LINCOLN'S COMPENSATED EMANCIPATION PLAN AND ITS RELATION TO DELAWARE

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A recent writer on the economic background of the Civil War\(^1\) ends his volume with the sentence, "The sections drifted into a war which was not inevitable." The inevitability of this and of many other wars is a matter of controversy and opinion. That we drifted into this war, despite frantic last-minute efforts to avoid an armed collision, is a matter of fact. Few indeed must have been the Republicans who expected that, after having cast their votes for Lincoln in November, they would be called upon the following April to support those ballots with bayonets.\(^2\) When the gravity of the situation was brought home to the North, the reaction of many (among them Horace Greeley)\(^3\) was to bid the South depart in peace. Others, including Seward and other Republican leaders, were for making concessions—even of their Republican anti-slavery-extension principles—to a South grimly in earnest.\(^4\)

In the midst of vacillating public opinion, the newly elected President was the deciding factor. Against concession to slavery he was adamant. "Let there be no compromise on the question of extending slavery," he wrote. "If there be, all our labor is lost, and, ere long, must be done again. The dangerous ground—that into which some of our friends have a hankering to run—is Pop[ular] Sov[ereignty]. Have none of it. Stand firm. The tug has to come, & better now than any time hereafter."\(^5\) So concession was defeated, and the Southern states one by one followed South Carolina into secession.

On the maintenance of the Union Lincoln was equally decided,\(^6\) in principle, but in policy he drifted, as the expiring Buchanan administration had done, and as the new Confederate administration was doing, until the attempt to provision Fort Sumter resulted in a "show down."

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Whether Lincoln's "tug" meant "war" to him—whether he really expected the Sumter attempt to result in a clash of arms—perhaps Lincoln himself could not have told. But whether or no, at daybreak of April 12, 1861, the first shot resounded, the flag of the United States had been fired upon, the issue was joined; and Lincoln, humanest of men, was prepared to shed blood for the preservation of that Union whose President he had become, whose constitution he had sworn to defend.

After the war had begun, Lincoln sought earnestly and untiringly to bring it to an end by other than military means, and long before the close of his first year in office he formulated (and never abandoned) a plan which, he believed, would not only speedily end the war, but would at the same time remove the basic cause of the conflict.

This solution was Lincoln's plan for compensated emancipation of the slaves—as a recent writer phrases it, "voluntary emancipation by the States with compensation by the nation." An integral part of his scheme, which Lincoln clung to tenaciously, was the removal of the freed Negroes from the United States to places where they could better work out their racial destiny—that is, the old "colonization" plan, which had brought about the establishment of Liberia, but for a variety of reasons had been only very meagerly successful. Lincoln had for some years advocated colonization as the only way to achieve the desired separation of the two races, and in 1856 lamented the fact that so little was being done in that line. Likewise he consistently favored any constitutional means whereby the emancipation of Negroes could be furthered, with due regard to the property rights of their masters. Lincoln steadily denied the power of Congress to interfere with slavery in the states, but he admitted its power over the institution elsewhere; hence his adherence to the new Republican Party, which called upon Congress to restrict slavery in the territories; hence also his belief that Congress had power to abolish slavery in the District of Columbia—but, he added, "the power ought
not to be exercised, unless at the request of the people of the district.” In 1849, during his sole term in Congress, Lincoln proposed a measure by which Congress should abolish slavery in the District and buy the slaves, if the people thereof should first vote in favor of such a measure. The plan, though abortive, is evidence of Lincoln's faith in the practicability of such measures.

It may be presumed, therefore, that when Lincoln arrived in the White House in March 1861 he brought with him the idea that the only way to solve the American race problem was to remove the Negroes from the country, and that justice to the slave owner required that he be compensated for the loss of his property. Lincoln was confronted by a frightful civil war, which seemed to have been born of slavery. It was the problem of the federal government to bring the war to a close as quickly as possible. What was more natural, under these circumstances, than that the nation should offer to buy its slaves and remove them from the country, thus removing the cause of the war, and causing the war itself to collapse, the cause having been removed? In explaining his plan to the Delaware Representative in Congress and to a prominent Delaware slaveholder, Lincoln emphasized to them his belief that it would be "the cheapest and most humane way of ending this war and saving lives." When his plan was rejected by the Delaware legislature early in 1862, Lincoln viewed the action of that body as nothing short of a national calamity. Furthermore, his was not the only plan to be considered; the radicals in Congress and out pressed for the confiscation of every slave in the Confederacy, and ultimately the freeing of every slave, including those in the border states—in other words, the entire abolition of slavery. They too advocated this as a war measure; but it was one that would dash all hopes of inducing the South to lay down its arms; it would have worked injustice on all slaveowners; and it would have left the race problem still unsolved (as it is, in fact, today). Hence Lincoln’s moving appeal to the border states in May, 1862, in behalf of his plan:
"To the people of those States I now earnestly appeal. I do not argue—I beseech you to make arguments for yourself. You cannot, if you would, be blind to the signs of the times. I beg of you a calm and enlarged consideration of them, ranging, if it may be, far above personal and partizan politics. This proposal makes common cause for a common object, casting no reproaches upon any. It acts not the Pharisee. The change it contemplates would come gently as the dews of heaven, not rending or wrecking anything. Will you not embrace it? So much good has not been done, by one effort, in all past time, as in the providence of God it is now your high privilege to do. May the vast future not have to lament that you have neglected it."

In July of the same year he said to the border states Congressmen: "If you had all voted for my March resolutions [tendering federal aid to states desiring to emancipate their slaves], the war would now be substantially ended." The effect of this coolness of the border states toward Lincoln's plan produced an important modification in his policy, which will be taken up later. At this point, let us return to Lincoln's first trial of his experiment, which occurred in Delaware.

Lincoln naturally turned to Delaware as the most promising starting point for his scheme. It was the smallest of the slave states, both in actual number of slaves and in proportion of slave population. For three-quarters of a century slavery had been fighting a losing battle in Delaware, and by 1860 only the vestiges remained, except in Sussex County. Within a decade after the close of the revolution, both the importation and the exportation of slaves had been prohibited by statute, and this ban had never been lifted; so that while slavery took on a new lease of life in the other border states, under the stimulus of a growing demand for slave labor in the new cotton states of the lower South, in Delaware the institution had to depend economically upon the possibilities of profit in agriculture or other industry within the state. The steady decline of the slave population between 1790 and 1860 is evidence enough of the inability of the slave system to compete with free labor, black or
white, in Delaware. While the ratio of Negroes (slave and free) to whites did not change greatly, the proportion of slaves in the total black population declined from three-fifths in 1790 to only one-twelfth in 1860, as the following tables indicate:

### POPULATION OF DELAWARE

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<tr>
<th></th>
<th>1790</th>
<th>1860</th>
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<tr>
<td></td>
<td>NEGROES</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Slaves</td>
<td>Free</td>
</tr>
<tr>
<td>New Castle</td>
<td>2,562</td>
<td>639</td>
</tr>
<tr>
<td>Kent</td>
<td>2,300</td>
<td>2,570</td>
</tr>
<tr>
<td>Sussex</td>
<td>4,025</td>
<td>690</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>8,887</strong></td>
<td><strong>3,899</strong></td>
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<thead>
<tr>
<th></th>
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</tr>
<tr>
<td></td>
<td>Slaves</td>
<td>Free</td>
</tr>
<tr>
<td>New Castle</td>
<td>254</td>
<td>8,188</td>
</tr>
<tr>
<td>Kent</td>
<td>203</td>
<td>7,271</td>
</tr>
<tr>
<td>Sussex</td>
<td>1,341</td>
<td>4,370</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,798</strong></td>
<td><strong>19,829</strong></td>
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It will be seen that in 1860 Delaware’s slave population was concentrated in the southern part of the state, Sussex County having three-fourths of all the slaves. It is true, as the figures for 1790 suggest, that Kent was an early center of the emancipation movement, and thereby got away to a long lead over the other counties in ridding itself of slavery. The rapid progress of New Castle County after 1790 is due to such factors as the influx of Northerners with antislavery tendencies, and the presence of a small but influential group of Quaker reformers. Slavery would naturally linger longest in Sussex, which had the most slaves in 1790, was farthest removed from the inroads of Northern sentiment, and at the same time was exposed on two sides to the influx of slaveholding Marylanders.

But while Sussex had most of the slaves, it also had the fewest free Negroes, the smallest share of the whole
Negro population, and, by inference, the smallest demand for the commodity, Negro labor. New Castle had the largest supply of this commodity in 1860, and its flourishing agriculture and manufactures further attracted almost all of the immigrant white labor; 22 Kent also had more Negroes than Sussex. 23 There were no peculiar agricultural conditions which rendered slave labor more necessary, and free labor less necessary in Sussex than in the other counties; all three were primarily growers of grain—corn, wheat, and oats being most important—in addition to Irish and sweet potatoes, and other products of less statistical significance. 24 But there were other conditions which do serve to explain the phenomenon. Looking further into the census figures of 1860, one discovers that Sussex had more land but less agricultural wealth than Kent or New Castle, 25 more farmers (than Kent) but smaller farms, 26 and more slaves and "working oxen" but fewer horses and mules, less agricultural machinery, and less free Negro labor. 27

These comparisons indicate the relative economic backwardness of Sussex County in 1860. 28 They suggest that slaveholding was not making Sussex rich; and they also suggest another reason why its slaveowners kept their slaves: that the average Sussex Countian, poorer than his northern neighbors, was less able to suffer the financial loss incident to emancipating his slaves. If therefore, the purchase of their African property had been suggested as a straight-out business proposition to the 587 29 slaveowners of Delaware, and in particular to those in Sussex, they must have accepted it gladly, especially since, after the war had begun, they would be selling on a falling market—one which, it became plainer as time went on, was never to rise again. And if the federal government were to pay the bill, their non-slave-owning fellow citizens would scarcely have objected. However, such a proposal in 1861 was charged with political dynamite. In the end the political situation, and the temper of the popular mind regarding the relation of the federal government to states' rights in general and
slavery in particular, outweighed considerations of immediate economic gain.

It may be said without fear of contradiction that for half a century and more the most influential and respectable part of public opinion in Delaware had been hostile to slavery as an institution. As has already been noted, slavery lost ground steadily in the two generations preceding the war.\(^\text{30}\) It is true that the rise of cotton culture in the South, with its increasing demand for slave labor, brought pressure from the southern part of the state to remove the ban on the exportation of negroes.\(^\text{31}\) If the ban had been lifted, Sussex would rapidly have been denuded of such Negro property as still remained there, and the only slaves left for Lincoln to buy would have been those in the hands of owners whose humanity outweighed considerations of profit. However, this pressure was resisted without great difficulty, while the Quakers and other friends of the Negro, in spite of the growing embarrassment caused them by the incendiary Garrisonian brand of abolitionism which arose in the 1830's, labored steadily to protect the Negro from ill treatment, and to set him free.

