henry Clay* (New York, 1855), p. 604; Webster to Blatchford, July 2, 1850, in Barnes, *Memoir of Thurlow Weed*, p. 183.

⁵² Griffis, *Millard Fillmore*, p. 46.

⁵³ John T. Bush to Fillmore, Jan. 5, 1850, Fillmore Papers.

⁵⁴ John O. Charles to Fillmore, Jan. 24, 1850, *Ibid.*

sufficient funds to establish an Albany newspaper in competition with Weed's *Evening Journal*. This was wormwood to Weed, who now charged in the *Journal* that the Vice-President had been disgruntled ever since he had been turned down for Governor in 1846.⁵⁵ Powerless to combat the masterful maneuvering of Weed at Albany and the influence of Seward at the White House, Fillmore's friends now advised him to bide his time. "You can do nothing but *watch & guard*,"⁵⁶ they advised him in late January. Heeding this advice the Vice-President decided it would be politically strategic to cooperate with Taylor. In his own words, he made efforts to "support the Administration of General Taylor, before the Compromise Bill was reported . . . on the 8th."⁵⁷

Taylor's "non-action" plan—admitting California as a free State without determining the status of slavery in New Mexico and Utah—had inspired Stephens and other southerners to stage a filibuster in the House of Representatives. Senator Stephen A. Douglas, of Illinois, became alarmed. After conferences with Clay and other conciliators, the Illinois Senator succeeded in effecting a basis upon which the more moderate northerners and southerners could agree. In the Senate, Douglas's proposed legislation was referred to a Select Committee of Thirteen for consideration. On April 18 Clay was made chairman of this committee, which comprised, beside himself, twelve other Senators of conservative tendencies from both sections and from both political parties. On May 8—as related by Fillmore—Clay presented to the Senate the report and recommendations of the Committee of Thirteen. The enactment of three bills was recommended: the

⁵⁵ John T. Bush to Fillmore, Jan. 5, Feb. 23, 1850; George R. Babcock to Fillmore, Mar. 4, 1850, *Ibid.*

⁵⁶ John O. Charles to Fillmore, Jan. 24, 1850, *Ibid.*

⁵⁷ Fillmore to James Brooks, May 24, 1852, in Severance (ed.), *Millard Fillmore Papers*, II, 323.

first provided for the admission of California, for the formation of territorial governments for New Mexico and Utah without slavery prohibition, and for the settlement of the boundary dispute between Texas and New Mexico by permitting New Mexico to keep all her land claimed by Texas and giving a money payment to the Lone Star State; the second proposal provided for a stringent fugitive-slave law similar to one which Senator John M. Mason, of Virginia, had introduced; the third bill prohibited the slave trade (but not slavery) in the District of Columbia. Taylor, angered that Clay should resist his own "non-action" plan, was said to have referred sneeringly to the first bill of the Committee of Thirteen as an "omnibus" because it carried so many passengers—California, New Mexico, Utah, and the Texas-New Mexico boundary. Henceforth Clay's plan of compromise (of which Douglas was part author) became known as the "Omnibus Bill." About this multiple measure the historic Congressional debates raged.⁵⁸

No sooner had the Omnibus Bill reached the Senate than Fillmore was deluged with advice, counseling him to draw closer to the conservative brand of Whiggery, lest the Seward influence carry all before it in the North and the Union become imperilled. "To let Clay and Webster fall is to let Weed and Seward walk over the course," his staunchest supporter wrote the Vice-President on June 14. "Unless these slavery issues are disposed of, the danger is that a sectional party will arise. Weed and Seward would like to convert the Whig party into one. We must stay the progress of abolitionism or we are gone. Now is the time to begin."⁵⁹ It is not surprising, therefore, that, in early July, Fillmore, personally anti-Seward

⁵⁸ Frank H. Hodder, "The Authorship of the Compromise of 1850," *The Mississippi Valley Historical Review* (1936), XXII, 527-530; George Fort Milton, *The Eve of Conflict: Stephen A. Douglas and the Needless War* (Boston and New York, 1934), pp. 57-59, 64-70; Poage, *Henry Clay and the Whig Party*, pp. 205-207, 221, 225.

