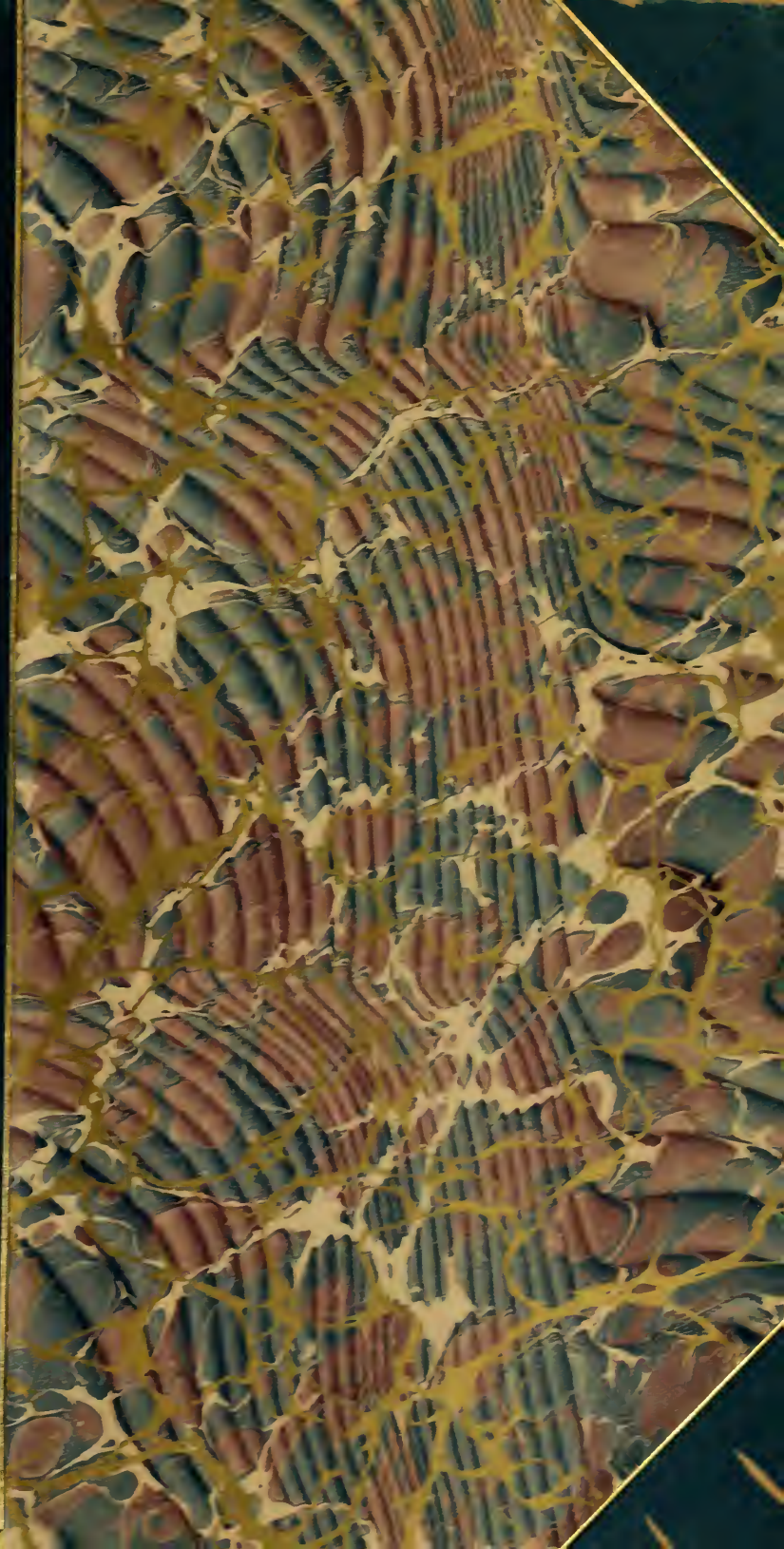
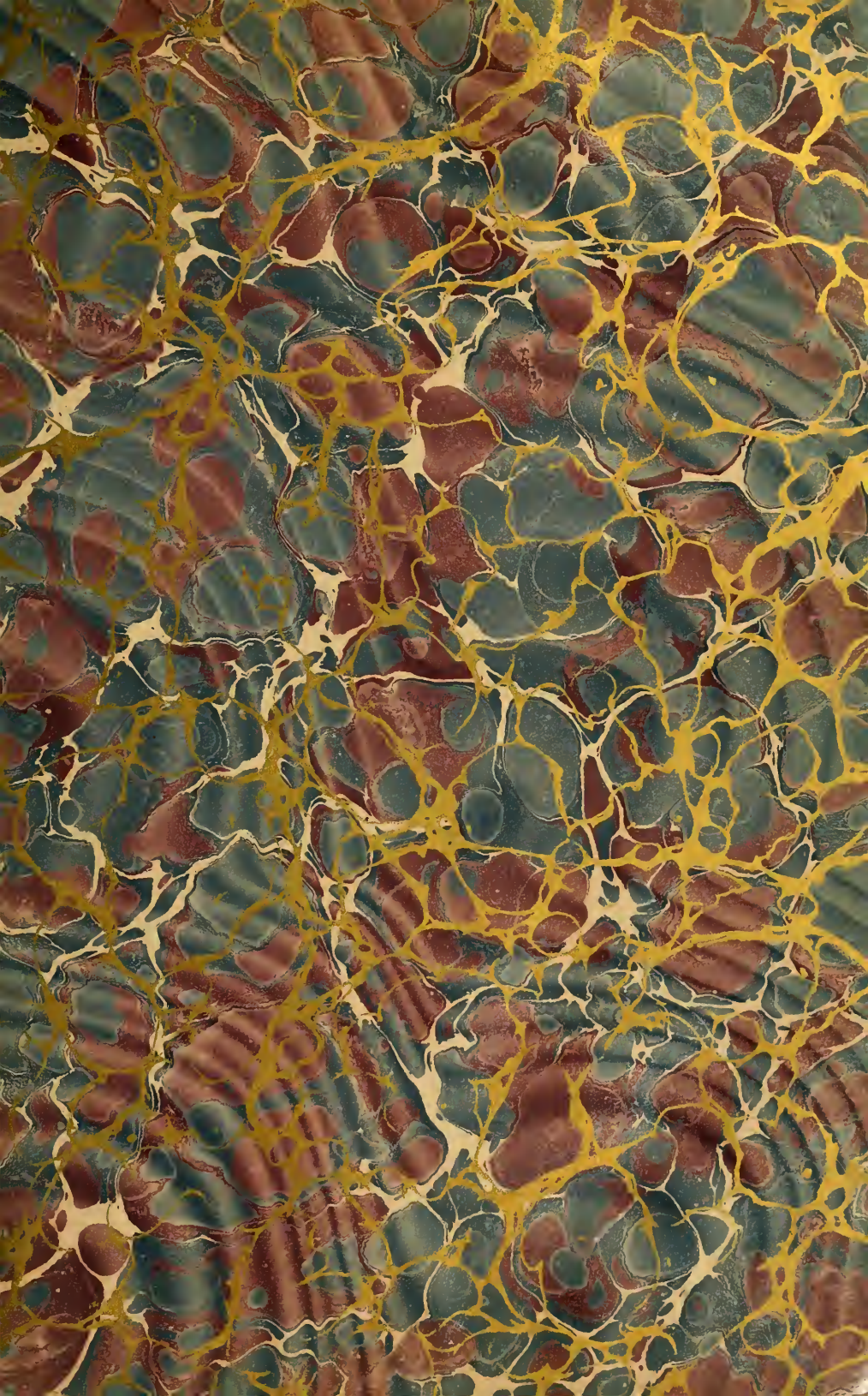


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LIFE OF MILLARD FILLMORE.

"HEREDITARY rank," says Washington Irving, "may be an illusion; but hereditary virtue gives a patent of innate nobleness beyond all the blazonry of the Herald's College." We can trace the ancestors of MILLARD FILLMORE back for six generations; and, as children of the soil, pioneers of toil, and defenders of their country, they present one lineal characteristic—sterling, patriotic VIRTUE. Such an heirloom is more glorious than a kingly crown.

Let us, in homely phrase, mingle with the ancestors of a President of this mighty Union. It is the romance of truth.

CHAPTER I.

JOHN FILLMORE THE FISHERMAN.

"If you *will* go to the seas, John," said the widow Fillmore, as she kissed her son's fair, open brow, "my blessing must go with you. But, be-

think you that your mother has already been sorely smitten. Remember your father's sufferings and his cruel fate."

"Mother! I will never grieve you," answered the young man. "If it be that you like not I should venture the West India voyage, then, if it be your will, let me sail with Mark Haskell, skip-

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per of the Dolphin, who goes but to the Fishing Banks. Surely I run no risk of harm in so short a voyage, dear mother."

"Bless you, son John, I know well that you would not grieve me; and I will not deny you this trip to the Fishing Banks, the more that I see your young heart is set upon it. Go, then, my boy—and remember, in whatever position you may find yourself, that you are the son of John Fillmore, a brave mariner and a good man."

With a fervent prayer and parting embrace, the widow of John Fillmore, mariner, whose husband had died in a French prison-ship, resigned her first-born to his youthful impulses, and saw him sail from the shores of Cape Ann, with the proud feeling that he never could dishonor the name or memory of his father.

It was a novel position for young John Fillmore, to find himself treading the deck of the staunch sloop Dolphin, and to hear, in his lonely watch at night, the dark waves retreating from her prow, as she sped toward Newfoundland. But John remembered his mother, as he took his "trick at the tiller," and forgot not his Heavenly Father, when he knelt at night and read by the binnacle lamp, that last gift of affection—a well-worn Bible. He was first at every call of duty, and soon gained the favor of his captain, as well as the esteem of his associates.

About this time—that is to say, at the close of the year 1723—there was a noted pirate infesting the coasts of New England and the other provinces, a man daring and unscrupulous, who was called John Phillips. This adventurer, scouring the seas between Jamaica and Newfoundland, had rendered his name a terror to peaceful mariners, whose vessels he plundered on all occasions, hesitating not to add murder to his other crimes, whenever it appeared necessary to safety.

The exploits of the noted freebooter had furnished a subject of frequent conversation on board the sloop Dolphin, but little did her hardy crew expect to behold, as they did one fine morning, the ship of the pirate bearing rapidly down upon their course. By her black colors at the gaff, and the number of men upon decks, the corsair was easily recognized, and the discharge of a stern-swivel from her quarter soon summoned the fishing vessel to lay to, and await the crowded boat which presently put off from the enemy.

John Fillmore stood by the sloop's helm, the skipper and the rest of her crew, mostly youths, awaiting silently the pirate's demands. Resistance, of course, was not to be thought of; for there were no means of defence against such overpowering numbers, and their only hope of escape from cruel treatment lay in the fact of carrying no cargo sufficiently valuable to tempt the outlaw's cupidity.

"Ho! John Fillmore!—is that you?" was the first salutation, from an athletic young man who leaped aboard at the head of the boat's crew. John Fillmore raised his eyes and recognized a youth whom he had formerly known as a peaceful apprentice in his native town, but who now appeared armed with cutlass and pistols, the picture of a reckless pirate.

"White!" exclaimed Fillmore, as the young

man advanced, "I am sorry to see you in such company."

"Let every man go his road," answered White; 'and if you be wise, you'll leave this mackerel-boat, and go back with me to the deck of a noble buccancer."

"And if you be prudent, White, you'll leave your ship of Satan, and go home with honest mariners."

"Well, well; let us see what booty you have for us in your honest fishing boat," said White, with a laugh, as he proceeded to examine the Dolphin, which Haskell, the skipper, assured him was not worth the pains of a search. Of this, indeed, the pirates became speedily satisfied, and departed; not, however, without another attempt on the part of young White to induce John Fillmore to accompany him.

Skipper Haskell breathed more freely as he saw the pirates push off, but it was fated that matters should not end so easily. In a few moments the corsair's boat was again seen approaching, and soon the voice of White was heard as he stepped upon the Dolphin.

"John Fillmore! our brave Captain Phillips is so charmed with my account of an old schoolmate, that he insists on making your acquaintance at once. So you'll please pack up your hammock, and we'll be off in a twinkling."

"I sail not with any pirate," replied young Fillmore.

"That may all be, when you have your own choice in the matter, John. But needs must, you know, when the devil drives. So come along, messmate."

"You cannot force me against my will," said Fillmore, quietly. "You can strike me down with your cutlass, but not till I've struck a good blow for myself. And my comrades here will never let me be kidnapped. What say you, Captain Haskell?" he asked, turning to the skipper.

"You shall not go against your will, while I have an arm to protect you," answered the brave master of the Dolphin, in a loud voice, which was echoed by the "Ay, ay," of Fillmore's fellow-mariners.

"Very well—if that be your feeling," said White, "and as I like not to cross swords with an old friend, I'll e'en go back and report to our noble captain. But, I tell you, John Fillmore, you'd better go quietly and save trouble, for Captain Phillips is a terrible fellow in a passion."

John Fillmore replied not to this, and White again pushed off to his own vessel, while the little crew of the Dolphin anxiously awaited the result. They remained not long in suspense, however, for in less than five minutes after the boat had reached the pirate, a great commotion was visible on her deck, and immediately two boats, filled with men, pushed off from her side and moved rapidly toward the fishing sloop.

"They are not to be put off, I see," said young Fillmore, "with a smile. "But if they think to take me alive, they will be mistaken. Better to die bravely, than 'list with a murdering pirate."

"We'll stand by you, my brave boy," cried Captain Haskell and the Dolphin's crew. John Fillmore shook their hands and said:

"Put not your lives in peril, but let me stand by myself. If I die—remember my—poor mother!"

At this, young Fillmore's heart wigh failed. The thought of his only parent almost unmanned him. But the next instant he dashed the sudden tear from his cheek, and prepared to confront the redoubtable Captain Phillips himself, who had stepped upon the deck, and now thundered out—

"Where is that bold stripling who disputes the command of John Phillips?"

"If John Phillips bids me do wrong against the laws of God and my country, then do I fear not to dispute his command," answered Fillmore.

"Ho, ho! young cock!—you have been taught to crow well. Nevertheless, go with John Phillips you must—dead or alive."

"Dead be it, then," said Fillmore, grasping his only weapon, an old cutlass, and preparing for a brave resistance, while the crowd of pirates held back a moment, in wonder at the spirit of the young man. Captain Haskell and the fishers stepped forward to range themselves beside their young companion, but he shook his head, and waved them backward.

"No, friends! The fight is too unequal, and one life is enough to sacrifice."

The pirate captain regarded the bold bearing of young Fillmore with growing interest. He knew, of course, that a single rush of his men would suffice to overpower all defence, but he felt, likewise, that the youth would dispute to the last, and that probably more than one would fall among his own followers. "Come, come," he said, coaxingly, "I like not to spill the blood of a brave boy like you. Go with me, and you shall be well treated, and leave my ship whenever you like, if the life of a rover suits you not."

"I wish to make no bargain for my soul," said Fillmore.

"Tush, man! neither your soul nor body will be the worse for a short cruise in a free ship. Bear a hand, youngster, and heed well how you force matters to extremities."

"I am prepared to defend my liberty," replied the young man, in a calm voice.

"Then," cried the pirate captain, with an oath, "your blood and the blood of all your comrades be on your head. Not a man of all of ye but shall walk the plank in five minutes."

John Fillmore, for the first time, changed color, bold and determined as he was. He feared not for himself, for he had made up his mind to die rather than surrender. But, as he looked around upon the faces of his fellow-fishermen, young men like himself, and upon the brave skipper Haskell, who had been so ready to protect him, he remembered that all of these had friends and relatives at home, whose hearts would be broken to learn of their cruel fate. He felt that he could no longer act for himself only.

"Well, youngster, are you disposed to go back with me?" demanded Captain Phillips, who divined what thoughts were passing in the youth's mind.

"If I agree to your wish, shall the Dolphin and her crew go free and unharmed?"

"That I promise," returned the pirate. "And to show you that I like your spirit, you shall not

be asked to sign articles, nor to enroll your name in my ship's books. I want bold fellows such as you are, but I want them without compulsion; and if you like not the voyage, comrade, you shall go in two months where you will. Are you satisfied with that?"

Fillmore paused a moment ere he answered. He looked at the piratical band, and then on his fellow-fishermen. He shuddered at the thought of sailing with a pirate, but he knew the alternative of a refusal, and with a violent effort he cried, "I will go with you!"

Captain Phillips smiled with grim satisfaction, and said, "that's spoken like the brave lad you are. Bear away, man, and get ready for a two months' trip with a bold rover, if you like not a longer service."

In half an hour more, John Fillmore trod the pirate's deck, and saw the sloop Dolphin growing less in the distance, as he sailed in an opposite course from the Banks of Newfoundland.

CHAPTER II.

JOHN FILLMORE THE HELMSMAN.

THE new view of nautical life which our young hero obtained on board the pirate bark, was not one calculated to increase his love for the career of a sailor. The reckless and profane character of the crew, the indifference, and often exultation, with which they recounted scenes of violence and rapine, speedily inspired John Fillmore with profound detestation of their lawless avocation. In the first few weeks, though the buccaneer overhauled and ransacked many small craft, few prizes of any value were captured, and the disappointment which followed every failure in booty served to bring out the manifestations of avarice and anger in Capt. Phillips and his wicked followers, exhibiting the unchecked passion and license of a freebooter's life in their natural deformity. During this period several prisoners were taken, two or three of whom were induced to sign the piratical articles and become part of the corsair's crew.

John Fillmore had been from the first assigned to the helm, a post of great hardship and responsibility, but one which gave him ample opportunity for reflection upon his strange situation. He remembered the promise of Phillips to release him after a faithful service of two months, and endeavored to perform, as well as possible, the duties of his position; but, much to his chagrin, he found, after eight weeks had passed, and he reminded the pirate captain of his stipulation, that the men who break the laws of their country keep no private faith. The buccaneer chief refused to listen to him, alleging that but few captures had been made, and he could not now go from his course; but he renewed his promise to set him at liberty without fail, if he would only remain a faithful helmsman three months longer.

John Fillmore expostulated, but he was now in the power of Phillips, and argument on his side was useless. To be sure, he was still exempt

from signing articles, but the prospect of a longer sojourn with his un congenial associates filled him with disgust. Nevertheless, he submitted cheerfully, and resumed his labors, endeavoring to acquit himself with credit, until the three months should pass away. He mingled seldom with the crew, and they, on their part, found little satisfaction in the society of one who plainly evinced his dislike of their avocation and habits. At the helm he remained, steering the ship through storm and calm, till the end of the fifth month from his capture gave him the right to demand once more of Captain Phillips, that, according to promise, he should be set ashore.

The pirate had been unsuccessful of late, and was in no good humor. He flew into a violent passion, and gave vent to volleys of oaths, as he ordered Fillmore to return to his duty, plainly giving him to understand, that he never had intended to keep his promise. The young man answered nothing, but from that moment, he resolved to escape whenever he could, and by whatever means should offer.

Another month, another, and another, rolled on, and Fillmore remained a prisoner with the pirates, doing his duty, it is true, but associating no more than was absolutely necessary with any of the crew. The captain distrusted him continually, and took every method to increase the hardships of his condition, and often with threats and imprecations he would approach him, and declare that he would yet force him to be a pirate. John Fillmore only smiled and shook his head at the malice of his captain, but in his mind he was meditating a method of escape at last.