Although efforts were made to prevent the entrance of the antislavery movement into politics, in the later stages of the dispute it was as impossible to keep the question out of local, as it was out of national politics. The Whigs seem to have been most deeply involved. In 1847 the Delaware legislature, under the control of the Whigs, failed by one vote of passing a bill for the gradual abolition of slavery.\(^\text{32}\) The ultra-abolitionist element trained with the Whigs, and proved to be increasingly embarrassing as the slavery dispute grew in violence.\(^\text{33}\)

In 1856 the veteran Whig statesman, John M. Clayton, wrote: "I wish abolitionism & political Temperance were both united & segregated from all other party connections, that we might by a temporary coalition of all other parties, put them down so low they could never rise again."\(^\text{34}\) After the collapse of the Whig Party, Clayton took refuge in the new "Know-Nothing" or "American"
movement. The "Americans" in Delaware elected a Governor, a Congressman, and most of the legislature in 1854 but were snowed under by the Democrats in 1856.\textsuperscript{35} A reorganization of the anti-Democrats took place in 1858, with the formation of the new "People's Party," whose platform declared for the protective tariff principle, threw a sop to the expiring Know-Nothings by favoring Congressional legislation to protect the country from foreign criminals and paupers, and conciliated the rising antislavery sentiment\textsuperscript{36} with a plank favoring the submission of the Kansas Constitution to a vote of its people before admitting Kansas into the Union.\textsuperscript{37} The new People's Party in 1858 succeeded in electing its entire slate to the legislature from New Castle County, with majorities of only 13 to 70 in a total vote of about 7000; but the Democrats still held Kent and Sussex, by majorities, however, of only 100 or 200.\textsuperscript{38}

Being sure of whatever Republican support there was in Delaware, it was the proper strategy for the People's Party leader to preserve a discreet silence touching Republicanism,\textsuperscript{39} in their effort to hold all the other anti-Democratic voters. By 1860 the Democrats suspected stronger and stronger leanings toward Black Republicanism on part of the People's Party organization.\textsuperscript{40} Early in that year a new "Union Party" was suggested,\textsuperscript{41} in response to the sentiment which produced the "Constitutional-Union" organization, whose candidate for the Presidency was John C. Bell of Tennessee. Any third-party development of this kind would have spelled ruin for the People's Party; the different factions fought it out on the presidential question,\textsuperscript{42} but the anti-Democrats held together in the local elections.\textsuperscript{43} The Democrats, themselves, however, were less successful in holding their party together, and were embarrassed by a Douglas candidate for Congress, in addition to the regular (Breckinridge) candidate; and similarly by Douglas candidates for the state legislature in New Castle County, although nowhere else. Hampered by this Douglas defection, the Democrats lost the congressional battle to the
coalition candidate, George P. Fisher, who had declared for Bell and the Constitution but had steadfastly opened not his mouth concerning Republicanism. In the local elections, New Castle elected People's Party men, and Kent chose Democrats, to the legislature, just as they had in 1858; but in Sussex, the vote was so close that the House of Representatives delegation was divided, three Democrats to four People's Party men.

As a result, therefore, of the elections of 1858 and 1860, the Delaware legislature of 1861 was divided politically as follows:

<table>
<thead>
<tr>
<th>Democrats</th>
<th>People's Party</th>
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<tbody>
<tr>
<td>Senate</td>
<td>5</td>
</tr>
<tr>
<td>House</td>
<td>10</td>
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(Democratic majority of one) (People's Party majority of one)

It was to this "house divided against itself" that the trying problems connected with secession and war were presented; to it Lincoln's plan of emancipation was offered. There was no thought of Delaware's seceding; on that we may safely say that both the legislature and the people were unanimous.) Only three members were unwilling to express their "unqualified disapproval" of secession by the states which were seceding. Conversely, however, but three members opposed a concession to the South on the question of extension of slavery. In January, 1861, the Senate evaded the burning question of coercing the South, which was, on the whole, a sensible thing to do, when Northern opinion shrank from the idea of coercion, and when in Delaware there was widespread sympathy for the South, which soon found expression, in individual cases, in upholding her cause on the field of battle.

This difference in the legislative councils was but a reflection of that existing in the state at large. News of the firing on Fort Sumter, together with Lincoln's call for volunteers, brought a speedy response from a large and "enthusiastic Union demonstration" in Wilmington, which

"Resolved, That we fully concur in the views of the President and that we respond to the call in a substantial
manner by promising him such aid as may be requisite to enforce the laws and repel invasion," ... [and further], "that the people of Delaware will sustain and support the Union and are always in favor of the Constitution and the enforcement of laws."

In Sussex, a Union meeting in May denounced Abolitions, secessionists, and the failure of Congress to adopt the Crittenden resolutions, but it thought Delaware ought to remain in the Union, favored defending Washington "at all hazards and to the last extremity," and conceded

"That the government of the country, while administered within the restraints of the Constitution, is entitled to and should receive the support of all law-abiding citizens and that while we accord this obedience to the Federal Government, we expressly reserve our right to differ with the present Administration in its measures and policy, when it may assume a party character."

A demonstration of those opposed to war at all costs occurred in Dover late in June, when a meeting of 1500 or 1600 citizens of all parts of the state adopted a series of resolutions beginning with:

"RESOLVED: 1. That whilst we deeply deplore the revolution which has severed eleven States from the Union, we prefer peace to civil war, and believe that if a reconciliation by peaceful means shall become impossible, the acknowledgement of the independence of the Confederate States is preferable to an attempt to conquer and hold them as subjugated provinces."51

Thus reluctantly did Delaware embark upon what proved to be four years of civil war.

Nine months of war had passed, undistinguished by any notable successes of the federal arms, when Lincoln’s emancipation plan appeared upon the horizon of Delaware, during the last stages of a special legislative session which had lasted (including a recess of a month) from November, 1861, until the following February. The project came with little preliminary warning. In his message to Congress of December 3, 1861, Lincoln, in calling attention to the necessity of making provision for the increasing numbers of slaves, liberated under the Confiscation Act of August 6, who were already dependent
upon the federal government, took occasion to introduce the subject of compensated voluntary emancipation by state action.\textsuperscript{53}

. . . “Besides this, it is not impossible that some of the States will pass similar enactments for their own benefit respectively, and by operation of which persons of the same class will be thrown upon them for disposal. In such case I recommend that Congress provide for accepting such persons from such States, according to some mode of valuation, in lieu, \textit{pro tanto}, of direct taxes, or upon some other plan to be agreed on with such States respectively; that such persons, on such acceptance by the General Government, be at once deemed free; and that, in any event, steps be taken for colonizing both classes (or the one first mentioned, if the other shall not be brought into existence) at some place or places in a climate congenial to them. It might be well to consider, too, whether the free colored people already in the United States could not, so far as individuals may desire, be included in such colonization.

“To carry out the plan of colonization may involve the acquiring of territory, and also the appropriation of money beyond that to be expended in the territorial acquisition. . . . If it be said that the only legitimate object of acquiring territory is to furnish homes for white men, this measure effects that object; for the emigration of colored men leaves additional room for white men remaining or coming here. . . .

“On this whole proposition, including the appropriation of money with the acquisition of territory, does not the expediency amount to absolute necessity—that without which the government itself cannot be perpetuated?”\textsuperscript{53}

The message hints that Lincoln had already been in touch with responsible persons in some one of the border states, which in all probability was Delaware, for two draughts by Lincoln have survived, of a compensated emancipation bill for that state.\textsuperscript{54} The principal intermediary in the negotiations was Delaware’s member of the House of Representatives, George P. Fisher, a supporter of Lincoln’s administration and apparently well thought of by him.\textsuperscript{55} Nothing survives in Fisher’s papers regarding his part in these proceedings,\textsuperscript{56} which have to be reconstructed largely from two accounts written long after the event.\textsuperscript{57} Early in November, 1861,\textsuperscript{58} Fisher was
called from Delaware to the White House, to discuss emancipation prospects in his state. Plans were formulated, and then Lincoln expressed a desire to talk with some Delaware slaveholder on the subject, whereupon Fisher wrote to Benjamin Burton, of Millsboro, to come to Washington. Burton, who had become a slaveholder through inheritance, and had never sold any of his Negro property, was at the time the largest slaveowner in Delaware. He was of an "old and prominent" family, and furthermore—a rather unusual circumstance for lower Delaware—he was a Republican. Lincoln asked Burton to ascertain whether the Delaware legislature (then in session) could be induced to free the slaves there on the condition of the federal government's paying for them, on a basis of individual valuations to be made by local appraisers. Then the owners could (as Lincoln is said to have expressed it) "sell them to the United States one at a time, or all at a time, or any way to suit their own convenience."

Burton asked the President how he knew whether he could carry out this proposition. Lincoln replied: "Mr. Burton, you tend to your end of the swingle tree and I'll tend to mine;" but he explained quickly that he had had Congress polled, and knew he could put through a bill appropriating money to buy the slaves. Lincoln (according to the report Burton gave his family on his return) continued: "I am satisfied that this is the cheapest and most humane way of ending the war. Delaware is the smallest and has the fewest slaves of any State in the Union." With intense earnestness, he said: "If I can get this plan started in Delaware I have no fear but that all the other border states will accept it." With increasing emphasis, Lincoln repeated musingly: "This is the cheapest and most humane way of ending this war and saving lives."

Burton assured the President that he had no doubt but what Delaware slaveowners would be glad to dispose of their Negroes by such a fair method of valuation, and Lincoln was "delighted" when Fisher told him that...
Burton's views reflected those of Delaware slave masters.

But disappointment was in store for Burton on his return to Sussex County. When he stated Lincoln's proposition in the hotel at Millsboro, out of all the crowd only one listener voiced approval. That exception was Hiram S. Short, the owner of eight slaves, who considered that the slaves would be freed anyway and that he had better take the money offered by the government. ⑥2

However, Fisher, returning to Delaware to work for the proposal, found opinion favorable. ⑥3 He and Nathaniel B. Smithers of Dover ⑥4 drew up a bill in accordance with Lincoln's ideas, as amended in their discussions of the matter. Briefly stated, the bill ⑥5 proposed to emancipate at once all slaves of 35 years of age or over, and the rest within the succeeding ten years, but allowing younger slaves and those born of slave parents in the meantime to be held as apprentices until the age of 21 or 18. For the purpose of valuation, annual appraisals were to be made by locally-appointed assessors, at the "true cash value" of each Negro. Funds for payment were to come from a federal appropriation (without which the bill was not to go into effect) of $900,000 in 6% U. S. bonds, ⑥6 to be paid to the State Treasurer in ten equal annual installments. This would have amounted to $500 for each Negro, a sum admittedly generous, ⑥7 at least if the value of the bonds could be maintained.