⁵⁹ Jerome Fuller to Fillmore, June 14, 1850, Fillmore Papers.

and politically pro-Union, and still desirous of friendly relations with the President, should visit the White House. Of his interview with Taylor, Fillmore related:⁶⁰

I said to him in substance, that, from present appearances, I might be called upon to give a casting vote in the Senate on the Compromise Bill, and if I should feel it my duty to vote for it, as I might, I wished him to understand, that it was not out of any hostility to him or his Administration, but the vote would be given, because I deemed it for the best interests of the country . . . I was anxious, before the Bill was introduced, to see the measure tried, recommended by the Administration, thinking, if it failed, we would be then more likely to harmonize upon some other measure; but after the Compromise Bill was introduced, and when it became apparent that that measure had got to be adopted, or none, I ceased my efforts to have the measure recommended by the President brought under consideration, and awaited the progress of the Senate in the perfection of the Compromise to determine my own duty in voting for or against it.

Fillmore's reluctance to break openly with the Administration was not too pleasing to his New York followers who believed that the hour had now come for action. "Clay has some very warm friends left. They are abusing us because we do not defend him and assail his enemies more strongly," State Senator Jerome Fuller informed the Vice-President on July 9, "Genl. Taylor's administration is used up. The South is unitedly against him, even the Whigs of the North divided in his support. I think he must eventually go down as well as his Cabinet. . . . Is it wise then to ally ourselves too closely with the fortunes of a sinking ship?"⁶¹

Taylor's administration was indeed in a weakened condition. The inflammatory discussions in both Senate and House had gone on for months without the White

⁶⁰ Fillmore to James Brooks, May 24, 1852, in Severance (ed.), *Millard Fillmore Papers*, II, 323.

⁶¹ Jerome Fuller to Fillmore, July 9, 1850, *Fillmore Papers*.

House being able to check the chaos and confusion. No sign of a peaceful settlement appeared, and secession sentiment increased in the South. The influence of the administration was exerted to its fullest to block passage of Clay's "Omnibus" compromise. Taylor, besides having confidence in Seward's judgment, had now openly broken with Clay. The road to compromise was "hampered by Northern instructions for the Wilmot Proviso, and by Southern instructions against the admission of California, by Democratic insistence on this and Whig insistence on that, by the crochety notions of individual Senators, and by . . . Taylor's jealousy of Clay, fed by the men who surrounded him, [which] was fast becoming an obsession."⁶²

The President's predicament was further complicated by the pro-Fillmore press, which was openly assailing Seward's dominant position at the White House. To make matters worse for Taylor, three of his Cabinet were involved in what appeared to be a major scandal—the so-called Galphin claim, centering about the payment of money out of the Treasury to reimburse the clients of Secretary of War Crawford. Congress even forgot about the slavery controversy temporarily to investigate the irregular Galphin business, and on July 6 defeated a resolution that would have officially exonerated Crawford of collusion.⁶³

Simultaneously with the deadlock over Clay's Omnibus Bill and the excitement over the Galphin affair came an even more serious problem—the petition of New Mexico for statehood. Taylor had informed Congress that he

⁶² Poage, *Henry Clay and the Whig Party*, pp. 228-229.

⁶³ Morehead to Crittenden, Mar. 30, 1850, John J. Crittenden Papers; John B. McMaster, *A History of the People of the United States* (New York and London, 1913), VIII, 32-33; Colton (ed.), *The Private Correspondence of Henry Clay*, pp. 603-604; Poage, *Henry Clay and the Whig Party*, pp. 227-229, 231-233, 235. For the Galphin Claim, see Bernard C. Steiner, *The Life of Reverdy Johnson* (Baltimore, 1914), pp. 35-36; James Ford Rhodes, *History of the United States From the Compromise of 1850* (New York, 1920), I, 202-205; Phillips, *The Life of Robert Toombs*, pp. 138-142.

had urged New Mexico to follow the example of California in drafting a constitution and applying for admission as a State. Immediately Texas, to prevent New Mexico from taking action that would deprive her of the New Mexican land that Texans claimed, decided to establish her authority at Santa Fé. The Texans met the opposition of Colonel Munroe, commander of the United States troops stationed there. Munroe called a convention of New Mexican residents in May to frame a state constitution, and such a document was soon adopted, providing for the prohibition of slavery. Mass-meetings were held in Texas protesting the adoption of this constitution. On June 25 word reached Washington that a copy of the document was on its way to Congress for consideration.