One thing John Fillmore had already determined in his mind, and more than once carried into effect; and that was to prevent the capture of a prize, whenever possible to do so by false steering of the ship. Several merchant vessels had already escaped the pirate's pursuit, through adroit mismanagement on the young sailor's part, till Captain Phillips began at length to suspect his unwilling helmsman; and one day, when in chase of a French galleon, he abruptly approached Fillmore, and attacked him furiously with a drawn sword. The young man strove to defend himself, but it was not till his head covering had been knocked away, and several cuts made upon his forehead, that he escaped from the blind assault of the angry buccaneer. John Fillmore that moment meditated to take speedy action for his liberty, and to gain it, or perish in the attempt.

The French galleon was captured, and proved to be richly laden with silks, India goods, and liquors of rare excellence. The latter articles were particularly welcome to the pirates, as their store was nearly exhausted, and after setting fire to the plundered merchantman, and placing her crew and passengers in irons, they resolved to celebrate their good fortune by a grand carousal. Fillmore heard their determination expressed, and saw that the moment for his own action was at hand.

The night approached, and with it the orgies of the pirate band. Dividing their portions of such treasures as had been taken, and storing the bulky merchandise in the hold, where likewise

were secured the French prisoners and a few negroes—the outlaws met with their captain in the large cabin, and there gave themselves up to wild excitement. Fillmore marked their proceedings with anxiety, watching from his post at the helm, and listening with beating heart to the increasing wildness of the drunken feast. As the night wore away, one after another of the pirates would ascend to the quarter, and approach him with some threatening imprecation, and more than once Phillips staggered to the helm, with a wine bottle in his hand, bidding him "drink to the life of a jovial pirate." Hours passed on, and still the debauch continued; but at length, intoxication overcame some, others sunk to sleep, and at midnight silence reigned in the corsair ship.

This was the hour and the moment that John Fillmore had long hoped for. Hastily lashing the helm, he stole softly to the companion-way, where two of the sailors, after staggering violently a few moments before, had fallen apparently in a lethargic slumber. He touched them lightly on the shoulder, and they at once arose and followed him to the helm.

"Are they all dead drunk?" asked John Fillmore.

"I doubt that all are drunk," answered the man addressed. "The captain sleeps soundly, but you know he wakes at the footstep of a cat."

"But he drank heavily?"

"For that matter, so did we all," replied the sailor. "But, Jack and I are sober enough for the work we are to do."

"Let us, then, set about it at once," said Fillmore. "Go you, Harry, and liberate the Frenchmen and blacks, while Jack and myself get together the weapons."

The conspirators at once proceeded to the work in hand, and in a few moments they had released the lately captured prisoners, and armed a few with axes and handspikes, which they had before secreted. John Fillmore, with the two sailors, were the first who entered the cabin of carousal, and there, by the dim sconces, they attacked the intoxicated pirates, who, half senseless as they were, had yet the advantage of possessing swords and firearms. Phillips was the first to recover his faculties, and make bold resistance, but John Fillmore had resolved that his enemy should not escape, and though the conflict was a fierce one, the buccaneer soon fell beneath the stalwart arm of the young fisherman. The majority of the pirates were killed or disabled and the morning sun saw their vessel, the scene of many a crime, in possession of Fillmore and his companions, shaping her course, with a favoring breeze, for the harbor of Boston; while the pirates who had survived the struggle, were closely confined with the chains that had bound their recent prisoners.

John Fillmore had served a nine months' apprenticeship, but was at length free. He delivered the pirate vessel to the authorities, and Lieutenant-Governor Drummond, acknowledging the valor and hardihood of the young mariner, decreed to him, as tokens of his exploit, "the gun, silver-belted sword, silver shoe and knee-buckles,

a curious tobacco-box, and two gold rings that the pirate, Captain Phillips, used to wear."

And while the surviving pirates, so daringly captured, were hung in chains on the gibbet at Bird Island, John Fillmore returned to his native home, and once more embraced his mother, her returned sailor-boy. He had, indeed, not dishonored the "name of John Fillmore, the brave mariner and honest man."

CHAPTER III.

NATHANIEL FILLMORE, THE MINUTE MAN.

WHEN "the STARK of BENNINGTON" mustered his raw recruits—from the plough and workshop—and swore that the setting sun should see him victorious over his country's invaders, or that "Molly Stark should be a widow," he spoke the determination of an entire nation, that had arisen in defence of liberty, and pledged their "lives, their fortunes, and their sacred honors," to support the Declaration of their Independence. The brave yeomanry of the North clasped hands with the sons of the South upon the sacredness of that compact, and together they battled, together poured forth their blood, upon a hundred well-fought fields, in attestation of their combined interests, and in order to achieve a UNION of STATES which should constitute a mighty nation, and become a refuge and home of the oppressed in all the future.

Such nobility of purpose—such patriotism—animated the men of New England, as they did all other true Americans—in "the times that tried men's souls"—such was the spirit of every gallant troop which, on the eventful battle-day, marched through the Vermont woods to join their comrades at Bennington.

There, on the yet wild borders of the land, dwelt one NATHANIEL FILLMORE, son of the brave sailor whose exploits have been feebly sketched in the last chapter. There, cultivating the soil, felling the forest tree, pioneering the march of empire, he passed his youthful days; and there, when the cry of an enfranchised nation arose, he grasped the patriot's sword, and summoned his neighbors—the young men of Bennington, to march with Stark to victory. With a band hastily equipped the sailor's son met, at their rendezvous at the outskirts of the town, and there they took leave of wives and children. A family prayer—a quick clasping of hands—and then, with muskets shouldered, they followed the drum to battle.

Such were the brief partings between loved ones in the stormy days of the Revolution; when the patriot Whig, holding himself as a "minute man" at his country's call, would cast down the hammer or leave the plough, to array himself hastily with musket and cartridge-box, and hurry away to join in some sudden conflict. Too often, alas, the convulsive embrace which he gave to his family, was the last living token of affection that

they were to receive at his hands. Too often the next pillow which his brave head pressed, was the cold clod of a blood-stained battle-field.

But while the fathers fought the mothers toiled and hoped. And now, long after the last Continental had disappeared in the distance, their wives, and sisters, and daughters, and sweethearts, of Bennington, remained in silent devotion, their hearts dwelling upon the forms of their dear ones, their lips moving in prayers to God, that he would, in his mercy, o'erwatch the good cause and sustain its adherents. Thus, while the hours passed slowly on, the women whose kindred were at Bennington, mingled their tears and supplications together.

Suddenly the distant noise of firing announced the beginning of battle. From afar off the volleys of musketry were heard in rapid discharge, and the shrill trumpet and echoing drums sounded in the intervals of conflict. Great clouds of smoke arose upon the horizon's edge, gradually deepening and widening, until they rested like a yellow curtain far up in the heavens. All knew, then, that Stark and his soldiers were fighting the battle of Bennington.

It was a wonderful faith which sustained those weeping women, while they listened to the sound and beheld the signs of that struggle, wherein their dearest affections were centred. They encouraged one another with words of hope, and strengthened their confidence with mutual prayers. But, as the day wore on, and the battle continued, their hearts were sorely tried with varying emotions.

All the while, a band of children, who had been lifted in their fathers' arms, and kissed with all the fervor of affection, by the parting troops, were gambolling in front of the house, and personating mimic soldiers upon the green sward. Children whose names have since become historic, played that day before the eyes of their sorrowing mothers, and mocked with their infant glee the sounds that came from Bennington. But no name was destined to be enrolled higher in the annals of a free country, than that borne by a lad of six years, who stood at his mother's knee, and prattled of his father, brave Lieutenant Nathaniel Fillmore—the son of that John Fillmore, who, when a fisherboy, overcame the pirate Phillips.

"Do not cry, dear mother!" murmured the child, as he and his playmates clustered around the circle of tearful women, "father will not stay long away."

"Ah, my boys—do you not fear that your fathers may be killed?"

"No, indeed, dear mother," answered the young American, his eyes flashing with native spirit, "we know our fathers are more than a match for the *Regulars* any day."

Stark! brave Stark! with the sires of such children, and the husbands of such wives at your back, it is no wonder you conquered at Bennington. It is no marvel that Nathaniel Fillmore, when he returned from the battle-field, and lifted in his arm the boy who was destined to be the father of one more powerful than a monarch,—a President of the United States—*it is no marvel*

that he should exclaim, "We have conquered, and we shall conquer! Our cause is just, and must prevail!"

CHAPTER IV.

NATHANIEL FILLMORE THE PIONEER.

SIXTY years ago, the great beehive of western New York was a wilderness. Where now the rushing locomotive dashes through prosperous villages, and populous cities, winds among valleys smiling with harvest abundance, and leaps over rivers that turn a thousand mill-wheels: then dense forests stretched in almost unbroken solitude, and naught disturbed the loneliness of nature save the crash of some falling oak, hewed by the woodman's axe, or the tinkle of kine-bells in the unfenced military lands, where hardy backwoodsmen reared their log-huts and opened the path of civilized life.

Nathaniel Fillmore, the sailor's grandson—the child who, with his weeping mother, listened to the thunders of Bennington, where his father was fighting in the cause of liberty;—had emigrated from Vermont, and taken up land in the then unsettled region of Cayuga county. With his young Massachusetts wife, a woman whose nature combined all the graces of refined life with the endurance and fortitude necessary to a wilderness life, he began the arduous work of reclaiming an independent home from the rough bosom of nature.

The labors of settlement in a new country—the hardships and privations incident to pioneer life, are calculated to bring out all the best qualities of manhood; and in his sphere Nathaniel Fillmore exhibited the possession of them in an eminent degree. Industry and perseverance were constituents of his character, that assisted him materially in the subjugation of his wild domain, and he had likewise that quality of stern integrity which has been always a peculiar family trait of the Fillmores. But above all other aids to his enterprise, he enjoyed the companionship and consolation of the devoted woman who had left her father's home to be his help-meet in weal and in woe. Phœbe Millard, which was the maiden name of his wife, was the daughter of Dr. Abiathar Millard, of Pittsfield, in the "old Bay State"—that mother of virtuous women and enterprising men—and when she gave her hand as a bride, but sixteen summers had passed over her youthful head. Young, however, as she was, her character was already developed in all the nobler qualities of womanhood—her intellect was clear and discriminating, and her disposition gentle and affectionate. She came to her husband's side to be a blessing in his path—to pass her life in the accomplishment of good deeds—and to walk peaceably at last through the flower-crowned portal of a quiet tomb—leaving behind the halo of a Christian lady's work. She has long since departed, but "her children rise up and call her blessed."

With such a companion, Nathaniel Fillmore entered joyfully upon the pioneer's life. He cleared a homestead from its wilderness surroundings, and, amid hardships and toils, endeavored to achieve an independent position as a farmer. While engaged in these rough encounters of early industry, his young wife became the mother of MILLARD FILLMORE, shortly after which event, in consequence of reverses and loss of his property through a defective title, he removed from the place of his first location, and in 1802 settled in the town of Sempronius (now Niles), in the county of Cayuga, where his young son Millard, passed his infancy and early youth.

CHAPTER V.

MILLARD FILLMORE THE FARM-BOY.

FROM the pursuits of agriculture sprung many of the greatest men who, in past ages, have worked out the history of the world. Heroes and statesmen, philosophers and poets, sons of science, martyrs to religion, reformers, law-givers, have arisen in the majority of instances from that humble, but in all times honorable sphere, where man draws nearest to his mother earth, and learns his first lessons of development by regarding the manifold operations of progressive nature—from the acorn to the oak—from the seed hidden beneath the soil to the full glories of harvest.

Millard Fillmore's boyish days were unmarked by any varied incidents beyond the routine of peaceful industry, but he early manifested traits which have since been moulded into his manly character. Among these were his love of study, and unremitting application to whatever work was allotted to him. In infancy he was far from robust, a fact which retarded in some degree his natural mental quickness; but as exercise began to fortify his constitution, and labor developed and concentrated his energies, so the desire for improvement "grew with his growth and strengthened with his strength." The new country where he dwelt offered few of those facilities for education which are now at every man's door. The common school did not at that period crown every village eminence, nor did a district library bring the experience of history, science and genius, into every child's reach; but of such means of instruction as he could command, Millard Fillmore made good use; and the rudiments of knowledge that were then instilled into his mind, were at least the foundation of what has since matured into the wisdom of the legislator, the statesman, and, above all, the patriot.

Books were the delight of the future President of his country. Not content with the stated intervals of instruction common to all the youth of the village—unsatisfied with the regular studies incident to the schools which he attended—Millard sought every opportunity to possess himself of every variety of mental pabulum, by perusing all the books to which he could procure

access. His love of reading was indeed remarkable; for while other boys were engaged in the recreations natural to their age, the son of farmer Fillmore was to be seen, whenever encountered, intent upon the pages of some new volume which he had, perhaps, by long perseverance, succeeded in obtaining. In the house, or in the field, by the fireside, after the duties of the day were ended, or at "the nooning" when the plough rested and the cattle grazed, MILLARD FILLMORE, as the people remarked, "studied his books." Well may he look back to that love of study as the incentive to all that he has since sought and achieved.

And the love and intellect of his mother were equally powerful in forming and deciding the character of her son. Her gentle care, and untiring devotion, shaped the future man in the present child; for "Millard Fillmore," as has been said by one biographer, "is no exception to the rule that distinguished men have generally had superior mothers." To this maternal influence he can look back now, like the pilgrim who, in olden days, once encountered an angel in his walk, and ever afterward beheld a track of light following his footsteps.

CHAPTER VI.

MILLARD FILLMORE THE APPRENTICE.

But the years of farm life passed rapidly over, and Millard Fillmore reached an age at which, in the judgment of his prudent and industrious father, it was time that he should choose a vocation by which he might obtain a livelihood in future years. The business of carding wool and cloth-dressing was considered to be one that offered superior inducements of profit, and being then carried on but a portion of the year, it promised to the young student a certain amount of leisure which he might devote to mental improvement. The clothier's business was, therefore, selected by Nathaniel Fillmore as a proper pursuit for his son, and Millard, at the age of fifteen, took service with his first master, with whom he passed four busy months of summer. But, like many employers of young apprentices, the clothier, instead of instructing the boy in the rudiments of his trade, kept him at other tasks in which he learned nothing; and young Fillmore, feeling that his time was thus squandered, requested his father to procure him another situation. This, after some difficulty in seeking an employer, was accomplished; and in a few weeks Millard was apprenticed, without indentures, to a near neighbor of the family, who after a short trial, in which he became much pleased with the youth, entered into an agreement with the farmer, by which the son was to be instructed in the trade of a clothier, working in the seasons when the business could be carried on, and in the intervals returning to give his time and services to the farmer.

Here young Fillmore applied himself assiduously to learning his trade and advancing the in-

terests of his employer; devoting his winters, when work was discontinued, to teaching the country schools; and in the double capacity of mechanic and instructor continued to earn sufficient to assist him in his plan of self-education for a profession. He had already begun to feel that heaven had endowed him with faculties which might be more generally beneficial, if exerted in a less contracted sphere than that necessarily involved in the workshop; and though he prided himself upon the innate dignity of honest labor, he yet could not fail to be conscious that talents are vouchsafed to us, not to bury, but to put out at interest for Him who confided them. Nevertheless he relaxed not in his application to the business he had chosen, and it was while engaged at his trade, in his nineteenth year, that he attracted the favorable notice of the late Walter Wood, Esq., of Cayuga county, who became his first influential friend, and who, assisting him in the purchase of his time, received him into his law office, and exercised the mathematical knowledge which the youth had acquired, by employing him as a surveyor upon his large landed property. With this friend Millard Fillmore remained till 1821, after which he entered a law office in Buffalo, and, still maintaining himself by winter teaching, pursued his legal studies till admitted to the Court of Common Pleas, in 1823. Shortly afterward he removed to the village of Aurora, and opening an office, began the duties of professional life. The farmer-boy and clothier's apprentice, by dint of unwearied application, had opened out to himself a new sphere and a new ambition.

CHAPTER VII.

MILLARD FILLMORE THE LEGISLATOR.

SEVEN years rolled on, and the young lawyer, though not overburdened with business—for in the agricultural region which surrounded his location the litigious element was not so general as at present—had gained much reputation for ability and integrity. He had been elected for two sessions successively to the Legislature of the State, had managed such cases as he was employed upon with marked success, and had indeed become so popular at the bar that he received the invitation of an advantageous business connection with an older member of the profession, in the city of Buffalo. He had been married four years before to an amiable and intelligent lady, the daughter of Rev. Samuel Powers, and now, settled in domestic relations, he accepted the offer which promised increase of activity, and in 1830 took up his residence in the thriving city of Buffalo.

As incorrect statements have been made concerning the ancestry of Mr. Fillmore's wife, it is well to notice that she was of Massachusetts descent, belonging to the family of the Lelands, whose lineal descendants to the number of 9,624, may be found recorded in the ancestral magazine published by members of the Leland family, who date back to one

of the first settlers, Henry Leland. In this book may be found a likeness of Abigail Powers, the lady of Millard Fillmore.

As a member of the New York State Legislature, Mr. Fillmore distinguished himself equally by his modest demeanor and firmness of purpose. He won the good opinion of even his political opponents, and occupied a position in the public mind, though then but thirty years of age, which was not inferior to that of Mr. Granger, Mr. Spencer, Mr. Nicholas, and other distinguished members of the Assembly at that time. In 1831 his second term expired, and in the fall of 1832 he was chosen by the electors of his district, as their Representative in the twenty-third Congress of the United States. His first term at the National capital, exhibited in a most favorable light his qualities as a legislator, but at its close he returned to the duties of his profession, which, at this period, had become quite extensive.

To the twenty-fifth, twenty-sixth, and twenty-seventh Congresses Millard Fillmore was successively elected; and at the last he was selected to fill that most responsible of positions—chairmanship of the committee of ways and means. Here he displayed the qualities of a statesman and financier, and proved himself worthy of the Congressional leadership of that great party which, with the venerable Harrison as its standard-bearer, had swept out the corruptions of its past administration with a mighty whirlwind of reform. The details of Millard Fillmore's labors in the twenty-seventh Congress stand as an enduring monument of the man—attesting his indefatigable industry, his clear foresight, his wise discrimination, his knowledge of political economy, his uncompromising political integrity, and his sound patriotic views on every important measure. The following sketch, which was printed in a literary paper of New York City, in 1842, gives a picture of Mr. Fillmore as he appeared to an observer without party bias:

“MILLARD FILLMORE OF NEW YORK.—This is the distinguished Representative of the city of Buffalo, and at present chairman of the committee of Ways and Means, a situation both arduous and responsible. He stands in the same relation to the United States government in the House of Representatives, that the Chancellor of Exchequer does to the government of Great Britain in the House of Parliament. He is emphatically the financial organ of the Legislature. In the House of Representatives all bills affecting the revenue originate. These are presented by the Ways and Means Committee—matured by it—and its chairman has to explain their object and the data upon which they are based. He is obliged to make himself thoroughly acquainted with the situation of the national treasury—has to examine its details, become familiar with its wants, its expenditures, its income, present and prospective, and be ever ready to give to the House a full exposition of all the measures he may present for consideration. To discharge the duties which this post enjoins, faithfully, requires both physical and mental capacity of a high order, and I believe they could not have devolved upon one individual better qualified than the subject of this notice. In every respect will he be found equal to the task assigned him.