A "caucus" of the friends of the measure was held, including a number of members of the legislature, Nathaniel B. Smithers, the afore-mentioned Benjamin Burton and Hiram W. Short, William Ellegood, Jacob Moore, and James R. Lofland, and it was decided to ascertain the chances of success for the bill before actually introducing it into the legislature. ⑥8 Apparently with secrecy a petition was circulated in favor of the measure, which elicited a rebuff from a certain "I. N. F." of Concord, Sussex County, who some four months later angrily aired his views of the matter in the public press, and in doing so went into details of the affair which are worth reproducing here at some length. ⑥9 The writer described
himself as a "Union man," who had supported the election of Lincoln, but was no abolitionist, even in the "mildest form." From his statement that he had "been accused of being an abolitionist for the last thirty years," and that his party had received many a "pummelling" on that score, it is evident that he was an old line Whig. He described the "cabal" of conspirators which met in the vicinity of Georgetown before the legislative session, apparently led by Fisher, and including "that old gentleman who has been a standing candidate for . . . Governor . . . for the last fifteen years, but so far without success," and his two "keepers," one a "young lawyer" who was to keep his "old Breckinridge friends" in line, the other, a "Bell man," who had "until recently held one of the most lucrative offices in the Court house;" together with "a contemptible tribe" of "third party" men. "I. N. F." continued:

"Time rolls on. . . . The Legislature meets. . . . The writer of these lines was sitting at home by his fireside, when up drives the above named young lawyer . . . wishes some private conversation . . . wished to know if I could keep a secret, . . . pulling a paper from his pocket and presenting it to me for my signature. I looked at it . . . a petition to the Legislators of this State . . . to pass a law for the gradual emancipation of slavery in this State, with reasonable compensation . . . already four names: W. C., W. E., J. W., and I am pretty certain the fourth was B. B. He further stated that he had been on to Washington, and that he and Hon. G. P. F. had an interview or two with Mr. Lincoln upon the subject, and that the President had sanctioned the matter, and that if we could succeed in getting the law passed, that we could have a large sum of money to compensate the slave holders for all losses that they might sustain by the loss of their slaves. I heard him through, and then replied that although I had been accused of being an abolitionist for the last thirty years, it was a mistake; that I never was one and that I should sign no petition to the Legislators to that effect, that the people generally had not been consulted upon the matter, and consequently knew nothing about it, and further, that I thought the Legislators would be very much out of their duties to meddle with it, as that was not the issue upon which they
were elected, and furthermore, I thought that we had already enough trouble on our hands brought about by the infernal negro question, without looking about for anything new. Well he left, and in a day or two the thing got abroad that the negroes were all to be freed, and of course it caused a smart bustle; some commenced getting up remonstrances to lay before the Legislators, others said it was of no use, that the thing was established at the time the aforesaid cabal met near Georgetown, and that enough of the Legislators had been secured by large promises to carry it through. Well, several from my neighbors started to Dover, but when they got there they could learn nothing, but those wire workers before spoken of were there as usual, lurking around and by noticing closely they might be discovered to wink one eye or move the head at times, as much as to say, look out there are spies about. Thus matters stood for some few days, until finally some of the members who were more timid than others began to tremble in their boots, and smell a very large mouse, and probably thought something about old John Brown in Virginia, and one would back out and then another, until it was no go. . . .

"... The actors in this Abolition scheme have rather eclipsed secessionists in rascality, according to their influence; they lack the influence here that the leaders have South. . . .

"... Some of these fellows have the audacity to set themselves up as leaders of the Union party, and ask the honest Union men to vote for them. There is not the least trait of Unionism about them, they are disorganizers, they are wolves in sheep's clothing, and any party that will suffer itself to be influenced by such leaders as those, will certainly be defeated as they ought to be; the people in this section I think will not stand it; this abolition business has gone about far enough, there are free negroes already enough within this State, according to population. We look upon slavery as a curse, but we also look upon freedom possessed by a negro, except in a very few cases, as a greater curse. So out of two evils, I think it is wisdom to choose the least. . . ."

Such a rebuff from this staunch old Union-lover and Negro-hater augured ill for the success of the emancipation scheme in Sussex. However, the "caucus" or "cabal" persevered. Whether they intended to make their plans public, or whether the cat got out of the bag by accident, it is impossible to say. At any rate, the Delawarean, a
Democratic newspaper of Dover, sounded the alarm, and its opponents rallied to the defence of the proposed bill. The *Journal* of February 4, 1862, reported that petitions were being circulated in favor of "An act for the gradual emancipation of slaves in the State of Delaware, with just compensation to their owners," and "earnestly requested" signatures to such petitions before February 5 (the following day). At the same time it published a long and able communication on the subject, denying vigorously that any "unscrupulous means" were being used to pass the measure, and defending the propriety and expediency of the bill. In the next issue of the *Journal* (February 7) the entire text of the proposed measure was printed, with a supporting editorial:

"A more equitable and satisfactory bill could not well be framed. We are glad to learn that its provisions meet the approval of men of all parties; and from none does the bill receive a more hearty endorsement than from the owners of slaves themselves. It is not a party measure by any means; but it is supported by men of all shades of political opinion—excepting, perhaps, the secession-peace-union-splitters, who, as usual, are setting up a terrible howl over what they are pleased to call the 'iniquity' of the scheme.

"If Delaware is ever to be rid of the curse of slavery, upon any principle of equity or fairness, now is the time, and this bill proposes the plan by which it can be done with popular approval. We hope the Legislature will 'screw its courage to the sticking point' and pass it at once."

The *Gazette*, the Democratic organ of Wilmington, came out on February 7 against buying the slaves, but without reference to the measure being agitated. February 11, however, it reported that such a bill had been before the legislature, but had not passed, and in its next issue (February 14), it corrected this error by stating: "It was ascertained that the bill could not be got through and it was therefore abandoned by its friends for the present." What happened seems to be that the friends of the measure succeeded in securing the Democratic Senate for their measure, by getting the support of
Wilson L. Cannon, who had been elected from Kent County as a Democrat in 1858; the change of his vote made the Senate 5-4 in favor of the measure.\textsuperscript{70} The more numerous house was already in control of the People's Party, as noted above, by 11-10; but Representative Robert A. Cochran, although elected from New Castle County on the anti-Democratic ticket, could not be induced to give his support;\textsuperscript{71} and so, for the want of a single vote, Lincoln's emancipation project was lost—for the time, and, as it proved, forever.

The Dover correspondent of the \textit{Journal} wrote that these closing days, early in February, 1862, were "the most exciting week of the session."\textsuperscript{72} They must have been especially thrilling to these Lincoln lobbyists, with their visions of ridding the nation at one blow, not only of the war itself, but also of the root of the whole national trouble. The Democratic press charged that money was being offered for Democratic votes,\textsuperscript{73} but if the charge were true (and it was not proved), the Democrats heroically withstood the temptations of Mammon, and wavered not from their true Democracy. In fact, in righteous wrath they dropped other business to castigate their discomfited opponents, by drawing up resolutions denouncing the insidious attempt of their opponents thus to inject the slavery issue into the present main business of saving the Union.\textsuperscript{74} How far this protest represented honest conviction, and to what extent they were making mere political capital, probably the members themselves did not really know. But it may be noted that the resolutions were all put through the House by a strictly party vote—ten Democrats and their recent convert, Cochran, against the remaining ten People's Party men—with the exception of the fourth, which drew an extra vote from the People's Party side. The latter got what comfort they could from an embarrassing situation by moving various substitute resolutions which were promptly rejected.\textsuperscript{75}

Thus the attempt to capture the legislature for voluntary emancipation not only failed, but it put its proponents in the uncomfortable position of having been
foiled in a plot to “put one over” on the people of Delaware, and especially on the outraged Democrats. A lively debate ensued in the press over the merits and demerits of this scheme of compensated emancipation, productive of much light and still more heat. Especially significant is the opposition of Caleb S. Layton, of Georgetown, leader of the bar of Sussex County and a prominent defender of the Union policy. Layton entered the controversial lists with a letter, published in the *Journal* of February 14, taking issue with a statement by the editor of the *Republican* that “objections raised against the bill by blind and bigotted partizans are so childish and puerile as to be unworthy of notice.” After denouncing “political demagogues” whose whole stock in trade seemed to have been “abolitionism, niggers and rum,” Layton presented his three main objections to the proposed bill: 1. That it was “clearly unconstitutional,” proposing to deprive slaveowners of their property without due process of law—due process meaning “legal proceedings—judicial decisions;” 2. That it proposed to take private property without consent, and not for “public use.” What “use” could the public enjoy in free Negroes? [etc.]; 3. He found no authority in the Constitution to appropriate public money to purchase and emancipate slaves. In summing up his constitutional arguments in a letter dated March 25, he added a fourth point: That the State “Legislature cannot emancipate a slave against the will and consent of the owner”—if not one slave much less all.

In addition to the constitutional and legal argument, Layton also adduced others based on expediency—the great cost of federal compensated emancipation, interference with carrying on the war, etc. He also suggested an alternative to the Lincoln plan, which was a prospective gradual emancipation—declaring all slaves born after a given future date free at an age to be determined, say, 18 or 21. The advantages of this plan, in Layton’s opinion, were that it would not affect existing property rights, would cause no “convulsion in society” nor “disturbance of our social relations,” would have no injurious
effects on labor, and finally, would not cost either the United States or Delaware a single dollar.\textsuperscript{76}

Several pro-emancipationists took their pens in hand to answer Layton.\textsuperscript{77} His constitutional contentions (which seem to the present writer to be the weakest part of his argument) were opposed effectively by these defenders, who claimed the right of any state to abolish slavery within its own borders, it having as much right to abolish slavery, if found harmful, as to abate any other nuisance. Questions of federal constitutionality, they urged, should be left to Congress. The “higher law” was brought into the argument, as well as personalities,\textsuperscript{78} and the journalistic battle continued until Layton indicated his weariness of the argument, and concluded: “I am just as anxious as they [his opponents] can be—in a constitutional way—to see Delaware speedily become a Free State.”

Although the Democratic press continued to shout “unconstitutional,” such a catchword was scarcely capable of influencing the more pragmatic thinkers of the community, and more practical arguments were adduced by both sides. The emancipationists called attention to the unique opportunity afforded by the prospect of federal money to pay for the freed slaves. A transient weakness of this point was that, at the time the bill was offered to the legislature, Congress had made no concrete response to Lincoln’s suggestion, in his December, 1861, message, that it tender aid to the States for purposes of emancipation. “No man in his senses,” the \textit{Gazette} presumed with a sneer, “supposes that the Government intends to give Delaware $900,000. If it ever buys the slaves Delawareans will be saddled with the cost. . . .”\textsuperscript{79}

A month later, however, the \textit{Gazette} was compelled to take the possibility of federal aid more seriously. March 18 the editor wrote:

“The project of compensated emancipation, as presented in the Message of President Lincoln, should receive a candid consideration of all parties in the Border States. It is a question of much import whether Delaware should refuse to avail herself of this proposition if the Border
States accept it. It would be utterly futile for any slaveholder to attempt to hold his slaves after such an act had been passed and accepted by Maryland and Western Virginia. The hosts of free negroes that would pass through our State would undoubtedly carry off the greater part of the slaves of Delaware in a twelve month. The question as it presents itself now is very different from what it was a few months ago when emancipation was proposed to Delaware alone. The cost of freeing these people should it be done will be collected of the people of the United States. Delawareans would have but a small fraction to pay. We do not commend the measure as one that should be adopted by Congress at all, because we think the laboring whites will be saddled heavily enough with taxes without adding the price of the negroes to it—nor do we think the people wish to become wholesale traffickers in human flesh. But it must be perceived the President urges that by the adoption of this measure the war will be shortened and its expense so much curtailed. This may be the case. But what are we to do with the negroes after they are freed is a question quite difficult to solve. In the Border States we fear they would become a great annoyance. Still if the act passed Congress and were accepted by Maryland and Virginia, we can see no alternative for Delaware but to accept it also or suffer the loss of her slave property."