The claim of slaveholding Texas to a portion of New Mexico became the cause of other parts of the South. On July 1 southern Whigs, convinced that Taylor at Seward's advice was preparing to support the admission of New Mexico with all his power, appointed a committee to wait upon the President and to warn him that the southern Whigs would bolt the party if he favored New Mexico as against Texas. Taylor informed them that he could not well sacrifice the views of eighty-four northern Whigs in Congress in order to pacify twenty-nine southern Whig members. Moreover, Taylor, in his capacity of commander-in-chief of the United States Army, made known to his Cabinet that he would direct Colonel Munroe to defend New Mexico against any armed invasion by Texans. Secretary of War Crawford, a follower of Stephens and Toombs, informed the latter of the President's intentions. On July 3 Stephens and Toombs hastened to see the Chief Executive. They pleaded with him not to send troop reinforcements to New Mexico. Again Taylor declined to listen to the counsel of the southern leaders of his party, whereupon Stephens and

Toombs departed. The former, in conversation with Secretary of the Navy Preston, threatened to bring impeachment proceedings against the President. On this same day—July 3, 1850—Stephens in a letter to the editor of the Whig Washington *National Intelligencer* delivered an ultimatum from the South: “The first *Federal gun* that shall be fired against the people of Texas, without the authority of law, will be the signal for the freemen from the Delaware to the Rio Grande to rally to the rescue. . . . The cause of Texas, in such a conflict, will be the cause of the entire South.” At this very time Taylor was preparing a message to Congress advocating the admission of California and New Mexico as States and announcing his determination of preventing Texas from taking possession of any portion of New Mexico.⁶⁴

Many persons, including Webster, were of opinion that the boundary conflict between Texas and New Mexico would result in a clash of arms, with the President supporting the claims of New Mexico and the southern leaders backing those of Texas.⁶⁵ But suddenly grim Death laid a restraining hand. Taylor’s proposed message was never completed. On the same day that Stephen’s ultimatum in support of Texas appeared in the *National Intelligencer*—July 4—Taylor became ill following his appearance at patriotic exercises held in the scorching sun. On July 9 he passed to his reward.⁶⁶ Having been catapulted into the Executive Mansion by Seward, Weed, and southern Whig leaders, the hero of the Mexican War

⁶⁴ Hannibal Hamlin to Weed, Aug. 10, 1876, Weed Papers; Phillips, *The Life of Robert Toombs*, pp. 83-84; Cole, *The Whig Party in the South*, pp. 166-168, 168n; Poage, *Henry Clay and the Whig Party*, pp. 236-239; Avary (ed.), *Recollections of Alexander H. Stephens*, pp. 25-27; General Pleasonton to Weed, Sept. 22, 1876, in Barnes, *Memoir of Thurlow Weed*, pp. 180-181; Stephens to the Editor, July 3, 1850, in *Washington Daily National Intelligencer*, July 4, 1850.

⁶⁵ Joseph Hodgson, *The Cradle of the Confederacy; Or, The Times of Troup, Quitman and Yancey* (Mobile, Ala., 1876), p. 276; also statement of Daniel Webster in Henry W. Hilliard, *Politics and Pen Pictures At Home and Abroad* (New York and London, 1892), p. 231.

⁶⁶ Henry S. Foote, *Casket of Reminiscences* (Washington, D. C., 1874) pp. 165, 167.

completed less than a year and a half of his unenviable term. He yielded to enemies deadlier than Santa Anna—age, the importunities of office-seekers, the handicap of a weak Cabinet, concern for the Union, and anxiety over the Galphin scandal.⁶⁷ Death interfered with his plan to reorganize his Cabinet on lines that would have been no friendlier to the South.⁶⁸

Immediately following Taylor's death, Millard Fillmore took the oath as President of the United States. The new President was deluged with advice from his supporters at home. "Western New York is deeply dyed with Abolitionism, but that spirit wants checking instead of fostering. If we allow Seward to navigate us off on that ism, he will be captain of the ship," Fuller warned Fillmore, "But in Eastern New York and in the cities the tone of public sentiment is more healthy, and we could not have given an unqualified support to the President's [Taylor's] plan without driving off our friends in that quarter on whom we lean more for support than on our Western friends. . . . Call around you for a Cabinet the ablest statesmen in the Whig party—conciliate Mr. Clay and obtain his support."⁶⁹ Another trusted friend gave similar counsel: "You enjoy . . . the confidence of the Southern men, in a remarkable degree. That confidence can be retained, without losing anything worth regarding at the North. You have only to occupy, as you can hardly avoid occupying in your high position, *national* ground."⁷⁰ Also: "Mr. Webster [should] . . . at the earliest fitting opportunity be called into the office of Sec. of State. . . . Opinion at the North, at the heart of the people, is already with Webster & Clay."⁷¹