“Mr. Fillmore, in person, is perhaps five feet ten inches tall, stout and finely formed. His limbs are graceful; he has an erect and easy walk, and a well

developed chest. His complexion is quite light; has lively blue eyes, a smooth forehead, marked by breadth rather than height, retreating slightly into a head of greyish hair. His face is broad and regular in its outline; has a small nose and handsome Grecian mouth, with white teeth. His features, without being very strongly marked, are decidedly expressive and agreeable, and in or out of Congress there are few better-looking men. His appearance would attract attention anywhere, as his abilities qualify him for any station. In his temperament he is phlegmatic—is always self-composed, and all his acts are controlled by the dictates of his judgment. He weighs everything in the most prudent manner, enters into a nice calculation, and is never misled by the promptings of his heart. He is the incarnation of truth and integrity. Never would he ‘hold the word of promise to the ear, and break it to the hopes.’ He would never raise hopes and then blast them. He is frank, open and manly. In public and in private life he is without guile; pure and untarnished. Indeed, I question whether he was ever tempted to go astray. He seems not to have inherited the frailties generally found among the descendants of Adam, and hence he may possibly have too little charity for, and judge too severely of, those less coolly constituted than himself. His talents are of a high grade; he is a sound thinker and very sagacious; not showy or brilliant, but plain and sensible, and never attempts to make a display or ‘show off.’ His judgment is very clear, and he has no emotions which over-ride it; is always to be relied upon, and whatever he undertakes he will master. He never takes a stride without testing his foothold. He belongs to that rare class whose minds are developed with every day's use; in whose minds new beauties and new riches are discovered as they are examined into. He has a high legal reputation, possesses great industry, is agreeable in conversation, and his information upon general subjects is varied and extensive. As a shrewd, sagacious politician—by this I do not mean that he is particularly skilled in mere partisan strategy—there are few men in the country superior to him, perhaps none.”

Such was the testimony of an observer written before Mr. Fillmore had attained the high station which he afterwards filled so worthily, and in which Henry Clay declared him to be “proved true, faithful, honest, and conscientious.”

At the expiration of the thirty-seventh Congress, Mr. Fillmore devoted himself once more to the practice of his profession, declining re-nomination in a letter replete with noble sentiments, in which he says to his constituents:

“It is now nearly fourteen years since you did me the unsolicited honor to nominate me to represent you in the State Legislature. Seven times have I received renewed evidence of your confidence, by so many elections, with constantly increasing majorities, and at the expiration of my present Congressional term, I shall have served you three years in the state, and eight years in the national councils. I cannot call to mind the thousand acts of generous devotion from so many friends, who will ever be dear to my heart, without feeling the deepest emotion of gratitude. *I came among you a poor and friendless boy.* You kindly took me by the hand, and gave me your confidence and support. You have conferred upon me distinction and honor, for which I could make no adequate return, but by an honest and untiring effort faithfully to discharge the high trusts which you confided to my keeping. If my humble efforts have met your approbation, I freely admit that, next to the approval of my own conscience, it is the



"If John Phillips bids me do wrong against the laws of God and my country, then I do fear not to dispute his commands," answered Fillmore."—Page 3.

highest reward which I could receive for days of unceasing toil and nights of sleepless anxiety."

Mr. Fillmore's course while in Congress was truly American in every respect—national, wise, and patriotic. It was he who rebuked the delay of government in inquiring into the outrages committed on our Canadian frontiers by armed invaders; asserting, in reference to the flagrant act of burning the Steamer Caroline—that "he well knew that the spirit of the people on the United States side of that frontier would not permit them to stand tamely by and witness such assaults;" and it was he who afterwards, when the excitement relative to the matter threatened to endanger our country's peace, interposed his calm counsels, and while maintaining the dignity of our nation, and urging preparations for a defence against whatever might come, recommended prudence and calmness in all preliminary matters. "The true plan," said he, "was to pre-

pare for war if we had yet to come to it, but to do nothing in the way of bragging. If it did come, his people would not be found shrinking from their just share of responsibility. All they had—their property, lives, everything—they were willing to devote, if need be, to the service of their country. But he did not wish the country to be disgraced by defeat. When she must go to war, he desired to see her prepared for it; he desired to see her placed in a situation which would enable her to bid defiance to the power of any government on earth."

It was Mr. Fillmore who won the esteem of New Jersey by his vindication of the rights of popular suffrage in the celebrated case of contested seats claimed by Representatives of that State, in which, as a member of the committee on elections, he evinced most remarkable judgment and ability. It was he, who in the twenty-seventh Congress, when the financial affairs of the country were prostrated, labored, in the preparation of those great fiscal

measures, which restored the equilibrium of trade and manufactures, and relieved the wide-spread distress among all classes of our community. In all positions and under every test, Millard Fillmore has proved himself the honest, capable, and patriotic statesman.

In the summer of 1843, occurred one of those pleasing incidents which are as flowers dropped upon the sterile wayside of political life. It was on the occasion of a visit of the venerable John Quincy Adams to the city of Buffalo, in which he was honored by a public reception, and addressed by Mr. Fillmore on the part of the citizens, in most graceful terms, to which the "old man eloquent" appropriately responded, using the following words in relation to Mr. Fillmore:

"I congratulate you," said Mr. Adams to the assembled multitude, "upon your possession of a dear and intimate friend of mine, in the person of the gentleman who has just addressed me in your name, and whom I have taken the liberty of addressing as chairman of the Committee of Ways and Means—the capacity in which he has rendered so recently services of the highest importance to you his constituents, by whose favor he was enabled to render them—to us, and to our common country. And I cannot forbear to express here my regret at his retirement in the present emergency from the councils of the nation. There, or elsewhere, I hope and trust he will soon return; for whether to the nation or to the State, *no service can be or ever will be rendered by a more able or a more faithful public servant.*"

In 1844, after the nomination of Henry Clay and Theodore Frelinghuysen, as presidential candidate, the Whigs of New York resolved to run Mr. Fillmore for the gubernatorial chair. It was against his wish, and he endeavored to change their determination, in a letter which he addressed to the editor of the Albany Evening Journal, assigning his reasons for declining to be a candidate. His opposition to the popular feeling, however, was of no avail. The party had determined upon him as their standard bearer in the State—the press unanimously called for his nomination—and his private wishes and feelings were not to be allowed to influence him. The Whig State Convention, of which the Hon. Francis Granger was President, put no other name in competition; but when that of Millard Fillmore was announced, carried his nomination by acclamation, ratifying it at once by nine enthusiastic cheers. Such was the confidence of the Whig party in the man who had served them for eleven years.

But the State of New York in 1844 was lost to the Whigs through the treachery of the Abolitionists and foreign Catholics, who combined, the first to defeat the southern Clay, the second in hatred of the Protestant Frelinghuysen. Great was the reliance placed upon the Empire State,—disgraceful the hypocrisy which betrayed her at the hour of trial. As it is now, so it was then, the enemies of American principles and the sectional fanatics stood side by side, and by their instrumentality Henry Clay lost the state of New York—Polk was elected—the Mexican war entered—and a thousand distractions recklessly risked by those whose motto is "rule or ruin."

It has been denied by men who are now arrayed under the banner of sectionalism, that the defeat of Mr. Clay was attributable to the causes above stated. But the opinion of some of our best citizens attested the truth of the allegation. Hon. Chief Justice Ambrose Spencer, writing to Mr. Clay, said—"The abolition vote lost you the election; the foreign vote also destroyed your election. God only knows to what we are destined. One sentiment seems to prevail universally, that the naturalization laws must be altered; that they must be repealed, and the door forever shut on the admission of foreigners to citizenship, or that they undergo a long probation."

Philip Hone, of New York, wrote, "nine-tenths of our respectable citizens voted for Clay and Frelinghuysen—the merchants, the professional men, the mechanics and workingmen—all such as live by their skill and the labor of their honest hands—who have wives whom they cherish, and children whom they strive to educate and make good citizens—men who go to church on Sundays, respect the laws, and love their country—but, alas! the numerical strength lies not in those classes. Foreigners who have 'no lot nor inheritance' in the matter, have robbed us of our birthright, the 'sceptre has departed from Israel.' Ireland has re-conquered the country which England lost."

John H. Westwood, of Baltimore, wrote, "It was foreign influence, aided by the Irish and Dutch vote, that caused our defeat. * * But, notwithstanding the ingratitude of the German and Irish voters, if the Abolitionists of New York had done their duty, all would have been well?"

Mr. Frelinghuysen, wrote from New York, to Henry Clay, "The foreign vote was tremendous, more than three thousand, it is confidently said, were naturalized since the first of October. It is an alarming fact, that this foreign vote has decided the great questions of American policy, and counteracted a nation's gratitude."

Thus was it in 1844. And so is it now, when in 1856 the leaders of an unhappy faction pursue the same atrocious system of political tactics, and endeavor to cast the weight of foreigners into the political scale, in order to break down the Union, and divide the country on a geographical issue. Well, indeed, might Millard Fillmore say in writing to Clay in '44. "A cloud of gloom hangs over the future. May God save the country."

Let us trust that this patriotic prayer will be answered at the coming election—and that he who uttered it will be chosen as the instrument, under Providence, of accomplishing the freedom of our country from foreign influence, and the deliverance of the Union from plots and conspiracies of sectional fanatics.

CHAPTER VIII.

MILLARD FILLMORE THE STATESMAN.

IN 1847, Mr. Fillmore was elected to the important office of Comptroller of the State of New

York. The varied and arduous duties of this position were discharged by him in a manner that won the approbation of all parties. His experience in financial details, gained as Chairman of the Committee of Ways and Means in Congress; his arithmetical talents, and the faculty, which he has always possessed in an eminent degree, of penetrating to the core of the most involved questions, and laying them open to public view, peculiarly fitted him to discharge the functions of an officer on whose wise management depends so much of the State's prosperity. In his report, which has been often quoted for its comprehensive views of fiscal policy, Mr. Fillmore exhibited a consummate knowledge of the governing laws of trade and commerce, in connection with currency; and the soundness of judgment and simplicity of deduction which characterized his estimate of the most intricate questions, fully sustained the high reputation for statesmanship which he had won in former positions of trust and honor.

In 1848, when the Whig National Convention at Philadelphia placed in nomination the hero of Buena Vista, Millard Fillmore was selected as the people's choice for the second office in their gift. He had not sought the distinction, and indeed had opposed the first overtures made by his friends to allow the use of his name in the Convention; but he could not but feel proud and grateful for the honor which had been conferred upon him. He accepted the nomination in a brief but expressive letter, and on the November following, with Zachary Taylor, received one hundred and sixty-three electoral votes against one hundred and twenty-one given by the States to Cass and Butler.

On the 5th of March, 1849, Millard Fillmore took his seat as presiding officer of the United States Senate, and in the exercise of this high position in connection with his station of Vice-President of the Union, he displayed such dignity and firmness, combined with his natural urbanity as won the admiration of all who composed at that time the higher branch of Congress.

On the 9th day of July, 1850, a little more than one year from his inauguration, Zachary Taylor was called from the dignities of an earthly ruler to the immortal glories which are the recompense of good men in that world where the Ruler of all dwells eternally; and on the 10th of July, the day following, MILLARD FILLMORE, in presence of the Senate and House of Representatives assembled, took the oath of office and entered upon his duties as President of the United States. The occasion was one of great solemnity, and after the conclusion of the ceremony a brief message from the new President was read by Chief Justice Cranch, in which the following impressive sentence occurred:—"I appeal to you to aid me under the very trying circumstances which surround, in the discharge of the duties from which, however, much I may be oppressed by them, I durst not shrink; and I rely upon Him who holds in his hands the destinies of nations, to endow me with the requisite strength for the task, and to avert from our country the evils apprehended from the heavy calamity which has befallen us."

It was in such a spirit that Millard Fillmore entered upon the duties of that great station which

is second in dignity to none in the world—which was inaugurated and sanctified by the "Father of our Country"—and which should never be filled by any citizen who has not the love of our Union first within his heart, who has not been proved worthy of the exaltation, and who has not the confidence of all portions of this mighty nation. No one will deny that Mr. Fillmore possesses all these qualifications—no one can dispute his merit, his services, his single-hearted devotion to "the Union."

The first annual message transmitted to Congress by the new President was a State paper truly worthy of its author. It combines perspicuity, brevity, and straightforward purpose, to a degree seldom witnessed in documents of that kind. It is prudent, logical, and patriotic, and develops the statesman in all its recommendations.

On the doctrine (about this period promulgated by radical leaders) which asserted the right of national interference in behalf of European republicans, Mr. Fillmore remarks as follows:—

"Among the acknowledged rights of nations is that which each possesses of establishing that form of government which it may deem most conducive to the happiness and prosperity of its own citizens; of changing that form as circumstances may require, and of changing its internal affairs according to its own will. The people of the United States claim this right for themselves, and they readily concede it to others. Hence it becomes an imperative duty not to interfere in the government or internal policy of other nations; and although we may sympathize with the unfortunate or oppressed everywhere, in their struggles for freedom, our principles forbid us from taking part in such foreign contests. We make no wars to promote or to prevent accessions to thrones; to maintain any theory of a balance of power; or to suppress the actual government which any country chooses to establish for itself. We instigate no revolutions, nor suffer any hostile military expeditions to be fitted out in the United States, to invade the territory or provinces of a friendly nation. The great law of morality ought to have a national as well as a personal and individual application."

For the enunciation of sentiments such as the above, Mr. Fillmore was then, and is now, opposed by two classes of the population—the first composed of that quiet and radically-democratic element which embraces the Irish agitators, and German free-thinking socialists, who regard this country—not as a new home and adopted fatherland—but as a secure stopping-place for a season, where they can conspire safely, and foment disorder that may ultimately involve the American Republic in a war against "despotism" in the abstract, or in other words against all the monarchies of the old world combined. This class is in every country a dangerous one, and it was to its leaders that Louis Kossuth addressed his incendiary harangues and secret circulars. That it possesses political influence is unhappily true, as was proved by the result of the movement which elected Franklin Pierce. That foreign and dangerous influence, stimulated by Kossuth, was thrown, in 1852, for the Democratic candidate. In obedience to the instructions of the Hungarian leader, the radical Germans—the men who now are worked upon by Hecker, Struve, and other foreign republicans—

cast their weight in the scale against Gen. Scott. "You are strong enough," said the insidious Kosuth, in his speeches to "German citizens"—"you are strong enough to effect the election of that candidate for the presidency who gives the most attention to the European cause. * * * No tree, my German friends, falls with the first stroke; it is, therefore necessary that, inasmuch as you are citizens and can command your votes, you support the candidate who will pursue the external policy in our sense." This is the doctrine promulgated and acted upon by the foreign radicals, who aim to convert the entire machinery of this government, and the power of our institutions, into an instrumentality for the subversion of European dynasties, and the erection of European republics, to which they may hereafter return as to their fatherland. Well, indeed, may the American patriot of this day, revert to those farewell words of Washington—"Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens!) the jealousy of a free people ought to be constantly awake; since history and experience prove that foreign influence is one of the most baneful foes of republican government."

The other class of the community to which allusion has been made, as opposing Millard Fillmore, on account of his views in relation to the American duty of non-intervention, is made up of adventurers, men of bankrupt fortunes, or desperate in their circumstances, who, backed by speculators, continue to manufacture a spurious sympathy for the "oppressed" inhabitants of any country which may offer a field for ultimate spoils. These men profess to interpret the "Monroe doctrine" (sound policy, if properly interpreted) as an endorsement of every phase of filibustering, and are ready at any time to defy law, and appeal to popular passion for the support of their mistaken theories. This class is now arrayed, as before, with the socialist Germans and Irish agitators, in opposition to all such wise and peaceful measures as must necessarily be incorporated by the administration of Millard Fillmore.

Nor was the policy which the President marked out for himself, with regard to domestic relations, characterized by less wisdom than that which governed his actions in reference to our affairs abroad. At the period of his accession to the chief magistracy, our internal political questions were greatly involved. The proposition to admit California as a free State was then agitating Congress, with conflicting opinions. At the same time the Territory of New Mexico and the State of Texas were threatened with civil war, arising out of their boundary disputes. Throughout the Southern States sectional feeling ran high, and "Southern Rights Conventions" were called in several States, with the avowed object of secession, in case of failure on the part of Congress to comply with their demands.

In this crisis, a strong, stable, calm, and patriotic pilot was needed at the national helm. That pilot was found in MILLARD FILLMORE. Scarcely had he taken upon himself the great duties and responsibilities of his high position, than he at once proceeded to act vigorously. He ordered a

strong military force to proceed to New Mexico, for the purpose of checking the first overt disturbance between the conflicting claimants of boundary lines. He called upon Congress, in urgent terms, to examine into the state of affairs which was creating so much jealousy and strife throughout the land. He invited distinguished gentlemen from north, south, east and west to places in his Cabinet, and commenced at once the task of mediation and conciliation. The following were Mr. Fillmore's selection as Cabinet officers;

DANIEL WEBSTER, of Massachusetts, *Secretary of State*.
 THOMAS CORWIN, of Ohio, *Secretary of the Treasury*.
 ALEX' R. H. A. STUART, of Virginia, *Secretary of the Interior*.
 WM. A. GRAHAM, of North Carolina, *Secretary of the Navy*.
 CHARLES M. CONRAD, of Louisiana, *Secretary of War*.
 NATHAN K. HALL, of New York, *Postmaster-General*.
 JOHN J. CRITTENDEN, of Kentucky, *Attorney-General*.

The admission of California, as a free State, was at this time the basis of feeling in and out of Congress—feeling which found expression in violent harangues and threats of nullification, and which grew at length into an excitement that threatened the entire national harmony. The subject is an important one to understand, because it was out of the question of California's admission to the Union that the measures called the *Compromise Measures of 1850* primarily grew. We shall, for the better information of the community in this important matter, take the liberty of extracting an able summary of its points which appears in the *Biography of Ex-President Fillmore* projected by Dr. Foote, late Minister to Austria, and which was afterwards prepared for the press, and published by Thomas & Lathrops, of Buffalo. The chapter will amply repay perusal.

"The large territorial acquisitions," says the writer quoted, "which were the consequence of the Mexican war, occasioned controversies that made the brief administration of General Taylor a period of intense public excitement. The annexation of Texas, in which the war originated, met with general approval in the Southern States on account of its supposed tendency to fortify the institution of slavery. But if the territory ceded to the United States by the treaty of Guadalupe Hidalgo should all be carved into free States, the ultimate effect of annexation would be a great loss of power by the South. The fact that a portion of the Northern representatives in Congress insisted on the insertion of the Wilmot Proviso in every act organizing a new territory, would have been productive of considerable irritation, even if there had been nothing else in the circumstances of the time to favor sectional excitement. But the application of California for admission into the Union as a free State, made the only session of Congress which took place under the administration of Gen. Taylor one of the most exciting that had occurred in many years.

"The rapid growth of California was without a parallel in history. The discovery of gold mines of extraordinary richness and extent had caused an immense tide of emigration to set toward the new El Dorado, not only from all the Atlantic States, but from almost every quarter of the world. In less than two years from the discovery of her gold mines, California, previously almost without inhabitants, had become more populous than some of the old States, more wealthy than several of them, and, without passing through the usual territorial pupillage, she had formed a State Constitution, organized a State government, and was applying for admission as one



"Such were the brief partings between loved ones in the stormy days of the Revolution."—Page 5.

of the members of the federal Union. It was objected also, that her proceedings were irregular, that her territory was too large for a single State, and that boundaries had been assumed without the authority of Congress. Under different circumstances, these objections would have had but little influence, considering the urgent necessity which existed for a government of some kind. California had, at that time, no authorized government either territorial or State; and yet from the heterogeneous character of her population and the absence of social restraints, no community stood in greater need of a firm and regular government strictly enforced.

"The question really in dispute related to the balance of power between the slaveholding and the non-slaveholding States. States had for many years been admitted into the Union by pairs, one from each section of the country; and when California adopted her Constitution the two classes of States had, for a long period, possessed an equal representation in the United States Senate. When she applied for admission as a free State, there was no slave State, either forming or likely to be formed, to balance her. From a more rapid growth of population the North had long had a growing preponderance in the lower branch of Congress, and if California were

admitted as a free State the South would be in a minority in both Houses, and without any power of effectual resistance to legislative measures, which it might consider hostile to its interests. The Northern majority in the House of Representatives was certain to go on increasing, and if the equilibrium of the Senate were once destroyed, there was no ground to hope that it could ever be recovered. The admission of California into the Union as a free State, therefore, seemed to place Southern rights and interests forever afterward at the mercy of the North.