The fears of the Gazette, it will be noticed, were that Delaware would be forced into compensated emancipation by other border states accepting it, and not through Delaware's leading the way. But the border states in general were cool toward Lincoln's scheme. Soon "John and Joseph" wrote to the Gazette, doubting if the plan could be carried out at that time. On principle, they said, Maryland and Delaware might object; the more southern states very probably would, and this seemed likely from the tone of the speeches in Congress on the subject by the representatives of the border states; if it were generally accepted by the border states, the plan would be so costly that if the people of the free states were consulted about it, they probably would reject it, preferring the continuance of slavery in the South to high taxes.80

The failure of compensated emancipation in February, 1862, had made any legislation by Delaware on the
subject impossible until the next regular meeting of the legislature, which would be in January, 1863. Since the political composition of that body would be determined chiefly by the results of the November, 1862, elections, the pro-administration press began a vigorous campaign for Lincoln’s scheme. When the emancipation bill had been under discussion by the Delaware legislators in February, an enthusiastic writer in the *Journal* asserted boldly, “The old cry of *abolition* . . . has had its day—it has no terrors now.” Soon after, the editor, under the caption “Consistency,” emphasized the duty of leading men of all parties to change their political creed to keep step with progress. In the March 11th issue much space was devoted to Lincoln’s resolution of March 6, relating to compensated emancipation, which was pronounced “one of the most important documents that ever emanated from the Federal Executive, since the foundation of the Republic,” and the *Journal* repeated its warning of a month before—“Now, if ever, is the time for this State to rid itself of the curse of slavery.” A week later Fisher’s speech in Congress was printed, with cordial approval, and a correspondent from Washington wrote: “Emancipation with just compensation is a foregone conclusion. Its fulfilment is simply a question of time, and so far as the Border States are concerned is not remote.” Soon after, the editor of the *Journal* averred that “several of the most efficient co-workers with Mr. Saulsbury hitherto, have repudiated both him and his national heresies, and in conjunction with some of the most influential slaveholders of the State, are advocating Emancipation as a necessary condition of unity and peace to the country in the present public exigency.”

In April, after the passage by Congress of the bill for the compensated abolishment of slavery in the District of Columbia, the *Journal* opened up full blast on the subject and stated editorially:

“The question of Emancipation will enter largely into our next elections, . . . [and] will form the main feature, the controlling principle, of the party of the Union,
throughout the States and will swallow up all other party questions and creeds. . . .

"Abolition has ceased to be the scare-crow of politicians. . . ."

"[The people] begin to realize the fact that slavery and not abolition is the perfidious parent of all our national troubles.

"Men are, today, willing to be called abolitionists, who, one year ago, would have felt insulted at even a distant intimation of any such idea. The word has lost its evil spell; and thousands of honest, patriotic, loyal hearts are ready to inscribe EMANCIPATION on their banners and bear it on in triumph through the storm of bullets or the more calm battle of the ballot-box. . . ."  

In the next issue another long editorial, in similar vein, ended grandiloquently: "Delaware is ready to inscribe upon her banners Emancipation with Colonization, and join the swelling ranks of the Union in which she is resolved to do battle evermore."  

However, the Journal's cheerful confidence, if genuine, was not shared by Representative Fisher, who wrote, on April 3, the day he had voted with the Republican majority to abolish slavery with compensation in the District of Columbia, that he was not yet able to say whether Delaware would sustain him; but that his conscience was clear. This bill, the first successful assault of the radicals on slavery outside of the Confederacy, had got Fisher's vote, but not his entire approval. In a speech in the House (May 12) he took the radicals to task for their arbitrary methods in railroading the bill through, saying that he had had a better bill ready to substitute, had he had an opportunity to do so, and charging that the bill as passed was so defective that the President himself had hesitated to approve it.

The Journal continued to endorse Lincoln's plans regarding slavery; but when the summer came, and party platforms were drawn up, it is highly significant to observe that the anti-Democrats, who by this time had changed their appellation to the "Union Party," as a better indication of their program, avoided any specific reference to compensated emancipation or colonization,
in the resolutions which they drew up in connection with organizing and nominating candidates for the fall campaign. In the earliest call for a convention for New Castle County, the appeal was made to all "who are in favor of supporting the present National Administration in its determined efforts to maintain the Union, suppress rebellion by force of arms, and thus secure a permanent and honorable peace." In June a convention call was issued in similar terms for Kent County, which finally resolved to uphold Lincoln's administration, pronounced it too lenient toward sympathisers with the rebellion, approved Fisher, and condemned Bayard and Saulsbury. In the following month, in Sussex, which was expected to be the battle-ground of the campaign, a "Grand Union Demonstration" was held at Georgetown, with Caleb S. Layton in the chair. The meeting endorsed Fisher's course in Congress, and adopted fourteen resolutions, of which the fourth expresses the sentiments of the meeting, as well as, no doubt, those of Layton, the Chairman of the Resolutions Committee:

"That while we have no sympathy with the extreme doctrine of Abolitionism, any more than with the extreme and yet more bloody dogmas of Secessionism, we will not, as sensible men, be driven from our propriety, or from the full and patriotic discharge of our Constitutional duties to uphold the hands of the Federal Government in their efforts to crush this wicked rebellion, by the contemptible and insane cries of 'Abolitionism, Black Republicanism, and Negro Equality,' urged falsely by corrupt, profligate party hacks, against all who are honest, and fearless, and patriotic enough to oppose the present Breckenridge Sham Democratic-Disunion party, which we hold to be justly responsible before God and the world for the present rebellion, and for most of the evils which now afflict our unhappy but beloved country."

Thus the Unionists of 1862 sheered off from any direct allusion to voluntary emancipation in their platforms, an unfailing indication of its lack of value as a vote-getter. Doubtless its party candidates leaned in that direction, especially in New Castle County, the stronghold of antislavery feeling. But although the faithful
Journal persevered in its liberal policy and pronounced Lincoln's intended emancipation of all slaves in the confederacy "his last great step to Union and Peace," we must gauge public opinion, at least in the southern part of the state, by the more reliable indications of party platforms.

The Democrats took their cue, if any had been needed, from the Union Party's silence on Lincolnian emancipation, and came out boldly against it. The resolutions adopted at Georgetown August 12 left no room for doubt as to the stand of the Sussex Democracy on slavery and abolition, compensated or otherwise:

"WHEREAS, the Black Republican . . . meeting on July 22 failed to declare itself on . . . emancipation,

"RESOLVED, That we declare 1st, our unalterable and uncompromising opposition to the proposition of the President of the United States for the abolition of slavery in the Border States, with pretended compensation to their owners or upon any other terms or conditions whatever, except the free, unsolicited and unsuggested voice of the people. 2d. That we will inflexibly oppose all attempts at the abolition of slavery in the State of Delaware, and do hereby declare that if we are intrusted with the confidence of the people, that the relation of master and slave shall continue in the future as it has in the past, and that this State shall continue to be governed in accordance with the precept and example of the good, the great and the wise who preceded us."

The rest of the Democracy of Delaware were scarcely willing to cherish the institution of slavery with the enthusiasm which had just been expressed in Sussex; but all outside interference was emphatically rejected, as the resolutions adopted at the state convention in Dover, September 4, demonstrate:

"6. That it rests with the people of Delaware alone to determine when their interests and sentiments require the abolition of negro slavery, and when they are so determined they have no right to ask that the people of other states shall be taxed for that purpose, and that we believe it both unwise and dangerous to attempt any radical change in the institutions and habits of the people in the midst of civil war."
“7. RESOLVED, That the evident intent of the Republican party is to place the negro on a footing of equality with the white man, and that the constant intermeddling of Congress, during its last session, with the question of slavery, (although the late Abolitionized Republican Convention in this State affected to slur over the question as ‘threadbare’) affords ample evidence that such intent exists, and that we are not prepared to degrade the white race to a level with the negroes at the bidding of false philanthropy and fanatical madness.

“8. RESOLVED, that the Democratic party are unalterably opposed to the scheme advocated by the Black-Republican Abolition disunion party for the abolition of slavery in this State, and we hereby pledge ourselves, if entrusted with the public confidence, to resist said scheme by all honorable and constitutional means. . . .”

It is evident from the tone of the resolutions just quoted that feeling ran high, but the slavery question was but one of many sources of controversy and irritation. The Delaware newspapers of 1862 record what seems to be an unusual amount of Negro crime, ranging from disturbance of the peace to attempted poisoning of white people; other items indicate increasing uneasiness among the colored population, which was harshly subdued by the whites. Arrests on suspicion of disloyalty were frequent. A resort to draft for the army was narrowly evaded. References to disloyalty and “the sin of slavery” were resented. As late as September, it was reported that Delawareans were leaving to join the Confederate forces. From a national standpoint, the inactivity of General McClellan had been a burden to the Union Party men. Each party accused the other of being disunionists, and the taunt of “secessionist” was answered by that of “abolitionist.” In all this, the Negro, devoid of political rights, received scant consideration—although the war in the last analysis was being fought over the Negro, it certainly was not being fought for him, by Delawareans, at least.

When the tumult and shouting of election day had subsided, and the ballots had been counted, New Castle County was still in the Union Party column (or, to use
the *Gazette*’s appellation, the “Thomas Garrett party”), and Kent had a majority for the Democrats (as the *Journal* called them, the “Bayard-Nigger party.”) This was as of 1860. But Sussex, which the two parties had divided in 1860, this time returned all Democrats to the legislature. William Cannon, of that county, ran somewhat ahead of his fellow Union Party candidates in Sussex, and won the governorship, with a majority of 111. Fisher ran behind in all counties, and especially in Sussex, and lost his seat in Congress to William Temple, now a Democrat but formerly a Whig, by 37 votes. As early as July 15 the *Gazette* had branded Fisher “another Daniel come to judgment,” and had called compensated emancipation “a dead cock in the pit.” These predictions proved true. Fisher, exponent of Lincoln’s plan, was shelved, and the legislature which met in January, 1863, was Democratic by 5-4 in the Senate and 14-7 in the House. Far from any thoughts of compensated emancipation, the Democratic majority busied itself with investigating and denouncing the intrusion of federal troops into the state at the time of the election, whose presence, it was averred, had brought about the defeat of the Democratic candidate for Governor. The *Journal*’s Dover correspondent wrote January 26 that the best thing the legislature could do would be to adjourn. Beneficial legislation would be passed over, he believed, for the “tricky political schemes of these vile demagogues.”

In reviewing the unhappy fate of Lincoln’s emancipation project in Delaware, three factors must be taken into account. First of all, a rooted distrust of “abolitionism” still prevailed in probably a majority of Delaware minds, increasing in extent and violence from New Castle County southward to Sussex. Abolitionism had been unpopular in the past; now it was blamed not only for attempting to upset the existing social system in the slave states, but also for engendering thereby the secessionist spirit in the South; these two evils, abolitionism and secessionism, were jointly responsible for the
war, everyone then admitted. It was as natural, of course, for the Democrats to cast the whole blame for the unhappy existing state of the nation upon the abolitionists, as it was for the Union Party men to mark up the whole score to the southern secessionist conspirators. It was easy enough, therefore, to blast the Lincoln scheme with the fatal taint of abolitionism, thus preventing many from viewing the proposition calmly, had they been so inclined—and it must be apparent that the excitements of war time were not at all conducive to considering any question, abstract or concrete, in the calm light of reason.