⁶⁷ In April, Weed went to Washington and wrote home: "The Galphin affair swallows up all else just now. It is the cause of much anxiety with the President, who is pressed hard to change his Cabinet." See Weed to Fish, Apr. 17, 1850, Hamilton Fish Papers.

⁶⁸ Weed (ed.), *Autobiography of Thurlow Weed*, pp. 589-592.

⁶⁹ Jerome Fuller to Fillmore, July 10, 1850, Fillmore Papers.

⁷⁰ D. D. Barnard to Fillmore, July 10, 1850, Fillmore Papers.

⁷¹ *Ibid.*

Until his accession to the nation's highest office Fillmore had possessed little power in the nation or even in his own State, so overshadowed was he by the more spectacular Seward, who could always count on Weed's support. This personal antagonism to the New York Senator, added to his own concern for the preservation of the Union, inspired Fillmore to adopt a conservative policy. One sagacious political observer has summarized the Fillmore position very succinctly:⁷²

It has been widely believed that his [President Fillmore's] jealousy of Seward, who easily outstripped him as a competitor for the leadership of the Whig party in New York, induced him to take his position on the other side. But it is by no means improbable that he favored Clay's compromise from natural inclination; for he was one of those men who, when put into the position of great responsibility, will avoid all strong measures, thinking that to be "the safe middle course."

Fillmore lost no time in reversing Taylor's "non-action" policy and letting it be known that he favored any compromise passed by Congress. In so doing he may well have postponed civil war. He selected a new cabinet including three influential moderates—Webster for Secretary of State; John J. Crittenden, of Kentucky, for Attorney General; and Thomas Corwin, of Ohio, for Secretary of the Treasury. He made his friend and law-partner, Nathan K. Hall, Postmaster-General, and completed his inner council with three Southerners—Alexander H. H. Stuart, of Virginia, to head the Interior Department; William A. Graham, of North Carolina, for the Navy portfolio; and Charles M. Conrad, of Louisiana, for Secretary of War. In addition Fillmore consulted with Stephens and other powerful southern Whig leaders.⁷³

⁷²Schurz, *Life of Henry Clay*, II, 354. Cf. Edward Stanwood, *A History of the Presidency from 1788 to 1897* (Boston and New York, 1928), 1928 edition, I, 246.

⁷³Cole, *The Whig Party in the South*, p. 172; Griffis, *Millard Fillmore*, p. 59; Avary (ed.), *Recollections of Alexander H. Stephens*, p. 27.

To Seward and Weed, Taylor's death was a stunning blow. Of Fillmore's succession to the White House, Seward wrote home, "Providence has at last led the man of hesitation and double opinions to the crisis, where decision and singleness are indispensable."⁷⁴ No time was lost in attempting to drive a wedge into the expected *rapprochement* between the new Fillmore administration and the Webster-Clay conservative Whig faction. In his Albany *Evening Journal* Weed intimated that there could be no peace in the Whig organization unless the new administration divorced itself from the conservative Whigs. The Fillmore forces, for their part, resented Weed's "dictation," calling it a "demand that Webster & Clay be thrown overboard, before they [the Sewardites] can consent that the ship of state shall sail on undisturbed by mutiny."⁷⁵

Seward had no intention of yielding to Fillmore and "Unionism." "The truth is, Seward is at heart anti-Fillmore and anti-Administration,"⁷⁶ wrote Webster's successor in the Senate, Robert C. Winthrop, as he observed Seward's warfare on Clay's compromise measures. On July 28 the New York Senator reported to Weed:⁷⁷

The lapse of time and the change of administration are working their effects. The Compromise Bill is now to pass the Senate . . . Of course you see how all this follows necessarily from the sad disaster [Taylor's death] which has occurred. Is it not best to rouse the People and thus act on their representatives here, — or will that distract us at home?