"It was this state of things which gave so deep a significance to the admission of California, and rendered it the occasion of such earnest and vehement controversy. It was foreseen that the South would struggle against it as if its very existence were in peril, for in all future legislation involving the question of slavery it was regarded as a death blow to its interests. If California were admitted, the South could see no safety except in secession from the Union.

"Mr. Clay, with the far-reaching sagacity for which he was distinguished, at once comprehended the magnitude of the crisis. He surrendered his whole mind to earnest and painful reflection, with a view to discover some method by which conflicting interests

might be reconciled, and the Union rescued from the imminent peril which threatened its existence. He clearly saw that the loss of the balance of power between the two sections of country would become a matter of trivial importance to the South, if, together with the admission of California, measures could be adopted which would forever remove all questions affecting the interests of slavery beyond the sphere of federal legislation. The South might reconcile themselves to the necessity of passing into a perpetual minority by the admission of California, if there could be coupled with her admission a final settlement of all questions in which the interests of the two great sections of the country were supposed to conflict. It was with a view to accomplish such a settlement, that he brought forward his celebrated Compromise scheme, which its enemies named, in derision, the 'Omnibus Bill.' It proposed to admit California into the Union as a free State; to organize territorial governments for New Mexico and Utah, leaving the question of slavery to the decision of the inhabitants; to define the boundaries of Texas; and to make more effectual provision for enforcing the requirements of the Constitution relating to fugitives from labor. The combining of so great a variety of measures into one bill, was what led to its being designated as the 'Omnibus.' Although it is, without doubt, a sound principle of legislation that every measure ought, as far as possible, to stand on its own separate merits, it seemed necessary, in order to accomplish the settlement which Mr. Clay proposed, that these should stand together. Whatever might be the ostensible pretexs for opposing the admission of California, the actual reason was, that it destroyed irrecoverably the balance of power between the Northern and Southern States. This consideration aside, the reasons for her admission were too powerful and urgent to be resisted. But this consideration had so strong a tendency to inflame Southern feeling, that the measure had little chance of success unless the others could be joined with it. The South was not likely to relinquish, voluntarily, all check upon legislation affecting slavery, unless it could be assured that the whole subject was to be withdrawn from future congressional action. Hence the importance Mr. Clay attached to combining all these separate measures into a single bill."

This was the origin of the Compromise Measures of 1850, which, on their passage, appeared to have settled the long-pending controversy, and which would have done so, had not Stephen A. Douglas—after waiting till all the great spirits who formed and supported those measures had been called from earthly existence—chose his moment when profound peace reigned throughout the land, to fan with malignant breath, the firebrands that had been quenched, and hurl them recklessly into the arena of politics.

But the opposers of Mr. Fillmore have charged that he was "untrue to the North," because he signed the act for demanding persons escaping from Southern service; in other words, the "Fugitive Slave Bill." But let us recur once more to that first message of the President, after General Taylor's decease, from which we have already extracted Mr. Fillmore's views concerning the doctrine of non-intervention, and let us there read what he says (*before the passage of any of the compromise measures*) regarding a chief magistrate's duty, and what he avows would be *his* duty in reference to acts passed by Congress.

"In our domestic policy, the Constitution will be

my guide; and in questions of doubt, I shall look for its interpretation to the judicial decision of that tribunal which was established to expound it, and to the usage of the government, sanctioned by the acquiescence of the country. I regard all its provisions as equally binding. In all its parts it is the will of the people, expressed in the most solemn form, and the constituted authorities are but agents to carry that will into effect. Every power which it has granted is to be exercised for the public good; but no pretence of utility, no honest conviction, even, of what might be expedient, can justify the assumption of any power not granted. The powers conferred upon the government and their distribution to the several departments, are as clearly expressed in that sacred instrument as the imperfection of human language will allow; and I deem it my first duty, not to question its wisdom, add to its provisions, evade its requirements, or nullify its commands.

"Upon you, fellow-citizens, as the representatives of the States and the people, is wisely devolved the legislative power. I shall comply with my duty, in laying before you, from time to time, any information calculated to enable you to discharge your high and responsible trust, for the benefit of our common constituents.

"My opinions will be frankly expressed upon the leading subjects of legislation; and if, which I do not anticipate, any act should pass the two Houses of Congress which should appear to me unconstitutional, or an encroachment on the just powers of other departments, or with provisions hastily adopted and likely to produce consequences injurious and unforeseen, I should not shrink from the duty of returning it to you, with my reasons, for your further consideration. Beyond the due performance of these constitutional obligations, both *my respect for the legislature* and *my sense of propriety* will restrain me from any attempt to *control or influence your proceedings*. *With you is the power, the honor, and the responsibility of the legislation of the country.*

"The government of the United States is a limited government. It is confined to the exercise of powers expressly granted, and such others as may be necessary for carrying those powers into effect; and it is at all times an especial duty to guard against any infringement on the just rights of the States. Over the objects and subjects intrusted to Congress, its legislative authority is supreme. But here that authority ceases, and every citizen who truly loves the constitution, and desires the continuance of its existence and its blessings, will resolutely and firmly resist any interference in those domestic affairs which the constitution has clearly and unequivocally left to the exclusive authority of the States. And every such citizen will also deprecate useless irritation among the several members of the Union, and all reproach and crimination tending to alienate one portion of the country from another. The beauty of our system of government consists, and its safety and durability must consist, in avoiding mutual collisions and encroachments, and in the regular separate action of all, while each is revolving in its own distinct orbit."

Actuated by motives such as are evident in the above expression of a President's duties and responsibilities, Millard Fillmore was called upon, in his executive capacity, to sign the Fugitive Slave Bill, as passed by the Congress. In performing this duty, he took counsel not only of those distinguished and able statesmen who graced his administration, but likewise of "that tribunal which was established to expound the Constitution," the Judiciary of the United States. This high court, including Judge McLean, whose written opinion has

been given to the world—decided that the Congress had power to pass the bill; that it was constitutional; and that, therefore, the Executive was necessitated to make it a *law*, by appending his official signature.

The following is the opinion of Judge McLean, who, it will be recollected, was a prominent candidate for the Presidential nomination, in the Republican Convention, so styled. The opinion is from the fifth volume of "McLean's Reports:—"

"It is contended that the law authorizing the reclamation of fugitives from labor is unconstitutional; that the Constitution left the power with the States, and vested no power on the subject in the federal government.

"This argument has been sometimes advanced, and it may have been introduced into one or more political platforms. In regard to the soundness of this position, I will first refer to judicial decisions. In the case of *Prigg v. The State of Pennsylvania*, 16 Peters' R. 539, the judges of the Supreme Court of the United States, without a dissenting voice, affirmed the doctrine, that this power was in the federal government. A majority of them held that it was exclusively in the general government. Some of the judges thought that a State might legislate in aid of the act of Congress, but it was held by no one of them, that the power could be exercised by a State, except in subordination of the federal power.

"Every State court which has decided the question, has decided it in accordance with the view of the Supreme Court. No respectable court, it is believed, has sustained the view that the power is with the State. Such an array of authority can scarcely be found in favor of the construction of any part of the Constitution, which has ever been doubted. But this construction, sanctioned as it is by the entire judicial power, State as well as federal, has also the sanction of the legislative power.

"The Constitution of the United States, it will be observed, was formed in 1787. Afterward it was submitted to the respective States for their ratification. The subject was not only largely discussed in the federal convention, but also in every State convention. No question has ever arisen, in regard to our federal relations, which was of equal importance to that of the adoption of the Constitution; none in our political history was more thoroughly discussed. The men of that day may be emphatically said to have understood the Constitution.

"In a very few years after the Constitution was adopted by the States, the fugitive act of 1793 was passed. That law is still in force, except where the act of 1850 contains repugnant provisions. In the Congress which enacted the act of 1793, it is believed that some of the members had been members of the convention. They could not have been ignorant of the provision of that instrument. And by the passage of that act they exercised the power, as one that belonged to the federal government. Here is a force of authority, judicial and legislative, which cannot be found on any other seriously litigated point in the constitution.

"Such a weight of authority is not to be shaken. If the question is not to be considered authoritatively settled, what part of that instrument can ever be settled? The surrender of fugitive slaves was a matter deeply interesting to the slave States. Under the confederation there was no provision for their surrender. On the principles of comity amongst the States the fugitives were delivered up; at other times they were protected and defended. This state of things produced uneasiness and discontent in the slave States. A remedy of this evil as it was called, was provided in the Constitution.

"An individual who puts his opinion, as to the exercise of this power, against the authority of the nation in its legislative and judicial action, must have no small degree of confidence in his own judgment. A few individuals in Massachusetts may have maintained, at one time, that the power was with the States; but such views were, it is believed, long since abandoned, but they are re-asserted now, more as a matter of expediency than of principle.

"But whether we look at the weight of authority against State power as asserted, or at the constitutional provisional, we are led to the same result. The provision reads: 'No person held to service or labor in one State, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such service may be due.'

"This, in the first place, is a federal measure. It was adopted by the national convention, and was sanctioned as a federal law, by the respective States. It is the supreme law of the land. Now a provision which cannot be enforced, and which has no penalty for its violation, is no law. The highly respectable gentleman who read an ingenious argument in support of these views, is too good a theologian to contend that any rule of action which may be disregarded without incurring a penalty, can be law. It may be a recommendation, but it cannot be a law. This was the great objection to the articles of confederation. There was no power to enforce its provisions. They were recommendatory, and without sanction.

"There is no regulation, divine or human, which can be called a law, without a sanction. Our first parents, in the garden, felt the truth of this. And it has been felt by violators of the divine and human laws throughout the history of our race.

"The provision in the Constitution is prohibitory and positive. It prohibits the States from liberating slaves which escape into them, and it enjoins a duty to deliver up such fugitives on claim being made. The Constitution vests no special power in Congress to prohibit the first, or to enforce the observance of the second. Does it, therefore, follow that effect can be given to neither, if a State shall disregard it?

"Suppose a State declares a slave who escapes into it shall be liberated, or that any one who shall assist in delivering him up shall be punished. If this power belongs to the States, and not to the federal government, these regulations would be legal, as within the exercise of their discretion. This is not an ideal case. The principle was involved in the *Prigg* case, and the Supreme Court held the act of the State unconstitutional and void.

"It is admitted that there is no power in the federal government to force any legislative action on a State. But, if the Constitution guarantees a right to the master of a slave, and that he shall be delivered up, the power is given to effectuate that right. If this be not so, the Constitution is not what its framers supposed it to be. It was believed to be a fundamental law of the Union. A federal law. A law to the States and to the people of the States. It says that the States shall not do certain things. Is this the form of giving advice or recommendation? It is the language of authority, to those who are bound to obey. If a State do the thing forbidden its acts will be declared void. If it refuse to do that which is enjoined, the federal government, *being a government*, has the means of executing it.

"The Constitution provides, 'that full faith shall be given to public acts, records, and judicial proceedings,' of one State in every other. If an individual claiming this provision as a right, and a State court shall deny it, on a writ of error to the Supreme Court of the Union, such judgment would be reversed. And the provision that, 'the citizens of each State shall be entitled to all privileges and im-

munities of citizens in the several States.' Congress unquestionably may provide in what manner a right claimed under this clause, and denied by a State, may be enforced. And if a case can be raised under it, without any further statutory provisions, so as to present the point to the Supreme Court, the decision of a State court denying the right would be reversed. So a State is prohibited from passing a law that shall impair the obligations of a contract. Such a law the Supreme Court has declared void. In these cases, and in many others, where a State is prohibited from doing a thing, the remedy is given by a writ of error, under the legislation of Congress. The same principle applies in regard to fugitives from labor.

"A fugitive from justice may be delivered up under a similar provision in the Constitution. It declares that, 'A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.' This is contained in the same section as the clause in relation to fugitives from labor, and they both stand upon the same principle. In both cases Congress has provided a mode in which effect shall be given to the provision. No one, it is believed, has doubted the constitutionality of the provision in regard to fugitives from justice.

"The men who framed the Constitution, were adequate to the great duties which devolved upon them. They knew that a general government was essential to preserve the fruits of the Revolution. They understood the necessities of the country. The articles of confederation had been found as a rope of sand, in all matters of conflict between the different States, and the people of the different States. Without a general government, commerce could not be regulated among the States, or with foreign nations; fugitives from labor could not be reclaimed; State boundaries could not be authoritatively established.

"I am aware it has been stated that the subject of slavery was not discussed in the Convention, and that the reclamation of fugitives from labor was not, at that time, a subject of much interest. This is a mistake. It was a subject of deep and exciting interest, and without a provision on the subject no constitution could have been adopted. I speak from information received from the late Chief-Justice Marshall, who was one of the chief actors in that day, than whom no man then living was of higher authority.

"The want of a general regulation on the subject of fugitives from justice and from labor was felt, and the above provisions in the Constitution were intended as a remedy. It has proved to be an adequate remedy as against fugitives from justice. In no instance, it is believed, has the constitutionality of this provision been doubted. But the provision in relation to fugitives from labor, resting upon the same principle, is now opposed.

"If the introduction of this provision into the fundamental law of the Union was not intended to operate as the law of the Union—if it was recommendatory in its character only—it was useless. The power to surrender fugitives from labor, under the confederacy, was with each State. It could be done or refused at the discretion of the State. Did the framers of the Constitution intend to leave this matter as it was under the confederation? The provision introduced shows an intention to make some provision on the subject. But, by the argument, it is said the provision made left the power with the States, and did not vest it in the general government. The answer to this is, it was in the States before the provision, and on this view, it added nothing to the power of the States. If such be the true construction of the provision, it fixes an act of consummate folly on the framers of the Constitution, and on the members

of the State conventions who adopted it. In laying the foundation of a general government, they incorporated into the fundamental law a useless provision, and omitted to provide for an emergency which was felt and complained of in one half of the States. The men of that day were not likely to be guilty of such an omission. They understood the Federal and State powers too well, not to know that without some effective provision on this subject, the superstructure which they were about to rear would soon be overthrown. These were the circumstances under which the Constitution was framed and adopted. With the abstract principles of slavery, courts called to administer this law have nothing to do. It is for the people, who are sovereign, and their representatives, in making constitutions, and in the enactment of laws, to consider the laws of nature, and the immutable principles of right. This is a field which judges cannot explore. Their action is limited to conventional rights. They look to the law, and to the law only. A disregard of this, by the judicial powers, would undermine and overturn the social compact. If the law be injudicious or oppressive, let it be repealed or modified. But this is a power which the judiciary cannot reach.

"The citizen of a slave State has a right, under the Constitution and laws of the Union, to have the fugitive slave 'delivered up on claim being made,' and no State can defeat or obstruct this constitutional right. The judiciary power of the Union has the primary or eventual power to determine all rights arising under the Constitution. This will not be controverted by any legal mind which has properly investigated the great principles of the Constitution. And the question now made is not, in principle, different from a numerous class of cases arising under powers prohibited to the States.

"The worthy and estimable gentleman who read an argument on this occasion, in commenting on the cases covered by the fugitive law, embraced all cases of contract, and even that between a minister and his congregation. He supposes if the minister should leave his congregation before his stipulated engagement had transpired, that he was liable to be arrested and returned to his congregation under the fugitive law.

"This is a case, under this law, which no one before has supposed to be embraced by it. And if the law did cover such a case, it would be the most difficult to carry out of any other which has been imagined. If the minister could be returned, neither the court nor the congregation could compel him to preach. No profession or class of men would be less likely to do anything on *compulsion*.

"But the law applies to no case of contract. Where the parties to the agreement are capable of making a contract, the remedy for a breach of it is by action at law. In the case of slaves and of apprentices, there is no remedy against the individual who absconds by an action.

"Various objections are stated to the fugitive slave law of 1850. The duties of the commissioners, the penalties inflicted, the bribe secured to the commissioner, for remanding the fugitive, are all objected to as oppressive and unconstitutional. In regard to the five dollars, in addition, paid to the commissioner, where the fugitive is remanded to the claimant, in all fairness, it cannot be considered as a bribe, or as so intended by Congress; but as a compensation to the commissioner for making a statement of the case, which includes the facts proved, and to which his certificate is annexed. In cases where the witnesses are numerous, and the investigations take up several days, five dollars would scarcely be a compensation for the statement required. Where the fugitive is discharged, no statement is necessary.

"The powers of the commissioner, or the amount of the penalties of the act, are not involved in this



"At 'the nooning,' when the plough rested and the cattle grazed, MILLARD FILLMORE, as the people remarked, 'studied his books.'"—Page 7.

inquiry. If there be an unconstitutional provision in an act, that does not affect any other part of the act. But I by no means intimate that any part of the act referred to is in conflict with the Constitution. I only say that the objections made to it do not belong to the case under consideration.

"The act of 1850, except by repugnant provisions, did not repeal the act of 1793. The objection that no jury is given does apply to both acts. From my experience in trying numerous actions for damages against persons who obstructed an arrest of fugitives from labor, or aided in their escape, I am authorized to say, that the rights of the master would be safe before a jury. I recollect an instance where a strong anti-slavery man, called an abolitionist, was on the jury in a case for damages, but who, being sworn to find as the evidence and the law required, agreed to a verdict for the plaintiff. He rightly determined that his own opinions could not govern him in deciding a controversy between parties, but that under his oath he was bound by the law and the evidence of the case.

"It was in the power of Congress to give a jury in cases like the present, but the law contains no such provision, and the question raised is, whether the act without it is constitutional.

"This question has been largely discussed in Congress, in the public press, and in conventions of the people. It is not here raised as a question of expediency or policy, but of power. In that aspect only is it to be considered.

"The act of 1793 has been in operation about sixty years. During that whole time it has been executed as occasion required, and it is not known that any court, judge, or other officer has held the act, in this, or in any respect, unconstitutional. This long course of decision, on a question so exciting as to call forth the sympathies of the people, and the astuteness of lawyers, is no unsatisfactory evidence that the construction is correct.

"Under the Constitution and act of Congress, the inquiry is not strictly whether the fugitive be a slave or a freeman, but whether he owe service to the claimant. This would be the precise question in the case of an apprentice. In such a case the inquiry would not be, whether the master had treated the apprentice so badly as to entitle him to his discharge. Such a question would, more probably, rise under the indenture of apprenticeship, and the laws under which it was executed. And if the apprentice be remanded to the service of his master, it would in no respect affect his right to a discharge, where he is

held, for the cruelty of his master or any other ground.

"The same principle applies to fugitives from labor. It is true in such cases evidence is heard that he is a freeman. His freedom may be established, by acts done or suffered by his master, not necessarily within the jurisdiction where he is held as a slave. Such an inquiry may be made, as it is required by the justice of the case. But on whatever ground the fugitive may be remanded, it can not, legally, operate against his right to liberty. That right when presented to a court in a slave State, has, generally, been acted upon with fairness and impartiality. Exceptions to this, if there be exceptions, would seem to have arisen on the claims of heirs or creditors, which are governed by local laws, with which the people of the other States are not presumed to be acquainted."

In the 16th vol. of Peters' Reports, will be found the following argument of Judge M'Lean, delivered in the case of a fugitive slave who had escaped from her master in Maryland, and was arrested and brought before a justice of the peace in Pennsylvania:—

"That the Constitution was adopted in a spirit of compromise, is matter of history. And all experience shows that to attain the great objects of this fundamental law, it must be construed and enforced in a spirit of enlightened forbearance and justice. Without adverting to other conflicting views and interests of the States represented in the general convention, the subject of slavery was then, as it is now, a most delicate and absorbing consideration. In some of the States it was considered an evil, and a strong opposition to it, in all its forms, was felt and expressed. In others it was viewed as a cherished right, incorporated into the social compact and sacredly guarded by law.