The second factor to be noted is the existing political leadership in Delaware, which at that time was in the hands of Democratic statesmen (or politicians, as one chooses to call them). James A. Bayard was the outstanding figure in state politics, and was one of the prominent Democratic leaders in the United States Senate of the time. He had labored earnestly to avert the outbreak of war, and after it began had become an uncompromising critic of the Republican administration. His colleague in the Senate, Willard Saulsbury, pursued a similar course, but with greater vehemence. Neither of Delaware's Senators seems to have taken part in Lincoln's conferences with the border states congressmen in 1862. Bayard in Wilmington, and Saulsbury, with his brothers Gove and Eli, "downstate," dominated Democratic politics and policy in Delaware. Pitted against these influential leaders was George P. Fisher, handicapped by the difficult task of coordinating various discordant elements in his party, with an uncertain personal following, and withal an inexperienced and comparatively inconspicuous figure in the national House of Representatives. John M. Clayton might have saved the day, but Clayton was dead, and there was no one to take his place. Bayard at least would gladly have rid Delaware of slavery, if the Negroes could have been got rid of too, and this was Lincoln's plan; but Bayard had little respect for the Lincoln policies; Lincoln had insisted upon
coercing the South, and his mistaken Fort Sumter policy, as Bayard believed (and as modern historians are inclined to agree), had unnecessarily driven Virginia and three other northern slave states into the Confederacy;\textsuperscript{116} hence it was scarcely within human expectation that Bayard should give much consideration to the Lincoln proposals. No consideration was given them; the Lincoln plan was denied a hearing before the Democracy of Delaware.

Finally, Lincoln’s plan was open to several serious objections on the score of practicability. It is true, of course, that the seceding states had visions, which doubtless were abandoned with reluctance, of drawing all the border states into the Confederacy.\textsuperscript{117} But it may well be doubted whether the insurrectionary states would so promptly have laid down their arms upon the adoption of emancipation by the border states, as Lincoln hoped. Lincoln made his appeal on a business basis, claiming that it would be cheaper for the North to buy the slaves than to pay the increasingly heavy expenses of the war.\textsuperscript{118} If it could have been known in advance that the war was to last four weary years, all would have agreed on the financial preferability of buying every slave south of the Mason-Dixon line, viewed purely as a business proposition. But few would have predicted a four years war, and others believed that the South would fight “to the last ditch;”\textsuperscript{119} so the immediate prospect was one that would scarcely have appealed to the hard-headed business man, even at the time when Lincoln first made his proposal, when, of course, its financial savings would have been greatest. It was quickly pointed out that the total cost of general emancipation would be $1,200,000,000. Of this sum (a huge one to the people of 1862, less accustomed than we are now to thinking in terms of billions), the Gazette\textsuperscript{120} figured that Delaware’s share would be $5,000,000. Besides, the colonization of the freed Negroes would add greatly to the total cost.

Other practical difficulties were involved, especially if the emancipation offer were accepted by the cotton
states—and these were included in Lincoln’s resolution of March 6, 1862, which Congress adopted. Opponents of the plan pictured vividly a rush of Negroes to the North, displacing white labor, which, the Gazette dolefully predicted, would be forced to surrender its jobs to black labor, and would have to migrate South and there fill the places vacated by the ex-slaves. Color was lent to these fears by reports that already “contrabands” were thronging northern cities, including Wilmington. Such fears overlooked the accompanying plans for colonization; but later the Gazette, advertsing to that feature of Lincoln’s scheme, denied that there were too many Negroes in the country, and maintained that, besides being a boon to the colored man to be rescued from the night of African barbarism, their presence in the United States had for many years provided good jobs for Northerners in furnishing clothing for these black laborers, which jobs would vanish when those black laborers left our shores.

On their side the emancipationists emphasized Lincoln’s main point, that of saving the great cost of carrying on the war. This argument unfortunately was both speculative and contingent, and, as the struggle dragged on, piling up debt and bitterness, the advantage to be gained was gradually reduced, by the operation of the law of diminishing returns, to a practical nullity. The only other shot in the emancipationists’ locker of economic arguments was a comparison of the mounting wealth and population of the North with the lagging South—the reason for which, they pointed out triumphantly, was slavery. The emancipationists dilated on the blessings and prosperity of a land ruled by white labor, with the Negro safely out of the picture. Yet it must be admitted (or at least, so it seems to the present writer) that, whatever the real validity of these economic arguments may have been, in making a practical appeal to the voting populace, the advantage was decidedly with the opponents of compensated emancipation.

The crucial point in the Lincoln plan was to get it
started, and started as quickly as possible. Once begun, it would have gathered volume and momentum, like a descending avalanche, to overwhelm slavery quickly and completely. But it failed at the outset, by that fatal one vote in the Delaware legislature; the golden opportunity had been lost.

The defeat of Lincoln's plan in February and again in November, 1862, ends the story, so far as Delaware is concerned, but it by no means ended Lincoln's advocacy of it. As has already been noted, Lincoln made his first proposal in his message to Congress in December, 1861, on which Congress had taken no action. March 6, 1862, he sent a special message to Congress, urging the adoption of a resolution

"That the United States ought to cooperate with any State which may adopt gradual abolishment of slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public and private, produced by such change of system."

This resolution was adopted by the House on March 11, and by the Senate April 2. In the accompanying message, Lincoln had said:

"If the proposition contained in the resolution does not meet the approval of Congress and the country, there is the end; but if it does command such approval, I deem it of importance that the States and people immediately interested should be at once distinctly notified of the fact, so that they may begin to consider whether to accept or reject it. The Federal Government would find its highest interest in such a measure, as one of the most efficient means of self-preservation. The leaders of the existing insurrection entertain the hope that this Government will ultimately be forced to acknowledge the independence of some part of the disaffected region, and that all the slave States north of such part will then say, "the Union for which we have struggled being already gone, we now choose to go with the southern section." To deprive them of this hope, substantially ends the rebellion; and the initiation of emancipation completely deprives them of it as to all the States initiating it. The point is not that all the States tolerating slavery would very soon, if at all, initi-
ate emancipation, but that, while the offer is equally made to all, the more northern shall, by such initiation, make it certain to the more southern that in no event will the former ever join the latter in their proposed confederacy. I say 'initiation,' because, in my judgment, gradual, and not sudden emancipation, is better for all. . . . In the mere financial or pecuniary view, any member of Congress, with the census tables and Treasury reports before him, can readily see for himself how very soon the current expenditures of this war would purchase, at their valuation, all the slaves in any named State. Such a proposition on the part of the General Government sets up no claim of a right by Federal authority to interfere with slavery within State limits. . . . It is proposed as a matter of perfectly free choice with [the States].

"In the annual message last December, I thought fit to say, 'the Union must be preserved; and hence all indispensable means must be employed.' I said this not hastily, but deliberately. War has been made, and continues to be an indispensable means to this end. A practical reacknowledgement of the national authority would render the war unnecessary, and it would at once cease. If, however, resistance continues, the war must also continue; and it is impossible to foresee all the incidents which may attend, and all the ruin which may follow it. Such as may seem indispensable, or may obviously promise great efficiency towards ending the struggle, must and will come.

". . . In view of my great responsibility to my God and my country, I earnestly beg the attention of Congress and the people to the subject."130

Although the resolution passed Congress, as noted above, Lincoln found both the free states members and those from the border states rather dubious about his proposal,131 and since the cooperation of the border states was essential in his plan, he discussed the project with the latter members on March 10, at which their fears and doubts were aired.132 The next day the resolution was adopted by the House, but not with the support of the unconvinced border states Representatives, only two of whom, Fisher of Delaware and Francis P. Blair, Jr. of Missouri (both listed as Republicans) gave it their assent.133 And when the resolution was adopted by the Senate, only Davis of Kentucky and Henderson of
Missouri were in the "aye" column, with five of the other six border states Senators listed as "noes." Most emphatically, Lincoln was not getting border states support for his plan.

Lincoln persevered, however, and before Congress adjourned in July he made two further attempts to interest the border states in his plan. One of these was in connection with his revocation of General Hunter's proclamation of May 9 freeing the slaves in his military district. The other was a second conference with the border states members of Congress, July 12, on the eve of adjournment. Lincoln reiterated his previous arguments, in a prepared paper. "If you had all voted for the resolution in the gradual emancipation message of last March," he said, "the war would now be substantially ended. And the plan therein proposed is yet one of the most potent and swift means of ending it." He asked not for "emancipation at once, but [for] a decision at once to emancipate gradually. Room in South America for colonization can be obtained cheaply and in abundance, and when the numbers shall be large enough to be company and encouragement for one another, the freed people will not be so reluctant to go." "The institution in your States," Lincoln pointed out, "will be extinguished by mere friction and abrasion—by the mere incidents of the war." Finally he referred significantly to Hunter's proclamation:

"General Hunter . . . expected more good and less harm from the measure than I could believe would follow. Yet, in repudiating it, I gave dissatisfaction, if not offense, to many whose support the country cannot afford to lose. And this is not the end of it. The pressure in this direction is still upon me, and is increasing. By conceding what I now ask you can relieve me, and, much more, can relieve the country in this important point."

The border states men listened politely, and then, like the guests bidden to the wedding, with one consent began to make excuse. A majority of twenty drew up a formal statement setting forth their reasons for
opposing Lincoln's plan, while eight others reported endorsing it.\textsuperscript{136}

Whether the border states men realized it or not, it was no idle hint that the President had thrown out concerning "increasing pressure" from another direction. After this second rebuff from them, he proceeded directly to his next measure, one of a quite different character. Pressed by the need for infusing vigor into the prosecution of the war, and convinced of the hopelessness of further efforts to get the border states to strike a blow at the Confederacy by abolishing slavery within their own limits, Lincoln, on the day following the interview just described, proposed to Seward and Welles, as a military measure, to emancipate the slaves in the "rebel" states. In Welles' words, "What had been done and what he [Lincoln] had heard [at the border states conference] satisfied him that a change of policy in the conduct of the war was necessary, and 'that emancipation of the slaves in the rebel States must precede that in the border State...'. Forced emancipation in the States which continued to resist the Government would of course be followed by voluntary emancipation in the loyal States, with the aid we might give them."\textsuperscript{137}

On July 22, ten days after the second interview with the border states Congressmen, Lincoln announced his intention to his Cabinet to issue a proclamation (1) warning those in rebellion against the government "to return to their proper allegiance to the United States," or suffer the forfeiture and seizure of their property,\textsuperscript{138} and the freeing of their slaves on the first of January next, and (2) announcing the President's intention to recommend to the Congress which would convene in December "a practical measure for tendering pecuniary aid to the free choice or rejection of any and all States which may then be recognizing and practically sustaining the authority of the United States, [and] may voluntarily adopt, gradual abolition of slavery..."\textsuperscript{139} Two months later the proclamation was issued,\textsuperscript{140} and December 1 Lincoln recommended to Congress in his
annual message, an amendment to the Constitution (1) giving every state which should abolish slavery before 1900 United States bonds to the amount of .......... for each slave held in 1860; (2) freeing all slaves actually enjoying their freedom, before the end of the war, with compensation to their owners, if loyal; and (3) empowering Congress to appropriate money to colonize free Negroes, with their own consent, outside the United States.\textsuperscript{141}

Although the amendment made no progress in the Congress of 1863, and the states in insurrection made no move to return to the national fold before the emancipation proclamation was issued January 1, 1863, there were some stirrings in Missouri in favor of emancipation,\textsuperscript{142} and Lincoln in his message of December 8, 1863, noted these movements as “matters of profound congratulation.” “My general views,” he added, “remain unchanged. I trust that Congress will omit no fair opportunity of aiding these important steps to a great consummation.”\textsuperscript{143} The attempts in Missouri did not reach fruition. In 1864, the Union element in Maryland got the upper hand, and proceeded to abolish slavery\textsuperscript{144} in a manner quite different from Lincoln’s gradual, compensated plan, which Lincoln hardly approved of, but did not oppose.\textsuperscript{145} By June, 1864, the President was willing to endorse the proposed thirteenth amendment:

“When the people in revolt, with a hundred days of explicit notice that they could within those days resume their allegiance without the overthrow of their institution, and that they could not so resume it afterwards, elected to stand out, such amendment of the Constitution as now proposed became a fitting and necessary conclusion to the final success of the Union cause.”\textsuperscript{146}

And he probably thought, but did not add, that the border states too had had all the warning, and all the opportunity that they could ask, to indemnify themselves for the loss of property which they must have seen they could not long retain.