If the Compromise Bill shall pass now and obtain the signature of the President, what will be the issue on which we go to the Polls?

I shall endeavor to make a new one on the admission of New Mexico.

⁷⁴ Seward, *Seward at Washington as Senator and Secretary of State*, II, 145.

⁷⁵ Francis Granger to Fillmore, July 16, 1850, Fillmore Papers.

⁷⁶ Letter of Winthrop, Sept. 15, 1850, in Robert C. Winthrop, Jr., *A Memoir of Robert C. Winthrop* (Boston, 1897), p. 136.

⁷⁷ Seward to Weed, July 28, 1850, Weed Papers.

On July 26, two days before dispatching this message to Weed, Seward had introduced in the Senate an amendment to the Omnibus Bill, providing for the admission of New Mexico as a State, under the "slavery-prohibition" constitution which she had adopted shortly before Taylor's passing.⁷⁸ It is not without significance that the Seward amendment coincided exactly with what the late President was contemplating before death overtook him.⁷⁹ Fillmore's friend and chief Senate spokesman, Pratt of Maryland, led the Administration's fight against Seward's proposal. "The most extraordinary proposition ever submitted to this body,"⁸⁰ Pratt protested. And the Maryland senator invited the Senate to expel Seward for his "higher law" doctrine. When the vote was taken on Seward's amendment it was defeated—42 to 1; Seward alone cast an affirmative vote.⁸¹

Despite the Fillmore administration's victory and its sympathy for Clay's "Omnibus," it continued to travel a rocky road especially in the Senate. Seward and his anti-slavery associates in an unholy alliance with southern extremists sought to embarrass Fillmore at every turn. Many northern Senators who favored admitting California balked at the idea that its entrance into the Union should be accomplished by an avowed "bargain" with southerners to prevent slavery prohibition in New Mexico and Utah and the settlement of the Texas-New Mexico boundary. The week after the rejection of Seward's New Mexico statehood measure the Omnibus Bill was mutilated almost beyond recognition by its enemies in the Senate. The Texas-boundary and the California admission clauses were struck out, and all that remained of the "Omnibus" was the section creating a territorial government for Utah. The senate proceeded to pass this section, and the Mormon

⁷⁸ *Congressional Globe*, 31st Cong., 1st sess., *Appendix*, p. 1442.

⁷⁹ Poage, *Henry Clay and the Whig Party*, p. 238.

⁸⁰ *Congressional Globe*, 31st Cong., 1st sess., *Appendix*, p. 1444.

⁸¹ *Ibid.*, pp. 1444-1447.

homeland became a Territory of the United States. Seward voted "nay" because it did not specifically prohibit slavery therein.⁸²

Stephen A. Douglas assumed command of the compromise forces when in early August the weary Clay was forced to take a vacation following passage of the Utah Territorial Bill. The Illinois Senator, realizing that the legislation could not be passed when lumped together, proceeded to engineer each of the remaining bills, one by one, through the Senate. In this he had the indispensable cooperation of the Fillmore administration. On September 16 the last of the bills that would conciliate most moderates North and South—that abolishing the slave trade but not slavery in the District of Columbia—was passed by the Senate.⁸³ When this latter measure was approved by the House of Representatives and all of the bills had been signed by President Fillmore, the Compromise of 1850 was an accomplished fact.

The legislative history of the compromise measures, revealing at every step the feud between Seward and Fillmore, provided all that Clay had suggested in his resolutions to the Senate almost eight critical months earlier. For a decade the blanket of compromise, quilted of various patched fabrics of legislative skill, partially smothered the smouldering embers of sectional controversy which ultimately were to burst forth in the flames of civil war. Fillmore's nationalism prevailed in 1850; Seward's sectionalism would triumph in 1860.

⁸² *Congressional Globe*, 31st Cong., 1st sess., p. 1504; *Ibid*, *Appendix*, p. 1485; Poage, *Henry Clay and the Whig Party*, pp. 245-246, 256-257; Hodder, "The Authorship of the Compromise of 1850," *op. cit.*, pp. 529-533.

⁸³ Poage, *Henry Clay and the Whig Party*, pp. 258-259, 261; Hodder, "The Authorship of the Compromise of 1850," *op. cit.*, pp. 534-536.