"Opinions so conflicting, and which so deeply pervaded the elements of society, could be brought to a reconciled action only by an exercise of exalted patriotism. Fortunately for the country, this patriotism was not wanting in the convention and in the States. The danger of discord and ruin was seen, and felt, and acknowledged; and this led to the formation of the confederacy. The Constitution, as it is, can not be said to have embodied, in all its parts, the peculiar views of any great section of the Union; but it was adopted by a wise and far-reaching conviction, that it was the best which, under the circumstances, could be devised; and that its imperfections would be lost sight of, if not forgotten, in the national prosperity and glory which it would secure.

"A law is better understood by a knowledge of the evils which led to its adoption. And this applies most strongly to a fundamental law.

"At an early period of our history, slavery existed in all the colonies; and fugitives from labor were claimed and delivered up under a spirit of comity or conventional law among the colonies. The articles of confederation contained no provision on the subject, and there can be no doubt that the provision introduced into the Constitution was the result of experience and manifest necessity. A matter so delicate, important, and exciting, was very properly introduced into the organic law.

"Does the provision, in regard to the reclamation of fugitive slaves, vest the power exclusively in the federal government?

"This must be determined from the language of the Constitution, and the nature of the power.

"The language of the provision is general. It covers the whole ground, not in detail, but in principle. The States are inhibited from passing any

law or regulation which shall discharge a fugitive slave from the service of his master; and a positive duty is enjoined on them to deliver him up, 'on claim of the party to whom his service may be due.'

"The nature of the power shows that it must be exclusive.

"It was designed to protect the rights of the master, and against whom? Not against the State, nor the people of the State in which he resides; but against the people and the legislative action of other States where the fugitive from labor might be found. Under the confederation, the master had no legal means of enforcing his rights in a State opposed to slavery. A disregard of rights thus asserted was deeply felt in the South. It produced great excitement, and would have led to results destructive to the Union. To avoid this, the constitutional guarantee was essential.

"The necessity for this provision was found in the views and feelings of the people of the States opposed to slavery; and who, under such an influence, could not be expected favorably to regard the rights of the master. Now, by whom is this paramount law to be executed?

"It is contended that the power to execute it rests with the States. The law was designed to protect the rights of the slaveholder against the States opposed to those rights; and yet, by this argument, the effective power is in the hands of those on whom it is to operate.

"This would produce a strange anomaly in the history of legislation. It would show an inexperience and folly in the venerable framers of the Constitution, from which, of all public bodies that ever assembled, they were, perhaps, most exempt.

"The clause of the Constitution under consideration declares that no fugitive from labor shall be discharged from such labor, by any law or regulation of the State into which he may have fled. Is the State to judge of this? Is it left for the State to determine what effect shall be given to this and other parts of the provision?

"This power is not susceptible of division. It is a part of the fundamental law, and pervades the Union. The rule of action which it prescribes was intended to be the same in all the States. This is essential in the attainment of the objects of the law. If the effect of it depended, in any degree, upon the construction of a State by legislation or otherwise, its spirit, if not its letter, would be disregarded. This would not proceed from any settled determination in any State to violate the fundamental rule, but from habits and modes of reasoning on the subject. Such is the diversity of human judgment, that opposite conclusions, equally honest, are often drawn from the same premises. It is, therefore, essential to the uniform efficacy of this constitutional provision that it should be considered, exclusively, a federal power. It is in its nature as much so as the power to regulate commerce, or that of foreign intercourse.

"To give full effect to this provision was legislation necessary? Congress, by the passage of the act of 1793, legislated on the subject, and this shows how this provision was construed shortly after its adoption; and the reasons which were deliberately considered, and which led to the passage of the act, show clearly that it was necessary. These reasons will be more particularly referred to under another head of the argument. But looking only at the Constitution, the propriety, if not necessity, of legislation is seen.

"The Constitution provides that the fugitive from labor shall be delivered up, on claim being made by the person entitled to such labor; but it is silent as to how and on whom this claim shall be made. The act of Congress provides for this defect and uncertainty, by establishing the mode of procedure.

"It is contended, that the power to legislate on

this subject is concurrently in the States and federal government. That the acts of the latter are paramount, but that the acts of the former must be regarded as of authority, until abrogated by the federal power. How a power exercised by one sovereignty can be called concurrent, which may be abrogated by another, I cannot comprehend. A concurrent power, from its nature, I had supposed must be equal. If the federal government by legislating on the subject annuls all State legislation on the same subject, it must follow that the power is in the federal government and not in the State.

"Taxation is a power common to a State and the general government, and it is exercised by each independently of the other. And this must be the character of all concurrent powers.

"It is said that a power may be vested in the federal government which remains dormant, and that in such case a State may legislate on the subject. In the case supposed, whence does the Legislature derive its power? Is it derived from the constitution of the State, or the Constitution of the United States?

"If the power is given by the State constitution, it must follow that it may be exercised independently of the federal power; for it is presumed no one will sanction the doctrine that Congress, by legislation, may abridge the Constitutional power of a State.

"How can the power of the State be derived from the federal Constitution? Is it assumed on the ground that Congress having the power have failed to exercise it? Where is such an assumption to end? May it not be applied with equal force and propriety to the whole ground of federal legislation, excepting only the powers inhibited to the States? Congress have not legislated upon a certain subject, but this does not show that they may not have duly considered it. Or, they may have acted without exhausting the power. Now, in my judgment, it is illogical and unconstitutional to hold that in either of these cases a State may legislate.

"Is this a vagrant power of the State, like a floating land warrant, to be located on the first vacant spot that shall be found? May a State occupy a fragment of federal power which has not been exercised, and, like a tenant at will, continue to occupy it until it shall have notice to quit?

"No such power is derived by implication from the federal Constitution. It defines the powers of the general government, and imposes certain restrictions and duties on the States. But beyond this, it in no degree affects the powers of the States. The powers which belong to a State are exercised independently. In its sphere of sovereignty, it stands on an equality with the federal government, and is not subject to its control. It would be as dangerous as humiliating to the rights of a State, to hold that its legislative powers were exercised to any extent and under any circumstances, subject to the paramount action of Congress. Such a doctrine would lead to serious and dangerous conflicts of power.

"The act of 1793 seems to cover the whole constitutional ground. The third section provides, 'That when a person held to labor in any State or territory of the United States, under the laws thereof, shall escape into any other of the said States or territories, the person to whom such labor or service may be due, his agent or attorney, is empowered to seize or arrest such fugitive from labor, and to take him or her before any judge of the circuit or district courts of the United States residing or being within the State, or before any magistrate of a county, city, or town corporate, wherein such seizure or arrest shall be made, and upon proof, to the satisfaction of such judge or magistrate, either by oral testimony or affidavit, &c., that the person so seized or arrested, doth, under the laws of the State or territory from which he or she fled, owe service or labor to the person claiming him or her, it shall be the duty of such judge

or magistrate to give a certificate thereof to such claimant, his agent, or attorney, which shall be sufficient warrant for removing said fugitive to the State from which he or she fled.'

"The fourth section imposes a penalty on any person who shall obstruct or hinder such claimant, his agent or attorney, &c., or shall rescue such fugitive, when so arrested, &c.

"It seems to be taken as a conceded point in the argument, that Congress had no power to impose duties on State officers, as provided in the above act. As a general principle, this is true; but does not the case under consideration form an exception? Congress can no more regulate the jurisdiction of State tribunals, than a State can define the judicial power of the Union. The officers of each government are responsible only to the respective authorities under which they are commissioned. But do not the clauses in the Constitution in regard to fugitives from labor, and from justice, give Congress a power over State officers, on these subjects? The power in both the cases is admitted or proved to be exclusively in the federal government.

"The clause in the Constitution preceding the one in relation to fugitives from labor, declares that, 'A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up to be removed to the State having jurisdiction of the crime.'

"In the first section of the act of 1793, Congress have provided that on demand being made as above, 'it shall be the duty of the executive authority to cause the person demanded to be arrested,' &c.

"The constitutionality of this law, it is believed, has never been questioned. It has been obeyed by the governors of States, who have uniformly acknowledged its obligation. To some demands surrenders have not been made; but the refusals have, in no instance, been on the ground that the Constitution and act of Congress were of no binding force. Other reasons have been assigned.

"Now, if Congress may by legislation require this duty to be performed by the highest State officer, may they not on the same principle require appropriate duties in regard to the surrender of fugitives from labor, by other State officers? Over these subjects, the constitutional power is the same.

"In both cases the act of 1793 defines on what evidence the delivery shall be made. This was necessary, as the Constitution is silent on the subject. The act provides that on claim being made of a fugitive from labor, 'it shall be the duty of such judge or magistrate to give a certificate that the person claimed owes service to the claimant.'

"The Constitution requires 'that such person shall be delivered up, on claim of the party to whom the service is due.' Here is a positive duty imposed; and Congress have said in what mode this duty shall be performed. Had they not power to do so? If the Constitution was designed, in this respect, to require, not a negative but a positive duty on the State and the people of the State where the fugitive from labor may be found—of which, it would seem, there can be no doubt—it must be equally clear that Congress may prescribe in what manner the claim and surrender shall be made. I am, therefore, brought to the conclusion that, although, as a general principle, Congress cannot impose duties on State officers, yet in the case of fugitives from labor and justice, they have the power to do so.

"In the case of *Martin's Lessee v. Hunter, 1 Wheat. Rep. 304*, this court says, 'The language of the Constitution is imperative on the States as to the performance of many duties. It is imperative on the State legislatures to make laws prescribing the time, place and manner of holding elections for senators

and representatives, and for electors of President and Vice-President. And in these, as well as in other cases, Congress have a right to revise, amend, or supersede the laws which may be passed by the State legislatures.

"Now, I do not insist on the exercise of the federal power to the extent as here laid down. I go no farther than to say, that where the Constitution imposes a positive duty on a State or its officers to surrender fugitives, that Congress may prescribe the mode of proof, and the duty of the State officers."

And thus Millard Fillmore, backed by the purest statesmen of all parties, endorsed by the Supreme Court, and encouraged by the acclamations of good citizens, north and south, affixed his name to what had already been made authoritative, through its passage in Congress by the people's representatives. This is the only charge which the opponents of Mr. Fillmore can bring against his entire administration of our national affairs.

Yes! there is another charge; and this is, that the President, in his executive capacity, enforcing the laws of the nation, firmly exercised powers confided to him, and protected the United States marshals in carrying out the provisions of the Fugitive Slave Bill. Let us again revert to his message, before quoted, and see how his previously expressed opinions agree with the position he afterwards took. He said:

"The Constitution has made it the duty of the President to take care that the laws be faithfully executed. In a government like ours, in which all laws are passed by a majority of the representatives of the people, and these representatives are chosen for such short periods, that any injurious or obnoxious law can very soon be repealed, it would appear unlikely that any great numbers should be found ready to resist the execution of the laws. But it must be borne in mind that the country is extensive, that there may be local interests or prejudices rendering a law odious in one part, which is not so in another, and that the thoughtless and inconsiderate, misled by their passions or their imaginations, may be induced madly to resist such laws as they disapprove. Such persons should recollect that, without law there can be no real practical liberty; that, when law is trampled under foot, tyranny rules, whether it appears in the form of military despotism or of popular violence. The law is the only sure protection of the weak, and the only efficient restraint upon the strong. When impartially and faithfully administered, none is beneath its protection, and none above its control. You, gentlemen, and the country may be assured, that to the utmost of my ability, and to the extent of the power vested in me, I shall at all times, and in all places, take care that the laws be faithfully executed. In the discharge of this duty, solemnly imposed upon me by the Constitution, and by my oath of office, I shall shrink from no responsibility, and shall endeavor to meet events as they may arise, with firmness as well as with prudence and discretion."

With firmness, but moderation—with calm judgment, but inflexible determination—Mr. Fillmore performed his duty, as a *President*, in the trying positions in which Congressional legislation placed him. He shrank from no responsibility, was never deterred in the course which he deemed right by any apprehension of consequences merely personal to himself, and, consequently, his administration

became eminent for its strength and consistency. Mr. Fillmore, in his forgetfulness of self in country—his imperturbable calmness and uncompromising integrity as a statesman—might be the Aristides or Fabius of our history, were not our country already richer than Greece or Rome in the names of just men and noble patriots.

That Mr. Fillmore was conscientiously convinced of the utility of the Compromises of 1850, is evident, from the following passage in his message to Congress:

"It was hardly to have been expected that the series of measures passed at your last session, with the view of healing the sectional differences which had sprung from the slavery and territorial questions, should at once have realized their beneficent purposes. All mutual concession in the nature of a compromise must necessarily be unwelcome to men of extreme opinions. And though without such concessions our constitution could not have been formed, and can not be permanently sustained, yet we have seen them made the subject of bitter controversy in both sections of the Republic. It required many months of discussion and deliberation to secure the concurrence of a majority of Congress in their favor. It would be strange if they had been received with immediate approbation by people and States, prejudiced and heated by the exciting controversies of their representatives. I believe those measures to have been required by the circumstances and condition of the country. I believe they were necessary to allay asperities and animosities that were rapidly alienating one section of the country from another, and destroying those fraternal sentiments which are the strongest supports of the Constitution. They were adopted in the spirit of conciliation, and for the purpose of conciliation. I believe that a great majority of our fellow-citizens sympathize in that spirit, and that purpose, and in the main approve, and are prepared, in all respects, to sustain these enactments. I can not doubt that the American people, bound together by kindred blood and common traditions, still cherish a paramount regard for the Union of their fathers, and that they are ready to rebuke any attempt to violate its integrity, to disturb the compromises on which it is based, or to resist the laws which have been enacted under its authority.

"The series of measures to which I have alluded, are regarded by me as a settlement, in principle and substance—a final settlement of the dangerous and exciting subjects which they embraced. Most of these subjects, indeed, are beyond your reach, as the legislation which disposed of them was, in its character, final and irrecoverable. It may be presumed from the opposition which they all encountered that none of those measures were free from imperfections, but in their mutual dependence and connection they formed a system of compromises, the most conciliatory, and best for the entire country, that could be obtained from conflicting sectional interests and opinions.

"For this reason I recommend your adherence to the adjustment established by those measures, until time and experience shall demonstrate the necessity of further legislation to guard against evasion or abuse.

"By that adjustment we have been rescued from the wide and boundless agitation that surrounded us, and have a firm, distinct, and legal ground to rest upon. And the occasion, I trust, will justify me in exhorting my countrymen to rally upon and maintain that ground as the best, if not the only means of restoring peace and quiet to the country, and maintaining inviolate the integrity of the Union."

But, while anxiously endeavoring to reconcile political animosities, and harmonize sectional disorders, Mr. Fillmore neglected not the vital interests of all claims of his fellow-citizens. With a single eye to the interests of our undivided country, he sought to encourage commercial enterprise, enlarge agricultural facilities, and elevate industry to its true dignity in the land. In reference to the farming interests, he proposed to Congress important action.

"More than three-fourths of our population," said Mr. Fillmore, "are engaged in the cultivation of the soil. The commercial, manufacturing, and navigating interests are all, to a great extent, dependent on the agricultural. It is, therefore, the most important interest of the nation, and has a just claim to the fostering care and protection of the government, so far as they can be extended consistently with the provisions of the Constitution. As this can not be done by the ordinary modes of legislation, I respectfully recommend the establishment of an Agricultural Bureau, to be charged with the duty of giving to this leading branch of American industry the encouragement which it so well deserves. In view of the immense mineral resources of our country, provision should also be made for the employment of a competent mineralogist and chemist, who should be required, under the direction of the head of the bureau, to collect specimens of the various minerals of our country, and to ascertain, by careful analysis, their respective elements and properties, and their adaptation to useful purposes. He should also be required to examine and report upon the qualities of different soils, and the manures best calculated to improve their productiveness. By publishing the results of such experiments, with suitable explanations, and by the collection and distribution of rare seeds and plants, with instructions as to the best system of cultivation, much may be done to promote this great national interest."

Again, in regard to a Pacific Railroad, Mr. Fillmore wrote to Congress, December 2d, 1850:

"The unprecedented growth of our territories on the Pacific in wealth and population, and the consequent increase of their social and commercial relations with the Atlantic States, seem to render it the duty of the government to use all its constitutional power to improve the means of intercourse with them. The importance of opening 'a line of communication, the best and most expeditious of which the nature of the country will admit,' between the valley of the Mississippi and the Pacific, was brought to your notice by my predecessor, in his annual message; and as the reasons which he presented in favor of the measure still exist in full force, I beg leave to call your attention to them, and to repeat the recommendations then made by him."

Again, in the same message, Mr. Fillmore strongly urges upon Congress the importance of appropriations for internal improvements:

"I entertain no doubt of the authority of Congress to make appropriations for leading objects in that class of public works comprising what are usually called works of internal improvement. This authority I suppose to be derived chiefly from the power of regulating commerce with foreign nations, and among the States, and the power of levying and collecting imposts. Where commerce is to be carried on, and imposts collected, there must be ports and harbors, as well as wharves and custom-houses. If

ships, laden with valuable cargoes, approach the shore, or sail along the coast, light-houses are necessary at suitable points for the protection of life and property. Other facilities and securities for commerce and navigation are hardly less important; and those clauses of the Constitution, therefore, to which I have referred, have received from the origin of the government a liberal and beneficial construction. Not only have light-houses, buoys, and beacons been established, and floating lights maintained, but harbors have been cleared and improved, piers constructed, and even breakwaters for the safety of shipping, and sea walls to protect harbors from being filled up, and rendered useless, by the action of the ocean, have been erected at very great expense. And this construction of the Constitution appears the more reasonable from the consideration, that if these works, of such evident importance and utility, are not to be accomplished by Congress, they can not be accomplished at all. By the adoption of the Constitution the several States voluntarily parted with the power of collecting duties of impost in their own ports, and it is not to be expected that they should raise money, by internal taxation, direct or indirect, for the benefit of that commerce, the revenues derived from which do not, either in whole or in part, go into their own treasuries. Nor do I perceive any difference between the power of Congress to make appropriations for objects of this kind on the ocean and the power to make appropriations for similar objects on lakes and rivers, wherever they are large enough to bear on their waters an extensive traffic. The magnificent Mississippi and its tributaries, and the vast lakes of the North and Northwest, appear to me to fall within the exercise of the power, as justly and as clearly as the ocean and the Gulf of Mexico. It is a mistake to regard expenditures judiciously made for these objects as expenditures for local purposes. The position, or site of the work, is necessarily local; but its utility is general. A ship canal around the falls of St. Mary of less than a mile in length, though local in its construction, would yet be national in its purpose and its benefits, as it would remove the only obstruction to a navigation of more than a thousand miles, affecting several States, as well as our commercial relations with Canada. So, too, the break-water at the mouth of the Delaware is erected, not for exclusive benefit of the States bordering on the bay and river of that name, but for that of the whole coastwise navigation of the United States, and, to a considerable extent also, of foreign commerce. If a ship be lost on the bar at the entrance of a southern port for want of sufficient depth of water, it is very likely to be a northern ship; and if a steamboat be sunk in any part of the Mississippi, on account of its channel not having been properly cleared of obstructions, it may be a boat belonging to either of eight or ten States. I may add, as somewhat remarkable, that among all the thirty-one States, there is none that is not, to a greater or less extent, bounded on the ocean, or the Gulf of Mexico, or one of the great lakes, or some navigable river.

"In fulfilling our constitutional duties, fellow-citizens, on this subject, as in carrying into effect all other powers conferred by the Constitution, we should consider ourselves as deliberating and acting for one and the same country, and bear constantly in mind, that our regard and our duty are due, not to a particular part only, but to the whole.