But still this was not the end of Lincoln’s struggle
for compensated emancipation. In the last stages of the war, Lincoln drafted a message to Congress, recommending that he be empowered to pay the slave states (loyal and secessionist) $400,000,000, to be divided pro rata according to the slave population in 1860, on condition that the war cease by April 1. In the face of unanimous disapproval by the Cabinet, the message was not sent.¹⁴⁷ Thus tenaciously did Lincoln cling to compensated emancipation even till death.¹⁴⁸
NOTES


3 Greeley’s oft-quoted editorial, in his New York Tribune, November 9, 1860, will bear another repetition here: “If the cotton States shall decide that they can do better out of the Union than in it, we insist on letting them go in peace. . . . We hope never to live in a republic whereof one section is pinned to the residue by bayonets.” (E. C. Kirkland, The Peacemakers of 1864 (New York, 1927), 60.)

4 Several proposals of concessions were made, of which the most noted are the so-called “Crittenden resolutions,” debated in Congress in January, 1861. They proposed (among others) an amendment to the Constitution reestablishing the old 36° 30’ line, prohibiting slavery north of this line, and admitting it south of the line, in all territory “now held or hereafter acquired” by the United States. (E. McPherson, Political History of the . . . Rebellion (Washington, 1864), 64-66.) The Republican objection was not concerning territory “now held.” Lincoln wrote to Seward (February 1, 1861): “Nor do I care much about New Mexico, if further extension were hedged against.” (J. G. Nicolay and John Hay, Abraham Lincoln: Complete Works (New York, 1894, 2 vols.), i, 669). Republicans feared that Cuba and the rest of Mexico might be acquired and added to slave territory.

5 G. A. Tracy, comp., Uncollected Letters of Abraham Lincoln (Boston, 1917), 171.

6 For example, see Lincoln’s letter of December 21, 1860, to Governor Curtin, of Pennsylvania. Lincoln suggested that Curtin state in his inaugural address “the purpose of yourself, and your State to maintain the Union at all hazards.” (P. M. Angle, comp., New Letters and Papers of Lincoln (Boston, 1930), 260).

7 On Lincoln’s policy during this trying period, see N. W. Stephenson, Lincoln (Indianapolis, 1924), 98ff.

8 J. G. Randall, Constitutional Problems under Lincoln (New York, 1926), 369.


9 Among them, the cost, and growing opposition by the extreme Garrisonian-type abolitionists, whose excess of anti-slavery zeal also tended to discredit the colonizationists in the South. In fifty years (up to 1867) the American Colonization Society had sent to Liberia 6000 Negroes. See E. L. Fox, The American Colonization Society 1817-1840 (Johns Hopkins University Studies in Historical and Political Science, Series 37, No. 3—Baltimore, 1919).

10 Suggestions for sending the Negroes back to Africa date back to the early eighteenth century. Before the extensive settlement of the western country, it was proposed to found Negro states in the Old Northwest and in the new Louisiana territory. Thomas Jefferson favored colonization, seeing in the differences between the two races an insuperable obstacle to amalgamation—


11 In 1852 Lincoln, in a eulogy on Henry Clay, commented with approval on Clay's advocacy of colonization. In 1854 Lincoln was advertised to speak on "Colonization" in Springfield. In December, 1856, he said that separation of the two races, the only preventive of amalgamation, if ever effected, must be effected by colonization. No party, as such, was now doing anything directly for colonization. It was a hard job, but "where there is a will, there is a way," and what colonization needed most at that time was a hearty will. When the people should come to see that it was "morally right," and to their interest, or at least not against it, to return the African to his native clime, "we shall find a way to do it, however great the task may be." *Complete Works*, i, 167-176, 235; A. J. Beveridge, *Abraham Lincoln 1809-1858* (Boston, 1928), ii, 249.

12 His protest (*Complete Works*, i, 15), made in 1837 against certain resolutions adopted by the Illinois Legislature, of which he was a member, was a manifesto of Lincoln's opinions on the slavery issue, which he maintained throughout his life. In addition to the statement concerning the District of Columbia, Lincoln said he believed that Congress had no power to interfere with slavery in the states, and that "the institution of slavery is founded both upon injustice and bad policy, but that the promulgation of abolition doctrines tends rather to increase than abate its evils."

13 Beveridge, i, 481-483.

14 *Delmarvia Star* (Wilmington), February 9, 1919. Concerning this reference, see note 57.

15 *Complete Works*, ii, 156.

16 *Complete Works*, ii, 204.

17 The Delaware constitution of 1776 declared that no slave "ought to be brought into this State for Sale from any part of the World." (See *Delaware Notes*, Sixth Series (Newark, 1930), 30.) An act of 1787 provided penalties for importation. Exportation was prohibited by the same act, and one of 1789. (*Laws of the State of Delaware* (New-Castle, 1797), ii, 885-886, 943.)

18 From *Return of the Whole Number of Persons . . . [First Census]* (Washington, 1802), 42.

19 From *Eighth Census, Population*, 45.

20 As early as 1767, New Castle and Sussex had combined against Kent to prevent the prohibition of slave importation. (See *Delaware Notes*, Sixth Series, 30.)

21 Famous as an uncompromising Quaker foe of slavery was Thomas Garrett, of Wilmington, who assisted more than 2000 runaway Negroes in their flight through Delaware.

22 New Castle County in 1860 had 8570 foreigners, of whom 4057 were in Wilmington; Kent had 510, and Sussex only 80. Almost two-thirds of these immigrants were natives of Ireland,
and most of the remainder were from England and Germany. (Eighth Census, Population, 47-48.)

23 The ratio of black to white population was 1 to 2.7 in Kent, 1 to 4.2 in Sussex, and 1 to 5.5 in New Castle.

24 For statistics of agricultural production in 1860, see Eighth Census, Agriculture, 16-17. Such distinctively Southern plantation crops as cotton, sugar, and rice formed no part of Delaware's agricultural output. A little tobacco was grown in New Castle County.

<table>
<thead>
<tr>
<th>Acres of land, improved, in farms</th>
<th>Cash value of farms</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Castle ......................</td>
<td>190,456</td>
</tr>
<tr>
<td>Kent ............................</td>
<td>204,925</td>
</tr>
<tr>
<td>Sussex ..........................</td>
<td>241,684</td>
</tr>
</tbody>
</table>

(Eighth Census, Agriculture, 16-17.)

26 In New Castle and Kent, one-half of the farms were under 100 acres; in Sussex, almost two-thirds. There were no farms in the state of as much as 1000 acres, and only fourteen (seven of them in New Castle County) of over 500 acres. (Eighth Census, Agriculture, 195.)

<table>
<thead>
<tr>
<th>Horses</th>
<th>Working oxen</th>
<th>Farming implements and machinery</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Castle ...... 7057</td>
<td>1717</td>
<td>$433,003</td>
</tr>
<tr>
<td>Kent 5208</td>
<td>2620</td>
<td>223,222</td>
</tr>
<tr>
<td>Sussex 4297</td>
<td>5193</td>
<td>161,658</td>
</tr>
</tbody>
</table>

(Eighth Census, Agriculture, 16-17.)

28 It is not pretended that a wholly accurate picture of economic conditions can be derived entirely from scanty census statistics. Nor do the latter explain everything; higher land values in New Castle, for example, were due in part to nearness to markets.

29 There were 86 in New Castle County, 66 in Kent, and 435 in Sussex. (Eighth Census, Agriculture, 225.)

30 Governor Caleb Rodney, in his message to the legislature of January 7, 1823, noted with satisfaction the voluntary emancipation which had been taking place during the past thirty years. He predicted that if there were but one-fourth as many manumissions in the next thirty, slavery would be gone. "Slavery in every shape and form," he said, is "a blemish ... to liberty, [but we] must bear the misfortune until time shall cure it. ..." (Senate Journal, 1823, 9.)

Dozens of petitions for the abolition of slavery, with hundreds of signatures, in which Quaker names predominate, are preserved among the MS. Legislative Papers in the Public Archives at Dover. They cover the whole pre-war period. Many of them were referred to committees, which usually reported that it was "inexpedient to legislate upon the subject." An abolition petition presented by 319 women of Wilmington evoked a somewhat different response from the committee to which it had been referred: "Your committee are also decidedly of the opinion that the petitioners ... would confer more real benefit upon society, if they hereafter would ... be more solicitous to mend the garments of their husbands and children, than to patch the breaches of the Laws and Constitution." (House Journal, 1839, 152-153.)

Among the numerous abolition projects presented, was a bill to free children of slave mothers and free Negro fathers who would
pay for their rearing. It passed the House but was "unanimously rejected" by the Senate. (MS., Legislative Papers, 1823, Public Archives.)

31 A petition to the Legislature in 1832, bearing 65 Sussex names, complained that "the present existing Law, forbidding all persons of transporting conveying or Selling their Slaves out of this State, is oppressive in its nature, and pernicious in its consequences; these facts are too plain to require an elucidation, as it is evident that a great many if not all of the cases of Kidnapping are caused by this law. Therefore we . . . pray you to repeal this Law & give the should-be free and independent people of this State the unrestricted priviledge of disposing of their property as they may see proper." (The punctuation of this quotation has been altered in the interest of clearness.) A petition from Sussex of similar tenor in 1837, with 32 names, alleged that it was difficult to secure convictions on kidnapping cases from local juries, because they were convinced of the injustice of the exportation law of 1827. (MSS., Legislative Papers, in the Public Archives.) The "kidnapping" of free Negroes for sale into slavery outside the state was an evil to be found throughout the period. See, e. g., Robert Sutcliff, Travels in Some Parts of North America in the Years 1804-5-6 (Philadelphia, 1812), 218-221, 256-257; and an advertisement in the Delawarean (Dover), April 27, 1861, offering a reward for the return of a Negro girl, "probably kidnapped."

Illegal exportation of slaves also played its part in the decline of slavery in Delaware. Concerning the decrease from 1790 to 1800, the Delaware Society for Promoting the Abolition of Slavery reported in 1801: "We suspect this decrease has not arisen entirely from . . . emancipation, but partly from the trade of exportation which has been carried on for some years past." (MS. in the Historical Society of Pennsylvania, Three Lower Counties, Papers, 303.)