"I therefore recommend that appropriations be made for completing such works as have been already begun, and for commencing such others as may seem to the wisdom of Congress to be of public and general importance."

The extracts given above, defining the views and revealing the opinions of President Fillmore,

are sufficient to prove that he was alike conscientious and capable in the discharge of the duties of Chief Magistrate. There is not a fairer record on any historic page than that which chronicles the administration of this man, who, from the humble situation of a wool-carder's apprentice, has risen step by step in the confidence and affections of his countrymen, until now—after having been tried and proven faithful under all circumstances—he stands before the people a nominee for that great station than which none is more dignified among the powers and dominations of the earth; that station which he has already filled "with signal ability," and which can never be filled by a better citizen, a sounder statesman, or a more just and honest man.

CHAPTER IX.

MILLARD FILLMORE THE NEXT PRESIDENT.

The position of Mr. Fillmore, as a candidate for the Presidency, supported by the American Party, by the conservative masses, and by the ancient friends of our Constitution, without respect to party, is one of which he may well be proud. Let us briefly review his qualifications, the high station which he once filled, and the claims which, as a faithful officer, he now has upon the people.

HIS VIEWS OF A NATIONAL PARTY.

Extract of a private letter to a friend in 1848.

"A national party occupies the safe and conservative ground which secures to every section of the country all that it has a right to claim under the guaranty of the Constitution. Such rights are inviolate—and as to all other questions of mere policy, where Congress has the constitutional right to legislate, the will of the people, as expressed through their representatives in Congress, is to control, and that will is not to be defeated by the arbitrary interposition of the veto power.

"This simple rule which holds sacred all constitutional guarantees, and leaves the law-making power where the Constitution placed it, in Congress, relieves the party at once from all the embarrassing questions that arise out of sectional differences of opinion and enables it to act harmoniously for the good of the country. When the President ceases to control the law-making power, his individual opinions of what the law ought to be, become comparatively unimportant. Hence we have seen General Taylor, though attacked as a slaveholder and a pro-slavery man at the North, cordially supported and triumphantly elected by men opposed to slavery in all its forms; and though I have been charged at the South in the most gross and wanton manner, with being an abolitionist and an incendiary, yet the Whigs of the South have cast these calumnies to the winds, and, without asking or expecting anything more than what the Constitution guarantees to them on this subject, they have yielded to me a most hearty and enthusiastic support. This was particularly so in New Orleans, where the attack was most violent."

HIS VIEWS ON A BANKING SYSTEM.

Report as Comptroller of the State of New York.

"In order to determine this question properly, several things are to be taken into consideration,

and the first is, what is the duty of the State in reference to banking? It would, doubtless, be desirable to create banks which should be able to discharge every obligation, not only to the bill-holders, but to the depositors, and all others to whom it should incur any liability. But this is impossible. The safety fund, which was intended to provide such security, would have been ample to redeem all the circulation of the banks which have failed, but it has been exhausted in paying depositors and other creditors of the insolvent banks, and is now mortgaged for all it will probably produce for eighteen years to come. Thus by attempting more than could be accomplished, the Legislature failed to secure the bill-holder, which was in its power, and, for the remaining eighteen years that some of these charters have to run, the safety fund yields him no security. It is apparent, then, that security for all liabilities cannot be provided, and the State is under no more obligation to attempt this impossibility, than it would be the equally absurd one of making every merchant capable of meeting all the obligations he should incur.

"It is humbly conceived the duty of the State in this case begins and ends with furnishing a good and safe currency to the people. To furnish this currency, so far as it consists of paper or credit, is an exclusive privilege granted by the State, and the State should take care that in granting it the people are secured from imposition and loss. Any man may receive deposits, or discount a note, or loan money, or draw a bill of exchange.

"These, it is admitted, are banking operations. But they are open to all. Those who engage in them enjoy no exclusive privilege. But not so with those who are authorized to issue bank notes to circulate as money. This is a banking operation confined to the few. It is a prerogative enjoyed exclusively by the money kings of the country, and they should not enjoy it without giving the most ample security. This duty is justly imposed for the privilege which is granted.

"Assuming, then, that the great object of legislation on this subject is to provide a sound currency by giving ample security to the bill-holder, the question is, how can this best be accomplished? It must be borne in mind that safety fund banks derive much of their credit from the individuals who were incorporated. By granting a special charter in each case, the Legislature had it in its power in some measure to control this matter.

"But there was an attendant evil that in the opinion of many outweighed the good. The practice of granting exclusive privileges to particular individuals invited competition for these legislative favors. They were soon regarded as part of the spoils belonging to the victorious party, and were dealt out as rewards for partisan services.

"This practice became so shameless and corrupt that it could be endured no longer, and in 1838 the legislature sought a remedy in the general banking law. This was the origin of the free bank system. Since that time no safety fund bank has been chartered; and in 1846 the people set their seal of reprobation upon this practice of granting special charters for banks, by providing in the new Constitution that 'the Legislature should have no power to pass any act granting any special charter for banking purposes, but that corporations or associations might be formed for such purposes under general laws.'

"Would it be safe, then, to provide by general law that voluntary associations or incorporations might be formed any where and by any persons for banking? The Comptroller thinks not. Suppose they were required to pay in all their capital, and the most satisfactory proof should be required of this fact. Even this is no security to the bill-holder. The capital paid in is left in the custody of those who pay

it. They can withdraw it at pleasure. It would only be necessary for those who wished to practice a fraud upon the credulity of the community, and reap a golden harvest, to associate together and form a bank, pay in a large capital, appoint one of their associates president, and another cashier, to take charge of it; prove to this department these facts, and obtain bills for circulation to an equal amount, and then pay them out for property easily transported—take their capital and leave for California, and in one week would be beyond the reach of process or the power of coercion.

“But it has been suggested that each bank might be required to deposit a certain amount, say ten per cent., in the treasury, to constitute a fund for the redemption of its bills. So far as this deposit goes it may be safe. It is on the principle of the free bank system. But if the deposit be intended for the redemption of the bank only which makes the deposit, it is wholly inadequate. It is no more than the banks under the old safety fund system paid to a general fund. Their charters had twenty years to run. They paid half of one per cent. per annum, making in all ten per cent. To say that one dollar is deposited as a security for the redemption of ten, is a mockery.

“But it may be said that the bills constitute a common fund for the redemption of the bills of the insolvent banks only. Then, as many which are solvent will not want it, there will be enough to redeem all the bills of those which shall prove insolvent. This is doubted. This fund, instead of being sufficient to redeem the notes of all insolvent banks, would probably for a time give just credit enough to the fraudulent associations which would be formed, to enable them to get their notes in circulation, and then by withdrawing their capital the more effectually defraud the community. It is believed to be wholly inadequate for the object intended.

“The Comptroller believes that the safest way to make a sound paper currency, is to have at all times ample security for its redemption in the possession of the State. In order to make this security ample, it should be not only sufficient in amount, but should be of such a nature that it may be readily converted into cash without loss. It is not enough that the security be ultimately good or collectable; delay in redeeming the circulation causes it to depreciate, and is almost as fatal to the poor man who cannot wait, as ultimate insolvency. He becomes at once the victim of the broker.

“A bond and mortgage may be good—that is, the whole amount secured by them may be collectable. But the bill-holder cannot wait for this. They must be convertible into cash by sale, and if for any reason this cannot be promptly done, they are not of that kind of security which should be required. All the experience of this department shows that bonds and mortgages are not the best security for this purpose, and while better security can be had, it is deeply to be regretted that they were ever received. The apprehension that there may be a defect of title, that the lands mortgaged may have been appraised too high, or that there may be some legal defense to a suit of foreclosure, all conspire to depreciate their value in the estimation of purchasers, when offered for sale at auction on the failure of a bank.

“Capitalists are cautious about purchasing, and the consequence is that they have sometimes sold for less than twenty per cent. on the amount received by them. and the average amount for which all have been sold, for the last ten years, is only *thirty seven and seventy-one hundredths* per cent., while the average amount for which the five per cent. stocks of this State have sold is *ninety-two eighty-six one hundredths* per cent., or *ninety-two dollars and eighty-six one-hundredths* for every hundred dollars

of stock. This shows that a six per cent. stock, such as is now required, would doubtless have sold at par, and the bill-holder would have received dollar for dollar for the circulation.

“Should the country remain at peace, it cannot be doubted that the stocks of the United States will be a safe and adequate security. The Comptroller would therefore recommend that the law be so changed as to exclude bonds and mortgages from all free banks which shall hereafter commence business, and to prevent the taking of any more from those now in operation, and to require that ten per cent. per annum, of those now held as security be withdrawn, and their places supplied by stocks of this State, or of the United States. If this recommendation be adopted, at the end of ten years the whole security will be equal to a six per cent. stock of this State or of the United States, which it is presumed will be ample security for the redemption of all bills in circulation.

“Could this system of banking be generally adopted in the several States, it can hardly be doubted it would prove highly beneficial. It would create a demand for their own State stocks. The interest paid upon them would be paid to their own citizens. Every man who held a bank note, secured by such stock, would have a direct interest in maintaining inviolate the credit of the State. The blasting cry of *repudiation* would never again be heard, and the plighted faith of the State would be as sacred as national honor; and lastly, it would give them a sound and uniform currency.

“If, then, in addition to this, Congress would authorize such notes as were secured by stocks of the United States to be received for public dues to the national treasury, this would give to such notes a universal credit, co-extensive with the United States, and leave nothing further to be desired in the shape of a national paper currency. This would avoid all objection to a national bank, by obviating all necessity for one, for the purpose of furnishing a national currency. The national government might be made amply secure. The law might provide that all bills secured by United States stock should be registered and countersigned in the treasury department, as the notes circulated by the banks in this State are registered and countersigned in this office. This would enable every collector, postmaster, or other receiver of public moneys, to know that they were receivable for public dues.

“The stock of the United States by which their redemption was secured, might be so transferred to the State officer holding the same, that it could not be sold or transferred by him without the assent of the secretary of the treasury, and in case of the failure of the bank to redeem its notes, it might be optional with the secretary of the treasury to exchange the notes held by the government for an equal amount of United States stock held for their redemption, or let it be sold and receive the government's share of the dividends. In this way the national government would always be secure against loss.

“But this suggestion is foreign from the chief object of this report, and is merely thrown out to invite attention to the subject. But in conclusion, the Comptroller has no hesitation in recommending that the free bank system be modified in the particulars above suggested, and that it be then adopted in preference to the safety fund system, as the banking system of this State.

“It cannot be supposed that banking under this system will be as profitable as it has been under the safety fund system. It is therefore desirable that every facility should be given to capitalists who engage in it that can be granted consistent with the security of the public, and that no unreasonable or unjust system of taxation should be adopted which

discriminates invidiously against them; but persons engaged in banking should be taxed like all other citizens."

HIS VIEWS ON THE PROTECTION OF INDUSTRY.

Speech in Congress, June 9th, 1842:

"Although this is the view which I am disposed to take of this bill, and although I am willing to listen to any amendments to add to or to diminish the duty on any article, with a view of increasing the revenue, yet I have no disguise of my own sentiments on the subject of protecting our own industry. I am free to admit that I am not one of those who either feel or profess to feel indifferent to our own interests. I prefer my own country to all others, and my opinion is that we must take care of ourselves; and while I would not embarrass trade between this and any foreign country by any illiberal restrictions, yet, if by legislation or negotiation, an advantage is to be given to one over the other, I prefer my own country to all the world besides. I admit that duties may be so levied, ostensibly for revenue, yet designedly for protection, as to amount to prohibition, and consequently to the total loss of revenue. I am for no such protection as that. I have no disguise of my opinions on this subject. I believe that if all the restrictive systems were done away with, here and in every other country, and we could confidently rely on continued peace, that would be the most prosperous and happy state. The people of every country would then produce that which their habits, skill, climate, soil, or situation enabled them to produce to the greatest advantage; each would then sell where he could obtain the most, and buy where he could purchase cheapest; and thus we should see a trade as free among the nations of the world as we now witness among the several States of this Union. But, however beautiful this may be in theory, I look for no such political millennium as this. Wars will occur until man changes his nature: and duties will be imposed upon our products in other countries, until man shall cease to be selfish, or kings can find a more convenient mode of raising revenue than by imposts.

"These, then, form the true justification for laying duties in a way to protect our own industry against that of foreign nations. First: A reasonable apprehension of war, for no nation can always hope to be at peace. If, therefore, there is any article that is indispensably necessary for the subsistence of a nation, and the nation can produce it, that nation is not independent if it do not. If it is necessary, the production should be encouraged by high duties on the imported article. This should be done, not for the benefit of persons who may engage in the manufacture or cultivation of the desired article, but for the benefit of the whole community: what though each pays a little higher for the article, in time of peace, than he otherwise would, yet he is fully compensated for this in time of war. He then has this necessary, of which he would be wholly deprived had he not provided for it by a little self-sacrifice. We all act upon this principle individually; and why should we not as a nation? We accumulate in time of plenty for a day of famine and distress. Every man pays, from year to year, a small sum to insure his house against fire, submitting willingly to this annual tax, that, when the day of misfortune comes (if come it shall), the overwhelming calamity of having all destroyed may be mitigated by receiving back from the insurer a partial compensation for the loss. It is upon the same principle that we maintain an army and a navy in time of peace, and pour out millions annually for their support; not because we want them then, but because it is reasonable to apprehend that war may come, and then they will be wanted; and it is a matter of economy to provide and discipli-

line them in time of peace, to mitigate the evils of war when it does come. The same reason requires us to encourage the production of any indispensable article of subsistence. I shall not stop now to inquire what these articles are. Every one can judge for himself. But that there are many such, no one can doubt.

"But, secondly, there is yet another case where I hold that we are not only justified, but required to encourage and protect our own industry; and I regret to say that this is a case which, for obvious reasons, always has, and I fear always will exist: it is where foreign nations, by their own legislation, exclude our products from their markets. We, as a whole, are an agricultural nation, occupying one of the broadest and most fertile tracts of country in the world. The South produces sugar, cotton, rice, and tobacco; and the North and West produce beef, pork, and breadstuffs. It appears by the last census that we have 3,717,756 persons engaged in agriculture, and only 791,645 in manufactures and trades, being nearly five to one employed in agriculture. Our lands are cheap and our soils productive; but if other nations prohibit the introduction of our agricultural products to their markets by high duties, what is our remedy? We want their manufactures; we offer them our breadstuffs in exchange; but they refuse to receive them: what shall we do? I say, meet restriction by restriction. Impose duties on their manufactures, and thereby encourage a portion of our own people now raising wheat and corn to rot in their granaries, to engage in manufactures, thus lessening the amount of agricultural products by converting a part of your producers into consumers, thereby creating a home market for your agricultural products, and thus raising their price. Is not this just? Great Britain has no right to complain that we meet restriction by restriction. We offer her our flour, pork and beef, for her iron, clothes and other manufactures. She refuses our products, and draws upon our specie, crippling our banks, deranging our currency, and paralyzing our industry. We must protect ourselves, create and preserve a market for our own products, until she will consent to meet us on equal terms; and this, not by way of retaliation, but in self-defense.

"But it may be said that this protection is given for the purpose of benefiting those engaged in manufactures. I am wholly opposed to legislating for one part of the community at the expense of another. All are equally entitled to our protection; and if duties are so levied as to protect any particular manufacture, it must be because the nation has an interest in encouraging it, and not for the benefit of those engaged in it. It is all idle to think of benefiting any particular class by protection. This can only be done by giving a monopoly to a few individuals. No monopoly can be created by laying duties. If the duties raise the price so high as to tempt persons to engage in the manufacture, every one is at liberty to do so; and the consequence usually is, that so many engage that they soon compete with each other; and, instead of being profitable to themselves, they cheapen the article to the consumer, while the manufacturer makes little or nothing. I say, therefore, again, that it is all idle to talk of protection for the benefit of particular classes. It should never be given but for the benefit of the community; and, if designed for any other object, an overruling law of trade (as I have shown) will inevitably defeat that design.

"But I make a distinction between the *encouragement* and *protection* of manufacturers. It is one thing for the government to encourage its citizens to abandon their ordinary pursuits and engage in a particular branch of industry; and a very different thing whether the government is bound to protect that industry by laws similar to those by which it encour-



Millard Fillmore the Wool Carder.—"Here young Fillmore applied himself assiduously to learning his trade and advancing the interests of his employer."—Page 7.

aged its citizens to embark in it. In the first case, there is no obligation on the part of the government. Its act is entirely voluntary and spontaneous. It may or may not encourage the production or manufacture of a particular article, as it shall judge best for the whole community. Before attempting it, the government should weigh well the advantages and disadvantages which are likely to result to the whole, and not to the particular class which may be tempted to engage. If a particular branch of industry is so important in its bearings upon the public wants, on account of its providing in time of peace for some necessary article in time of war, then, as the strongest advocates of free trade themselves admit, the government may and should legislate with a view to encourage its establishment; and so, likewise, if it be necessary to provide a home market for our products in consequence of the prohibitory duties levied upon them by foreign countries. But all these are questions to be decided according to the circumstances of each particular case; and (as I said) the decision should be made with a view to the benefit of all, and not of a few, or of any particular class or section of the country. But when the government has decided that it is best to give the encouragement, and the citizen

has been induced by our legislation to abandon his former pursuits, and to invest his capital and apply his skill and labor to the production of the article thus encouraged by government, then a new question arises—for another party has become interested—and that is, whether we will, by our subsequent legislation, withdraw our protection from the citizen whom we have thus encouraged to embark his all in a particular branch of business for the good of the public, and overwhelm him with ruin by our unsteady, not to say perfidious, legislation. I can consent to no such thing. It seems to me to be manifestly unjust. Our act in the first instance is free and voluntary. We may give the encouragement or not: but, having given it, the public faith is, to a certain extent, pledged. Those who have accepted our invitation, and embarked in these new pursuits, have done so under the implied promise on our part that the encouragement thus given should not be treacherously withdrawn, and that we would not tear down what we had encouraged them to build up. This I conceive to be a just, clear, and broad distinction between encouragement beforehand and protection afterward. The former is voluntary, depending wholly upon considerations of public policy and expediency,

the latter is a matter of *good faith* to those who have trusted to the national honor.

"These are my views on the subject of encouraging and protecting home industry by legislation; not that I deem them of any importance to the bill under consideration—for I regard this as a revenue bill, and to be passed and justified on that ground. I do not deny that the effect will be to encourage and protect home manufactures, and thereby create a home market for our agricultural products—and others, as well as myself, may vote for it more willingly on this account; yet all this is a mere *incident* of raising revenue by imposing duties on goods imported. It depends not on *design* or *intent*: it results as a necessary and inevitable consequence. We cannot avoid it if we would. If we impose a duty of one dollar on every yard of cloth imported, the duty is laid, not to increase the value, and thereby *protect* the home manufacture, but to supply the wants of the treasury; yet, as a *consequence*, it *encourages* and *protects* the home manufacturer; and we cannot avoid it. No human foresight can prevent it; no ingenuity can avoid it; and, indeed, no design can aid it. *Intention* has nothing to do with the matter."

HIS VIEWS ON OUR FILIBUSTERS.

Message to Congress, 1852.

"No individuals have a right to hazard the peace of the country, or to violate its laws, upon vague notions of altering or reforming governments in other States. This principle is not only reasonable in itself, and in accordance with public law, but is engrafted into the codes of other nations as well as our own. But while such are the sentiments of this government, it may be added that every independent nation must be presumed to be able to defend its possessions against unauthorized individuals banded together to attack them. The government of the United States, at all times since its establishment, has abstained, and has sought to restrain the citizens of the country from entering into controversies between other powers, and to observe all the duties of neutrality. At an early period of the government, in the administration of Washington, several laws were passed for this purpose. The main provisions of these laws were reenacted by the act of April, 1818, by which, amongst other things, it was declared that, if any person shall, within the territory or jurisdiction of the United States, begin, or set on foot, or provide or prepare the means for any military expedition or enterprise, to be carried on from thence against the territory or dominion of any foreign prince or State, or of any colony, district or people, with whom the United States are at peace, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined, not exceeding three thousand dollars, and imprisoned not more than three years; and this law has been executed and enforced, to the full extent of the power of the government, from that day to this.

"In proclaiming and adhering to the doctrine of neutrality and non-intervention, the United States have not followed the lead of other civilized nations; they have taken the lead themselves, and have been followed by others. This was admitted by one of the most eminent of modern British statesmen, who said in Parliament, while a minister of the crown, that, 'if he wished for a system of neutrality, he should take that laid down by America in the days of Washington and the secretaryship of Jefferson,' and we see, in fact, that the act of Congress of 1818 was followed, the succeeding year, by an act of the Parliament of England, substantially the same in its general provisions. Up to that time there had been no similar law in England, except certain highly penal

statutes passed in the reign of George II., prohibiting English subjects from enlisting in foreign service, the avowed object of which statutes was, that foreign armies, raised for the purpose of restoring the house of Stuart to the throne, should not be strengthened by recruits from England herself.

"All must see that difficulties may arise in carrying the laws referred to into execution in a country now having three or four thousand miles of sea-coast, with an infinite number of ports and harbors, and small inlets, from some of which unlawful expeditions may suddenly set forth, without the knowledge of government, against the possessions of foreign States.

"Friendly relations with all, but entangling alliances with none, has long been a maxim with us. Our true mission is not to propagate our opinions, or impose upon other countries our form of government, by artifice or force; but to teach by example, and show by our success, moderation and justice, the blessings of self-government, and the advantages of free institutions. Let every people choose for itself, and make and alter its political institutions to suit its own condition and convenience. But while we avow and maintain this neutral policy ourselves, we are anxious to see the same forbearance on the part of other nations, whose forms of government are different from our own. The deep interest which we feel in the spread of liberal principles and the establishment of free governments, and the sympathy with which we witness every struggle against oppression, forbid that we should be indifferent to a case in which the strong arm of a foreign power is invoked to stifle public sentiment and repress the spirit of freedom in any country."

HIS VIEWS ON NATIONALITY.

Letter to a friend in Philadelphia, January 3d, 1855:

"I return you many thanks for your information on the subject of politics. I am always happy to hear what is going forward; but, independently of the fact that I feel myself withdrawn from the political arena, I have been too much depressed in spirit to take an active part in the late elections. I contented myself with giving a silent vote for Mr. Ullman for governor.

"While, however, I am an inactive observer of public events, I am by no means an indifferent one; and I may say to you, in the frankness of private friendship, I have for a long time looked with dread and apprehension at the corrupting influence which the contest for the foreign vote is exciting upon our elections. This seems to result from its being banded together, and subject to the control of a few interested and selfish leaders. Hence, it has been a subject of bargain and sale, and each of the great political parties of the country have been bidding to obtain it; and, as usual in all such contests, the party which is most corrupt is most successful. The consequence is, that it is fast demoralizing the whole country; corrupting the very fountains of political power, and converting the ballot-box—that great palladium of our liberty—into an unmeaning mockery, where the rights of native-born citizens are voted away by those who blindly follow their mercenary and selfish leaders. The evidence of this is found not merely in the shameless chaffering for the foreign vote at every election, but in the large disproportion of offices which are now held by foreigners, at home and abroad, as compared with our native citizens. Where is the true-hearted American whose cheek does not tingle with shame and mortification, to see our highest and most coveted foreign missions filled by men of foreign birth, to the exclusion of native born? Such appointments are a humiliating confession to the crowned heads of

Europe, that a republican soil does not produce sufficient talent to represent a republican nation at a monarchical court. I confess that it seems to me, with all due respect to others, that, as a general rule, our country should be governed by American-born citizens. Let us give to the oppressed of every country an asylum and a home in our happy land; give to all the benefits of equal laws and equal protection; but let us at the same time cherish as the apple of our eye the great principles of constitutional liberty, which few who have not had the good fortune to be reared in a free country know how to appreciate, and still less how to preserve.

"Washington, in that inestimable legacy which he left to his country—his Farewell Address—has wisely warned us to beware of foreign influence as the most baneful foe of a republican government. He saw it, to be sure, in a different light from that in which it now presents itself; but he knew that it would approach in all forms, and hence he cautioned us against the insidious wiles of its influence. Therefore, as well for our own sakes, to whom this invaluable inheritance of self-government has been left by our forefathers, as for the sake of the unborn millions who are to inherit this land—foreign and native—let us take warning of the father of his country, and do what we can to preserve our institutions from corruption, and our country from dishonor; but let this be done by the people themselves in their sovereign capacity, by making a proper discrimination in the selection of officers, and not by depriving any individual, native or foreign-born, of any constitutional or legal right to which he is now entitled.

"These are my sentiments in brief; and although I have sometimes almost despaired of my country, when I have witnessed the rapid strides of corruption, yet I think I perceive a gleam of hope in the future, and I now feel confident that, when the great mass of intelligence in this enlightened country is once fully aroused, and the danger manifested, it will fearlessly apply the remedy, and bring back the government to the pure days of Washington's administration. Finally, let us adopt the old Roman motto, 'Never despair of the republic.' Let us do our duty, and trust in that Providence which has so signally watched over and preserved us, for the result."

Here, by the testimony of Mr. Fillmore's speeches, letters and messages, promulgated years ago, is presented an irresistible argument in favor of his eminent fitness for the Executive office, in the great crisis of our national affairs which is at hand. The whole life of the man—as citizen, as legislator, as president—displays a symmetric platform of the soundest principle. His record is unstained; the integrity of his motives have never been questioned. His wisdom, discrimination, far-seeing policy, and strength of purpose, are apparent to all unprejudiced minds. There is no statesman now living who combines in his character so much of the truly great in all that pertains to patriotism—no one whose acts in every position have been more positively productive of good to our common country. It is by his acts that he is to be judged. It is for his past life that the people trust in his future.

After the defeat of General Scott, in 1852, and the election of Franklin Pierce to the chief magistracy Millard Fillmore returned to Buffalo, where, surrounded by the friends of his youth, and followed by the plaudits of a grateful country, he hoped to enjoy the repose which he so much needed.

It was here that the great blow which deprived him of the society and endearing affection of that

beloved daughter who had so long filled her mother's place in his heart, came to disturb the tranquillity to which he had looked forward. In the summer of 1854, he lost this beloved child, who was suddenly called away, to the reward of the thousand virtues which had crowned her beautiful character. In her life and her death she embellished the fame of her distinguished father by the graces of a devoted daughter and Christian maiden.

Recovering from the first effects of his sore bereavement, Mr. Fillmore sought by change of scene and foreign travel, to ameliorate the sorrow which bowed his spirit. He departed for Europe, and for two years occupied his time in visiting various courts and countries of the old world, closely inspecting their different forms of government, and comparing them with that of his native land—his progress, from city to city, wherever he was met by Americans or became acquainted with distinguished foreigners, his manly bearing and freedom from all ostentation, became the theme of public remark. He neglected no opportunity, at once to uphold by his own demeanor, the character of our Republic, and, by study and observation, to gain such knowledge of all the workings of social and political systems abroad as add to his store of political wisdom, and enlarge his views as a statesman and American citizen. Certainly, no man has had better opportunities of judgment, abroad and at home—no one has availed himself of every advantage in expense—more than our distinguished ex-president; and there is no Statesman at the present day who will bring to the executive office more valuable qualifications in every respect for the proper administration of our national affairs.

The letter which announced the choice of Millard Fillmore as the nominee by the American Convention, found him still in Europe. It was as follows:

LETTER OF THE COMMITTEE.

"PHILADELPHIA, February 26, 1856.

"SIR: The National Convention of the American party, which has just closed its session in this city, has unanimously chosen you as the candidate for the Presidency of the United States, in the election to be held in November next. It has associated with you ANDREW JACKSON DONELSON, Esq., of Tennessee, as candidate for the Vice Presidency.

"The Convention has charged the undersigned with the agreeable duty of communicating the proceedings to you, and of asking your acceptance of a nomination which will receive not only the cordial support of the great National party in whose name it is made, but the approbation, also, of large numbers of other enlightened friends of the Constitution and the Union, who will rejoice in the opportunity to testify their grateful appreciation of your faithful service in the past, and their confidence in your experience and integrity for the guidance of the future.

"The undersigned take advantage of this occasion to tender to you the expression of their own gratification in the proceedings of the Convention, and to assure you of the high consideration in which they are

Yours, &c.,

ALEXANDER H. H. STUART, ANDREW STEWART, ERASTUS BROOKS, E. B. BARTLETT, WM. J. EAMES, PHIRAIM MARSH—Committee.

"To the Hon. MILLARD FILLMORE."

Mr. Fillmore's letter of acceptance, dated from Paris, was received by the committee at an early day, and was characterized by all that eloquence and pure Americanism which have ever distinguished him.

The following is the PLATFORM of the American Party, to which Mr. Fillmore so cordially subscribed. It commences, as it should, with a declaration of confidence in Him who is the arbiter of all States, and the disposer of human events.

THE AMERICAN PLATFORM.

1st. An humble acknowledgment to the Supreme Being who rules the Universe for His protecting care, vouchsafed to our fathers in their successful Revolutionary struggle, and hitherto manifested to us, their descendants, in the preservation of the liberties, the independence, and the union of these States.

2d. The perpetuation of the Federal Union, as the palladium of our civil and religious liberties, and the only sure bulwark of American Independence.

3d. *Americans must rule America*, and, to this end, native-born citizens should be selected for all State, Federal and municipal offices or government employment, in preference to naturalized citizens; *nevertheless*,

4th. Persons born of American parents residing temporarily abroad, should be entitled to all the rights of native-born citizens; but

5th. No person should be selected for political station (whether of native or foreign birth), who recognizes any allegiance or obligation of any description to any foreign prince, potentate or power, or who refuses to recognize the Federal and State constitutions (each within its sphere) as paramount to all other laws as rules of political action.

6th. The unqualified recognition and maintenance of the reserved rights of the several States, and the cultivation of harmony and fraternal good will, between the citizens of the several States, and to this end, non-interference by Congress with questions appertaining solely to the individual States, and non-intervention by each State with the affairs of any other State.

7th. The recognition of the native-born and naturalized citizens of the United States, permanently residing in any Territory thereof, to frame their constitution and laws, and to regulate their domestic and social affairs in their own mode, subject only to the provisions of the Federal Constitution, with the right of admission into the Union whenever they have their requisite population for one Representative in Congress. *Provided always*, That none but those who are citizens thereof, and State, under the Constitution and laws thereof, and who have a fixed residence in any such Territory, ought to participate in the formation of the Constitution, or in the enactment of laws for said Territory or State.

8th. An enforcement of the principle that no State or Territory can admit others than native-born citizens to the right of suffrage, or of holding political office, unless such person shall have been naturalized according to the laws of the United States.

9th. A change in the laws of naturalization, making a continued residence of twenty-one years, of all not heretofore provided for, an indispensable requisite for citizenship hereafter, and excluding all paupers and persons convicted of crime from landing upon our shores; but no interference with the vested rights of foreigners.

10th. Opposition to any union between Church and State; no interference with religious faith or worship, and no test oaths for office, except those indicated in the 5th section of this platform.

11th. Free and thorough investigation into any and

all alleged abuses of public functionaries, and a strict economy in public expenditures.

12th. The maintenance and enforcement of all laws until said laws shall be repealed or shall be declared null and void by competent judicial authority.

13th. Opposition to the reckless and unwise policy of the present administration in the general management of our national affairs, and more especially as shown in removing "Americans" (by designation) and conservatives in principle, from office, and placing foreigners and ultraists in their places; as shown in a truckling subserviency to the stronger, and an insolent and cowardly bravado towards the weaker powers; as shown in re-opening sectional agitation, by the repeal of the Missouri Compromise; as shown in granting to unnaturalized foreigners the right to suffrage in Kansas and Nebraska; as shown in its vacillating course on the Kansas and Nebraska question; as shown in the removal of Judge Broxson from the Collectorship of New York upon false and untenable grounds; as shown in the corruptions which pervade some of the departments of the government; as shown in disgracing meritorious naval officers through prejudice or caprice; and as shown in the blundering mismanagement of our foreign relations.

14th. Therefore, to remedy existing evils, and prevent the disastrous consequences otherwise resulting therefrom, we would build up the "American party" upon the principles herein before stated, eschewing all sectional questions and uniting upon those purely national, and admitting into said party all American citizens (referred to in the 3d, 4th and 5th sections,) who openly avow the principles and opinions heretofore expressed, and who will subscribe their names to this platform. Provided, nevertheless that a majority of these members present at any meeting of a local Council where an applicant applies for membership in the American party may, for any reason by them deemed sufficient, deny admission to such applicant.

15. A free and open discussion of all political principles embraced in our platform.

Mr. Fillmore returned to his native country in the Atlantic, arriving at New York on the evening of Sunday, June 29th, 1856. The assurance that he was at length here, and that he accepted the nomination, was the signal for the commencement of a popular ovation. The people rose to welcome him; and from his reception at New York till his arrival at Buffalo, his progress was truly a triumphal one—a spontaneous greeting of his countrymen.

At New York, in response to the remarks of Alderman Briggs, the Chairman of the Municipal Reception Committee, the first speech of the American candidate, at once quieted all doubts as to the position which he occupied. It was an unstudied expression of his sentiments, and we would refer those who wish to peruse it to page 2 of our Campaign Document, entitled, "Fillmore on the Great Questions of the Day."

Mr. Fillmore's enthusiastic reception in New York; his various speeches, made at different points on his route from New York to Buffalo, together with the addresses made to him by the leading men of the country, have all been published in our other "Campaign Documents," and to them we would refer our readers for full particulars of matters which our lack of space precludes our publishing here.

MILLARD FILLMORE IS NOW BEFORE THE PEOPLE—who know him—who trust him—who love him. Need we fear for the result? Can we doubt that the friends of the Union—of the Constitution—of our common Country—have already resolved upon their choice? "IN GOD IS OUR TRUST."

SKETCH OF THE LIFE OF

ANDREW JACKSON DONELSON.



"This sword I bequeath to my well-beloved nephew, ANDREW J. DONELSON, as a memento of the high regard, affection and esteem which I bear him, as a high-minded, honest, and honorable man."—ANDREW JACKSON.

ANDREW JACKSON DONELSON, the candidate of the American Party for the Vice Presidency of the United States was born on the 25th of August, 1800, the same year with Millard Fillmore, and is consequently now fifty-six years of age. His father was the brother-in-law of ANDREW JACKSON, and the most intimate friend of that distinguished man.

When the subject of our sketch was yet an infant, he was deprived of his father, who died in 1805, leaving his child to the parental care of General Jackson, who accepted the trust of his parent, and charged himself with the early education of his young name-sake. The first years of the boy's life were

passed in the General's household. He pursued his youthful studies at the Nashville College, till he had arrived at an age qualifying him to enter as a cadet at West Point.

The system of instruction at our National Military Academy is one well calculated to discipline and mature the intellect, as well as to strengthen the physical power. Young Donelson, while a member of the Institution, proved himself entirely worthy of the affection and confidence of his uncle, the General. His application was, indeed, so close, and his course of study so thorough, that he was allowed by the War Department to pass his examination at the ter-

mination of three years, instead of four, as is customary; and he graduated in 1819—standing second on the list of the class which graduated with him. He received the rank of lieutenant in the Corps of Engineers, and was subsequently appointed aide-de-camp to General Jackson, then on service in the new territory of Florida, just purchased from Spain.

The routine of Lieut. Donelson's military and scientific life was varied by intercourse with General Jackson's family and associates; and from this intercourse the young soldier gleaned early lessons of political wisdom which have been of eminent service to him in subsequent life. He remained in the military family of his uncle until 1822, when he resigned his position, in order to qualify himself for the practice of the law.

The studies necessary to qualify him for admission to the bar were pursued by Mr. Donelson in Lexington, Ky., where he attended the lectures of the Transylvania University. He was licensed, and commenced practice in 1823.

But, before he engaged extensively in the practice of the law, he entered again into the family of Gen. Jackson, in order to assist in the great popular movement which had placed the General in nomination for the Presidency. This movement failing, in 1824 Mr. Donelson settled upon the plantation where he now lives, adjoining the Hermitage, in order that he might be near the General and contribute by his pen and counsels to the vindication of his character and fame. The elections in 1828 having terminated in favor of Gen. Jackson, Mr. Donelson was invited to take the post of private secretary, which he accepted, and continued to hold throughout the administration of that great man; Mrs. Donelson being with him, and performing what are called the honors of the White House.

After the election of Mr. Van Buren, who was anxious to give Mr. Donelson a high official position near him, he returned with Gen. Jackson to private life, and continued until 1844 to assist him in the management of his correspondence, which was still onerous. In 1844, the Texas question being then the great issue between Mr. Polk and Mr. Clay, Mr. Donelson took an active part in that discussion, and was finally the negotiator who brought that State into our Union. Mr. Tyler, then President of the United States, sent a messenger to Gen. Jackson, stating the difficulties which were likely to defeat the efforts of the friends of that measure, and urging him to induce Mr. Donelson to undertake the negotiation. Mr. Donelson was then in Mississippi. On his return to Tennessee, finding that Gen. Jackson had pledged himself to the administration for his acceptance of the mission, he at once undertook it, and the records of Texas and the United States showed that he discharged the duties most ably and satisfactorily.

When the venerable Jackson was summoned from the life which he had passed in the service of his country, Major Donelson was called upon to mourn a loss greater than that of a father. He had from earliest infancy been accustomed to the society, and encouraged by the affection of his noble uncle, and under the teachings and influence of "the Hermitage," his character had been moulded in the stern school of patriotic duty. In his manhood he listened to the counsels of Jackson, as he had in childhood received them—counsels which taught him the value of our national Union—the necessity of harmony between North and South—the beauty and comeliness of a single-hearted devotion to the *whole country*, in contradiction and rebuke of merely local attachments.

In his last will and testament, General Jackson spoke of Major Donelson in the affectionate manner which had always marked their relations; and, in bequeathing to his nephew the valuable token of esteem which he had received from his own beloved State, the "old hero" made use of the following memorable words:

"I bequeath to my well beloved nephew, Andrew J. Donelson, son of Samuel Donelson, deceased, the elegant

sword presented to me by the State of Tennessee, with this injunction, that he fail not to use it when necessary in support and protection of our glorious Union, and for the protection of the constitutional rights of our beloved country, should they be assailed by foreign or domestic traitors. This bequest is made as a memento of my high regard, affection and esteem which I bear to him as a high-minded, honest and honorable man."

After the death of Jackson, Major Donelson remained at his home, near the Hermitage, pursuing the peaceful studies in which he delighted, until the accession of Mr. Polk to the Presidency, when he was offered, and accepted the mission to the Court of Berlin, in Prussia, and likewise to the great central power of Germany, then convened. Here he remained, reflecting much credit upon his native country, by his able course amidst the entangling politics of that period, until he was recalled at the close of 1849 by General Taylor.

But Major Donelson was soon called upon for further action in his own country. Indeed, he had scarcely reached his home in Tennessee, in 1850, when he became enlisted in the effort to secure the settlement of the question then agitating the country and growing out of the acquisition of Territory from Mexico. He attended the famous Southern Convention at Nashville, as a Union man, alleging that if propositions to break up the confederacy were brought forward by that body, they ought to be exposed and denounced to the country. His decided course as a friend of the Compromise of 1850, induced the leaders of the Democratic party who concurred with him in opinion, to invite him to take charge of the *Washington Union*, in the columns of which paper he urged with great force and ability the principles endorsed in the Compromise, as the basis of the action of the Democratic party in respect to the subject of slavery. Finding, however, that the ultraists north and south could not be brought to recognize an organ which was in the hands of one who had consistently opposed the doctrine of nullification and secession, Mr. Donelson retired from his position soon after the period of Mr. Pierce's election. He no longer acted with the present administration, but, on the contrary, entered warmly into the organization of the American party.