32 The original bill, Mr. Leon de Valinger, Jr., of the Public Archives informs me, is not to be found in their collections. The Delaware State Journal (Wilmington) for February 23, 1847, described the bill as "one of a gradual character, free from all fanaticism, and providing for the freedom of all the children of slaves born after the year 1860." An amendment to make "children born of slaves to be servants till 28" was part of the bill as passed by the House, which adopted it by a 12-8 vote. It was indefinitely postponed by the Senate, 5-4—not, however, by the casting vote of Speaker Morris, as Scharf (1, 325) says; Morris voted against postponement. (House Journal, 1847, 195-197. 302-303; Senate Journal, 1847, 179.) The Democratic Sussex delegations in both Houses, including William Cannon, afterwards Governor and a strong supporter of the Lincoln administration, voted against the bill. It cannot be called wholly a party measure, since several Democrats voted for the bill, and several Whigs against it.

33 Apropos of Whig efforts to keep the slavery question from coming up in the Philadelphia convention which nominated Taylor, the Democratic Delaware Gazette (Wilmington), June 6, 1848, said editorially: The secret of the matter is that when anti-slavery was thought to be desirable, the Whigs supported it; but now that it has fallen into disrepute, "it becomes very proper to kick and curse their late anti-slavery colleagues, and proclaim their independence of any connection with them, or sympathy for their cause."
34 John M. Clayton to George P. Fisher, January 7, 1856 (MS. in private possession—copy in the Public Archives.)

35 *Gazette*, November 21, 1854, November 11, 1856. The shifting in party allegiance during these times of political flux is illustrated by the following quotation from the *Delaware Republican*, in the *Gazette*, August 22, 1856: “In 1854, only two years ago, Mr. [Edward G.] Bradford and B. T. Biggs, Esq., . . . earnestly opposed the abandonment of the Whig organization in this State. Yet where are they now? The former supporting Fremont, the latter James Buchanan.”

36 In 1856, 306 votes were cast, all from New Castle County, for Fremont, the Republican candidate for President. (*Gazette*, November 11, 1856.) In 1860 Delaware cast for Lincoln 3815 out of a total of 16,049 votes. This was proportionally larger than the Lincoln vote in any other slave state (see McPherson, *History of the Rebellion*, 1)—too large to be disregarded, but not large enough, of course, to succeed in Delaware without other support.

37 *Journal*, June 15, 1858.

38 *Gazette*, November 5, 9, 1858. The Democrats elected their gubernatorial candidate, William Burton, for four years, and Delaware’s lone representative in the national House of Representatives.

39 The *Gazette*, November 5, 1858, said the People’s Party nominee for Congress, William R. Morris, “in every instance, so far as we could learn, refused to answer whether he would vote with the Black Republican Party or not, if elected, or whether he would vote for a Black Republican President if the election in 1860 should go to the House. Answers . . . were doubtless refused under instructions from the expiring faction as well as the faction which now has the ascendancy in the People’s Party.”

40 The *Delawarean*, February 4, 1860: In this state ever since the dissolution of the Whig Party, the Democrats have charged the Opposition with a tendency toward “Abolition-Republicanism.” It asserted that of the four leading Opposition newspapers, two “have already raised the banner of Black Republicanism”—the *Delaware Republican*, of Wilmington, and the *Peninsular News and Advertiser*, of Milford.

41 Ibid., quoting the *Delaware Republican* of January 26: “The formation of a Union Party may aid the Locofoco [Democratic] party but nothing else.”

42 The vote for presidential electors, November, 1860, was:

<table>
<thead>
<tr>
<th></th>
<th>Breckinridge (Democrat)</th>
<th>Douglas (Democrat)</th>
<th>Bell (Constitutional Union)</th>
<th>Lincoln (Republican)</th>
</tr>
</thead>
<tbody>
<tr>
<td>NC</td>
<td>3003</td>
<td>718</td>
<td>1575</td>
<td>2073</td>
</tr>
<tr>
<td>K</td>
<td>2077</td>
<td>143</td>
<td>717</td>
<td>1067</td>
</tr>
<tr>
<td>S</td>
<td>2243</td>
<td>140</td>
<td>1541</td>
<td>671</td>
</tr>
<tr>
<td></td>
<td>7347</td>
<td>1023</td>
<td>3864</td>
<td>3815</td>
</tr>
</tbody>
</table>

Returns for each county are from the *Delawarean*, November 10, 1860. The vote varied slightly for each of the three electors, and the smallest number has been taken in each case for this table. The totals, from H. C. Conrad, *History of the State of Delaware* (Wilmington, 1908), i, 196, are not quite in agreement with the sums of the county vote as shown.
The *Delawarean* noted (September 22, 1860) "considerable fluttering among the opposition" in Dover. The Union Party men there, according to the *Delawarean*, were opposed to Fisher, the People's Party candidate for Congress, and wanted a candidate of their own, but in this they were opposed by the Union Party men of New Castle.

*Delawarean*, October 6, 1860, quoting the Smyrna Times.

Of the seven Representatives elected from Sussex, the first on the list had 2496 votes; the seventh, 2366. A People's Party man was elected Senator by a safe majority of 406. For the returns of all counties, see the *Delawarean*, November 10, 1860.

Since Senators were elected for four years, some of those in the legislature of 1861 were holdovers from the election of 1858. All of the other house had been chosen in 1860.

The House, January 3, 1861, unanimously expressed its "unqualified disapproval of the remedy for existing difficulties suggested by the resolutions of the Legislature of Mississippi." (*House Journal, 1861*, 102-103.) The Senate concurred, 5-3; the three being Democrats who had been elected in 1858 (including the Speaker). Two Democrats voted with three People's Party men to concur. (*Senate Journal, 1861*, 45.)

The vote endorsing the Crittenden resolutions was 8-1 in the Senate and 19-2 in the House. The three dissentients were People's Party men, all elected in 1860, two from New Castle and one from Sussex. (*Senate Journal, 1861*, 65; *House Journal, 1861*, 142.) Two of them were hanged in effigy near the Middletown railroad station, where, presumably, they would be sure to view the spectacle. (Conrad, *History of Delaware, 196*.)

A Senate resolution of January 9, 1861, "That we earnestly recommend to our Senators and Representatives in Congress, under no circumstances, to countenance or sanction the withdrawal of any State from the Union . . ." was postponed "until some future day." (*Senate Journal, 1861*, 49-50.)

Ex-Governor William H. Ross, a prominent Democrat of Sussex County, wrote to a friend, May 23, 1861: "... My son Caleb left home yesterday for Baltimore. Three other young men accompanied him. Contrary to my wishes he intends to join the confederate army. He did not say so, but I feel quite sure that was the object in leaving home. Of course I shall be charged with having sent him, and every other young man who may leave the county. For that reason I had better leave the country for a while. . . ." (MS. in private possession.)

For these and other resolutions, see J. T. Scharf, *History of Delaware* (Philadelphia, 1888), i, 332-343.

It is of interest to note that in the preceding Congress (February 11, 1861) a resolution had been introduced into the House, as a compromise measure, "to inquire whether, by the consent of the people, or of the State governments, or by compensating the slaveholders, it be practicable for the General Government to procure the emancipation of the slaves in some, or all, of the 'border States.'" The resolution was laid on the table under the rule, and was not again considered. (McPherson, *History of the Rebellion*, 209.)

*Complete Works*, ii, 102.
One is printed in Angle, New Letters and Papers of Lincoln, 285. The second is in the Complete Works, ii, 91, and is dated by the editors "[November 26?] 1861."

As soon as Fisher's only term in Congress had expired, Lincoln appointed him a justice of the new Supreme Court of the District of Columbia. See Charles B. Lore, The Life and Character of George P. Fisher (Papers of the Historical Society of Delaware, No. 36—Wilmington, 1902.)

So I am informed by the Library of Congress, where the Fisher papers are deposited.

These two sources are: 1. Scharf, History of Delaware, i, 345-346. This work was written in 1888, when Fisher and others involved were still living, but there is no indication of the sources from which the account was derived. 2. An article in the Delmarvia Star (Wilmington), February 9, 1919, unsigned but by Mr. J. Barton Cheyney, to whom I am indebted for calling it to my attention. Some facts from Scharf are woven into this article, but it is chiefly based upon a conversation of Mr. Cheyney with Mr. Daniel Burton, of Millsboro, a son of Benjamin Burton. In September, 1929, I had a long talk (arranged through the kindness of Mrs. Mary Houston Robinson, of Georgetown) with Mr. Burton, who was then 91 years of age, during which he related the story as given in the Star, and added other facts concerning his father. Like all reminiscences long after the event, Mr. Burton's recollections may be questioned for accuracy of details; but as to the kernel of the story, the interview with Lincoln and in particular the importance which Lincoln attached to the plan for Delaware, the present writer believes that Mr. Burton's recollections of this notable event in the life of the elder Burton, as related to a keenly-interested family, should be accepted without hesitation.

Scharf, i, 345.

Conversation with Daniel Burton.

Delmarvia Star.

Ibid. Scharf says Sumner and Lovejoy (both radical anti-slavery members) would champion the bill.

Conversation with Daniel Burton.

Scharf.

Scharf.

The complete text of the bill was printed in the Journal, February 7, 1862. It may also be found in the House Journal, November, 1861, 230ff.

U. S. 6% 1861 bonds were quoted February 5, 1862, at only 88. In March and April they had risen to 93, and throughout the rest of 1861 fluctuated between 98 and 104. (J. J. Knox, United States Notes (New York, 1884), 97.) In one of the House's resolutions condemning the emancipation bill, the fact was noted that the bonds were below par, and that, considering the doubtful outcome of the rebellion, it would be unwise for the state to engage to pay for its slaves, on the basis of government bonds which, the inference was, the state might not be able to realize on. However, this resolution was lost, 3-13. (House Journal, November, 1861, 254.)

In reply to a charge that twice as much was being offered as the slaves were worth, "to tempt the cupidity of our legislature," it was suggested that the surplus could be used for internal
improvements. (Journal, February 14, 18, 1862.) Scharf (i, 345-346) says that Fisher insisted on $500 each, as against Lincoln’s suggested $300, intending that any surplus should be used for public improvements and education. In both of Lincoln’s drafts, the amount is calculated on a basis of $400 for each slave.

Scharf, i, 345-346.

Gazette, June 6, 13, 1862, quoting the Republican (Wilmington) and the Milford News and Advertiser.

“It is reported that Dr. Saulsbury has undertaken to force Senator Cannon, of Kent County, out of the Democratic party, by abuse, for having voted on the side of his country, in the State Senate.” (Journal, February 14, 1862.)

“The bill may fail, but it will be through the faithlessness of one of its professed friends.” (Communication, evidently from Dover, to the Journal, February 4, 1862.) The bill “was not offered for the reason that one man, and the only man in the entire body who had been elected as a distinctively Lincoln man, could not be induced to say he would support the bill.” (Scharf, i, 346.) The article in the Star names Cochran as the man, who could not be brought over. That it was Cochran is further indicated by the fact that he voted with the ten Democrats to put through the House’s resolutions censuring the unpresented bill. (House Journal, November, 1861, 183, 246, 249, 253, 256-258.) The change of Cannon’s and Cochran’s political affiliations and the effect of that change on the political lineup of the two houses, are described in Conrad, i, 197-198.

Journal, February 11, 1862.