It has been said by the opponents, both of MILLARD FILLMORE and ANDREW JACKSON DONELSON, that they were at one period arrayed in opposition to each other; and that, in the columns of the *Union*, the latter severely criticised many of the acts of Mr. Fillmore's administration. It is, of course, no matter of surprise, where two candidates, with antecedents so pure in all respects—with political records so clear from stain—are put forth by a great party, that attempts should be made to manufacture some objections without legitimate basis. Indeed, no fact of the campaign is more gratifying than that which is apparent to all unprejudiced observers—the superiority of character and qualifications in the American nominees, and the utter impossibility for their opponents to allege and prove aught against their private, personal, or political worth—ought that militates against their entire fitness for the responsible stations to which to which they are to be elevated. But, in reference to the charge regarding Major Donelson's opposition at one time to Mr. Fillmore, it is admirably disposed of in the following passages from a letter written by the former to the Convention of Americans at Georgia, who had addressed him. He says:

"But it is not perhaps proper for me to enter into a discussion of the cause which has constituted us, without reference to our antecedents as Whigs or Democrats, a new party. I refer to them only in connection with the patriotic declaration of principles made by the convention at Macon, in order that you may see how complete is my con-

conurrence with them, and how great is my appreciation of the honor you have conferred upon me by an association of my name with that of Mr. Fillmore in the noble effort to check the excesses of party spirit, and effect a reformation as important as that of 1793 and 1800. I once did great injustice to this eminent patriot and statesman, by holding him responsible for what I considered an attempt to merge the Whig party of the North into a sectional opposition to the rights of the South; but when I saw him rise superior to such local prejudices, and prefer the interests of the whole country to that of the section in which he happened to be born, I made all amends in my power to offer, and declared publicly long before I knew of the existence of the American party, that he ought to be called again by the united voice of the American People to the Chair of the Chief Magistracy."

The truth of the entire matter is, that the opponents of the American party mistook its character. They think that its members cling to their Whig and Democratic antecedents, and flatter themselves that jealousies and prejudices will grow out of the apparently incongruous political elements of which the great national organization is composed. But they do not know, as Americans do, that all past party predilections are ignored by the true Union National Americans—that the "dead past buries its dead"—and that the Present and the Future of our country occupy the attention of the banded lovers of their native land. It is this feature of the American Party which constitutes its strength—that it welcomes to its ranks all good citizens who will support its platform—and questions not their past political history—so that they be true, honest men, devoted to the union of these States, and resolved to sustain its institutions against encroachments abroad, or treacherous dissensions at home.

The following correspondence, containing the announcement of Andrew Jackson Donelson's nomination as a candidate for the Vice-presidency, by the Order of United Americans and his acceptance of the same, presents the latest expression of his opinions on the great principles of the American Party. Mr. Donelson's views are sound and able throughout:

NEW YORK, July 25th, 1856.

SIR—At a Convention of the Executive Committees of the several Chapters of the "Order of United Americans" in this State, convened in this city, on the 21st inst., by order of the Grand Executive Committee to consider what action, if any, should be taken by the Order as such, in the political questions of the day,

It was declared that a crisis had arrived demanding the political action of this Order, and the Convention unanimously resolved to adopt the nomination of Millard Fillmore of New York, as their candidate for President of the United States, and that they also adopt the nomination of Andrew Jackson Donelson of Tennessee, as their candidate for Vice President of the United States.

The undersigned were instructed to communicate official notice of this fact to the candidates so nominated.

In thus advising you of the action of the Convention, we take the liberty to refer briefly to the principles of the organization we so represent.

The Order of United Americans claims to be the oldest of all the American organizations, and from whom, under different names, and with other collateral objects have originated the various associations of the country devoted to the American policy.

The Order of United Americans, while demanding that the political interests of the country shall be controlled by the Americans, would declare a steadfast adherence to that feature of our institutions which secures to every man protection in his religious and civil rights; they disclaim all partisan association; maintaining equal hostility to the political demagogues of our own land and to

the influences of those of a foreign birth; they hold in sacred reverence the maxims and teachings of Washington against sectional controversies, and adhere with patriotic devotion to the Constitution and the Union of the States. These principles they have promulgated and maintained in all their political action, they believe them important to the welfare of our country, the successful establishment of which, as the fundamental rules of our Government, they believe essential for its tranquillity, and a continued progress in the development of all its greatness.

With assurances of personal respect we have the honor to subscribe ourselves, your fellow-citizens.

Simeon Baldwin,
William Avery,
C. W. Woodward,
Samuel Hall,
J. H. Briggs,
J. C. Helme,

Erastus Brooks,
Charles Fish,
J. C. Hulse,
D. L. Northrup,
Fred'k H. Butler,
F. C. Wagner,
Committee.

To Hon. A. J. Donelson, Nashville, Tenn.

TULIP GROVE, NEAR NASHVILLE, }
August 4th, 1856. }

SIR—I have had the honor to receive your letter of the 26th ultimo, enclosing to me one from the Committee of a Convention of the several Chapters of the Order of United Americans of New York, informing me of my nomination by that body to the office of Vice-President of the United States.

For this mark of high confidence and respect, I beg you to accept and convey to the Convention this expression of my sincere thanks.

Should the sentiments which have prompted this action be in accord with those of the people when deciding the grave questions involved in the approaching election, they will place me in a position of great responsibility—one that I cannot but contemplate with feelings of diffidence and distrust—arising from a consciousness that my best exertions may fail to meet the expectations of the country. In such a crisis as the present, however, it would be a want of patriotism to shrink from the position which has been assigned to me by those who are co-laborers in the efforts to bring back our government to the sphere prescribed for it by its founders.

We are in the midst of dangers produced by an abandonment of the old landmarks, set up by the early statesmen of the Republic, and we have no hope of escaping from these dangers but in a return to first principles—discarding all those influences which have produced geographical parties, and reconstructing those which teach us that our civil and religious liberties are inseparably connected with the preservation of our Constitution and Union.

I was brought up, sir, in what has been termed the Jackson school of politics; and it was there that I learned to look above parties when they ceased to make the good of their country their paramount object. The leading acts of Gen. Jackson's life, those which endeared him so much to the public, were prescribed by no party tactics or mere party platforms. His defence of New Orleans, his proclamation in 1832, and other prominent acts of his administration, were of this character. He felt when adopting those measures that he was consulting the good of his country, and he appealed for support to the calm and sober judgment of the people, not as divided by party lines, but as brothers united by the same common interests, and animated by the same motive to preserve their free institutions from whatever dangers might threaten them from foreign or domestic causes.

It is in this sense that I understand your patriotic Convention now comes forward to repress the spirit of sectionalism and save the country, *not a party*, from the dangers which are brought upon it by a departure from the maxims left us by Washington and his compatriots.

Whatever may have been your opinions on questions of a minor character, in the ordinary administration of the government, you feel that a crisis like that which united Jackson, Clay, and Webster, in 1832, exists, and that law-abiding and good citizens, without reference to former party differences, should rally together in defence of their common country against the ultrai-isms of the day. You feel that there is nothing in the term, Whig or Democrat, correctly understood, to prevent either from acting with us as Americans, when there is an undisguised effort to destroy the bonds of our sacred union, by forming political geographical lines, and by permitting a false conception of the real purposes of party to produce excesses which are un-

pairing the force of the laws, undermining the public virtue and weakening those guards against foreign influence which are so essential to our real independence as an American people.

Entertaining such views, sir, I need not assure you how highly I value the honor you have conferred upon me by associating my name with the tried patriot and statesman, Millard Fillmore, in an attempt to give them effect in the administration of the Federal Government.

I am, very respectfully,

Your obedient servant,

A. J. DONELSON.

SIMEON BALDWIN, Esq., Chairman of the Committee of the Order of United Americans of the City of New York.

CONCLUSION.

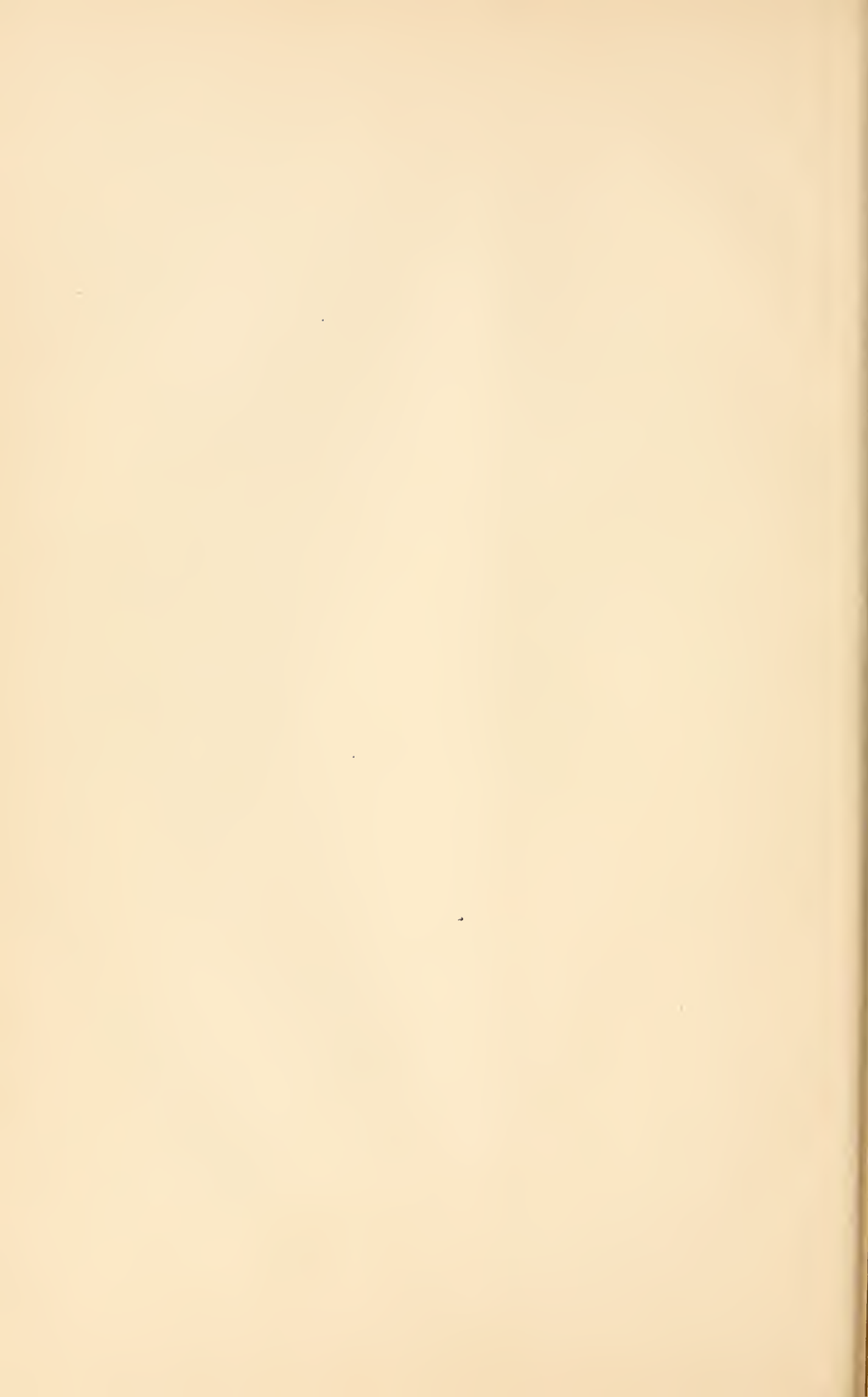
Fellow Citizens—friends of Union and the Constitution—lovers of your country and opposers of sectionalism on every side, and in every form—the Candidates of the American Conservative Union Party are before you. Their antecedents are known to you. They are *honest, capable, experienced*—and they are National Americans! With you we leave them.

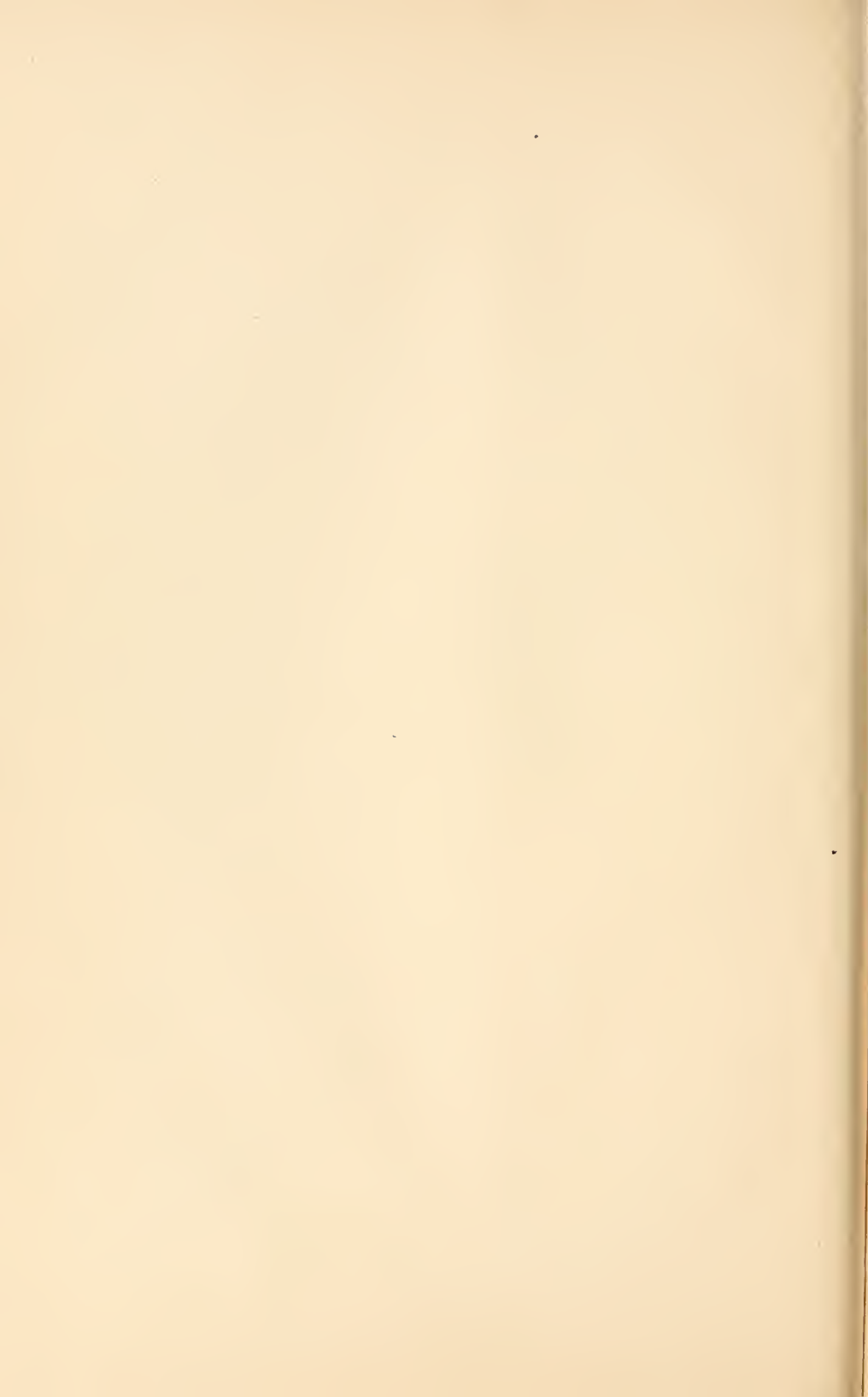
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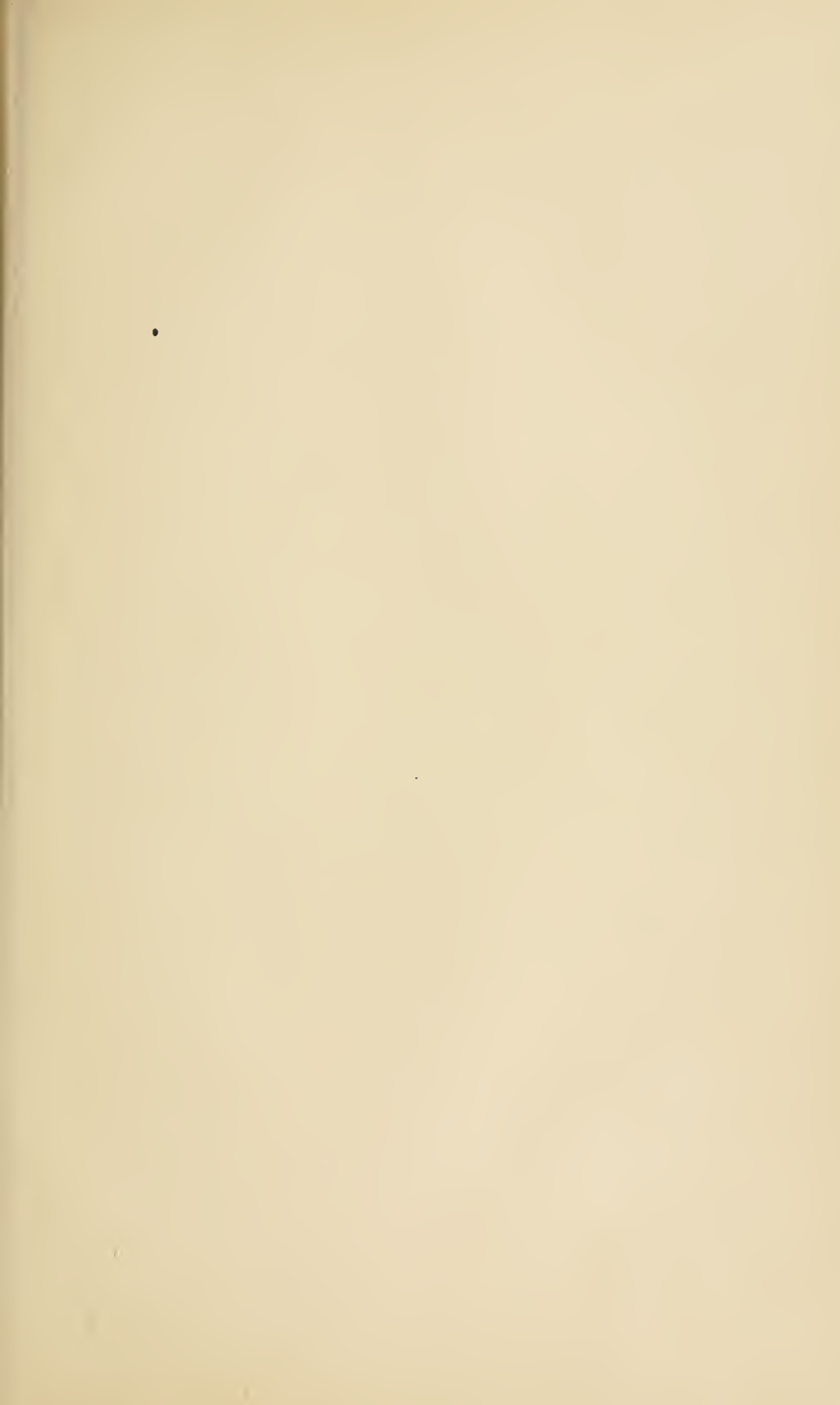
















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