“Not a dollar of money has been spent, not an argument has been used, not an influence has been exerted to improperly control votes. We challenge him [i. e., Senator Saulsbury, whose ‘organ,’ the Delawarean, had made the charges of ‘unscrupulous measures’] to specify a single instance.” (Journal, February 4, 1862.) The Gazette reported on rumor that one Democrat had been offered $10,000 for his “vote and influence” (February 14, 1862).

“1. Resolved, . . . That the members of this Legislature were not elected with a view to the passage of any act for the emancipation of Slaves, but with the understanding, either expressed or implied, that legislation upon the distracting subject of slavery was hostile to the public peace and therefore to be avoided; that the passage of the Act, drafted as aforesaid, inasmuch as it renders Congressional action necessary, would, upon the apparent application of the State of Delaware, introduce the Slavery question into Congress, would encourage the abolition element therein, and fortify it in its purpose to destroy entirely all property in Slaves, and furthermore would be injurious to the quiet and harmony that prevail in this State. [Adopted, 11-10.]

“2. Be it further resolved, . . . That it is the opinion of this General Assembly that Congress has no right to appropriate a dollar for the purchase of Slaves; and that such a proposal, coming from the source to which it is traceable, evinces a design on the part of some of those having the control of our National affairs to abolish Slavery in the States. [Adopted 11-10.]

“3. Resolved further, That this General Assembly having in mind the interests of the people of Delaware, are not willing, especially at a time of financial embarrassment and distrust like the present, to make the State of Delaware a guarantor of any
DELAWARE NOTES

debt the payment of which depends upon the mere pledge of public faith... [Lost, 3-18.]

“4. Resolved further, That when the people of Delaware desire to abolish slavery within her borders, they will do so in their own way, having due regard to strict equity; that any interference from without, and all suggestions of saving expense to the people, or others of like character, are improper to be made to an honorable people such as we represent, and are hereby repelled; that though the State of Delaware is small and her people none of the richest, they are beyond the reach of any who would promote an end by improper interference and solicitations.” [Adopted, 12-9.]

(House Journal, November, 1861, 230-240.

75 For example—the opposition moved as a substitute a resolution approving the votes of Martin W. Bates and William Saulsbury in 1826 cast in favor of a resolution declaring slavery “a moral and political evil” which should be abolished as soon as possible. The point of this was that the men named were the fathers of two prominent Democrats of 1862. (House Journal, November, 1861, 247.) The House non-concorded, by the same 11-10 vote, in a Senate resolution declaring that Delaware would sustain the national government, and believed the only method of restoring peace and security was in speedily and effectually suppressing the rebellion; and also that the war had been forced upon the nation by the “unjustifiable acts of those who have long conspired its destruction, and who by open rebellion are now striving to overthrow the government.” Keeping in mind the contention of the Democrats that the abolitionists were more to blame for the war than the South, it is obvious that they would be unwilling to adopt such resolutions. (Ibid., 284-285.) It is not surprising that the Senate, for their part, rejected the House’s resolutions on the emancipation bill; one Democrat being absent, these resolutions were non-concorded in, by the tie vote of 4-4. But it is somewhat mystifying to find that Senator Cannon, hitherto standing with the People’s Party men (for example, he voted for the government-sustaining resolutions just referred to), in this case supported his old Democratic colleagues, and was counted in the four Democrats who voted to concur. (Senate Journal, November, 1861, 111.) One is led to doubt whether Cannon would really have supported the emancipation bill, had it come to an actual vote. On the other hand, the evidence is insistent that only one legislator held out against the bill, and from Cochran’s votes in the House, referred to above (see note 71), it still seems more likely that he, rather than Cannon, was the “one” who was meant.

76 Journal, February 14, 1862.

77 The letters of Layton and his answerers are in the Journal, February 14, 18, 21, 25, 28, March 4, 7, 11, 14, 21, April 1, 18, 1862. Layton’s letters are signed “C. S. L.” The others bear various pen names—“Libertas,” “B.,” and “Delaware,”—which are not susceptible of identification by the present writer, although they seem to have been known to Layton.

78 “Libertas” conceded that “C. S. L.” was a “truly loyal man,” but hinted that in this matter “visions of Senatorial dignity may blur his eyes, and distort his imagination.” (Journal, March 14, 1862).

79 Gazette, February 11, 1862.

80 Gazette, March 21, 1862.

81 Journal, February 4, 1862.
82 Journal, February 18, 1862.
83 Journal, March 18, 1862.
84 Journal, March 28, 1862.
85 Journal, April 22, 1862.
86 Journal, April 25, 1862.
87 Journal, May 2, 1862. Some unidentified citizens of Smyrna showed their disapproval of Fisher by hanging him in effigy, much to the distress of the Smyrna Times (quoted in the Journal, May 9, 1862).
88 For Fisher's speech, see 32 Congressional Globe, 2066-2068. In this speech Fisher opposed the radical proposal to abolish slavery in the territories, and in other territory (dock yards, forts, etc.) under federal jurisdiction.
89 Regarding this change in cognomen, the Delawarean (May 17, 1862) observed cynically that the new "political Unionism" was "a sort of sugar-coated Republicanism."
90 Journal, May 13, 1862.
91 Journal, June 17, 27, 1862.
92 Journal, August 15, 1862.
93 Journal, July 29, 1862. The attitude of Sussex was fore-shadowed by the newspaper debate described above, between Layton of that county and others of his party who had different views on compensated emancipation.
94 Journal, September 26, 1862.
95 Gazette, August 19, 1862.
96 Gazette, September 9, 1862.
97 The letter of "Freeman," in the Journal for April 8, 1862, is more bellicose in tone than most communications. Referring to the demand of a Gazette correspondent to prevent the anti-Democrats from exposing the state to a "concerted attack" by antislavery agitators from New England, "Freeman" asked: "Does he mean to appeal to force? If so, we defy him and his whole band of peace-secessionists. We intend to discuss the question of slavery in Delaware, and to ask the people to accept the proffered aid of the government. We intend to support our government in its efforts to put down this rebellion and to punish traitors; we intend to class with secessionists those who have obstructed, resisted or opposed the government—those who have failed to give it a hearty support—those who have kept it from its own property when it was desired, and behaved with a sullenness indicative of blackness of purpose and malice of heart. And we intend, in reference to these points, to draw the line so clearly and distinctly that all sympathizers with treason, all secret enemies of the government, all pretended loyalists, and all peace hypocrites shall be unmasked and placed alongside avowed traitors and open enemies where they properly belong." (The italics are "Freeman's.")
98 See Journal, February 18, July 11, August 22, September 26; Gazette, April 18, 25, June 6, 17, 24, August 22, 26, December 30.
99 September 9, 1862, the Journal reported that a colored meeting house at Willow Grove had been burned by white men of the neighborhood, who also called on a nearby colored man to Lynch him, but found him not at home. The object of their visitation, the Journal ironically stated, had had "the temerity to urge the colored people to defend themselves against the assaults of a gang
of outlaws.” Two men searching for a corn-stealer near Smyrna entered the house of a colored man, who attacked them with an ax and was shot and fatally wounded by one of the men, who then fled. (Journal, February 7, 1862.)

100 For example, a letter from Bridgeville to the Gazette, October 10, 1862, complained of the arrest of a respectable citizen, Samuel Laws, Esq., aged 80, and his son, Dr. John Laws, by soldiers, who after rough threats let the old man off, but took the son.

101 The Editor of the Journal (September 19, 1862), noted that from the “great crowd” applying for exemption in the draft enrollment, it seemed that nearly everyone was ready to prove himself a cripple or an invalid. It was a “disgrace to humanity to see so many hitherto able-bodied men thus skulk away from duty.” Shortly after (September 23) the Journal quoted the Smyrna Times to the effect that 160 had been exempted in Saint Georges Hundred, 130 of them Democrats. Delaware’s quota was filled by volunteering, however, and the draft was revoked by the War Department, October 10. (Journal, October 14, 1862.)

102 Among numerous incidents, the case of Mrs. Jefferson’s chickens may be cited. At a “Republican” meeting her husband, the Democratic candidate for governor, was charged, it was reported, with being a traitor because his wife would not let her chickens eat meal ground at the mill of a Black Republican, and because his daughter sat down in church while the minister prayed. In defense of the Jefferson reputation it was explained that Miss Jefferson and several others had sat down when the minister prayed that “the sin of slavery” might soon cease; and that Mrs. Jefferson, upon being told that Mr. Price had said all Democrats should be hanged, replied with proper spirit that her husband was a Democrat, and that her chickens might go without feed before she would get it from Mr. Price. (Gazette, October 31, 1862.)

103 The Smyrna Times reported that a very large number from Maryland, and some from Delaware, had gone during the previous three weeks “beyond the lines to fight us.” (Quoted in the Journal, September 9, 1862.)

104 With presumably keen hindsight, the Journal (November 7, 1862) summarized the reasons for the Union Party’s failure at the polls. First, there were three “locofoco lies”: If the people would vote the Democratic ticket, Lincoln had promised to withdraw the emancipation proclamation and end the war. (November 4 the Gazette, quoting the Associated Press Washington correspondent, in the Ledger of the previous day, had printed an article headed, “If the Democrats carry the election the abolition proclamation to be withdrawn.”) If the proclamation were not withdrawn, the slaves of the South would be sent North to take the places of the white laborers. “Many fools believed this,” lamented the Journal. Taxes would be reduced, and prices instantly brought down to ordinary low figures, if the Democrats won.

Added to this, continued the Journal, was “the depressing effect of want of energy in the prosecution of the war; the disastrous result of the October elections; the treachery of pretended friends; and the utter incomprehensibility of the motive of the Administration in keeping an army of half a million men encamped away from their homes, idle, contrary to their own patriotic desires to fight the enemy and settle the war...”
Said the Chaplain of the First Delaware Regiment: "Our soldiers asked not who they were who had assailed the flag. It was enough for them to know that the flag had been fired upon, and an attempt was made to overthrow the government. They would as readily have marched against Vermont as to Virginia to resent the insult. . . ." (T. G. Murphey, *Four Years in the War. The History of the First Regiment of Delaware Veteran Volunteers* (Philadelphia, 1866), 18.) Rev. Murphey has much to say about the flag and defending the Capitol, but nothing about the Negro.

*Journal*, November 14, 1862.

"Not a Democrat in the State who does not believe Jefferson's defeat was caused by the presence of Federal soldiers in the State," said the *Gazette*, November 11, 1862. J. P. Comegys, of Dover, wrote, December 17: "I hope no mincing phrases will be used by the Governor [i.e., the retiring Governor, a Democrat] in speaking of the election outrage. Do, pray, urge him to speak strongly. If the people of Delaware rest easy under the violation of their soil, and their State dignity and position, they are not fit to be an independent society and ought to be annexed to another commonwealth." (MS. in private possession.) The Democrats expended their fury in the taking of over 350 printed pages of testimony, which appeared, with their conclusions, in a *Report of the Committee of the General Assembly . . . in Regard to the Interference by United States Troops with the General Election . . . November, 1862*, which was published as part of the legislative journals, and also separately (Dover, 1863), the cloth-bound separate edition bearing the binder's title "Military Invasion of Delaware."

*Journal*, January 27, 1863.

A certain "A. P. O." had written to the *Republican* charging that 300 slaveholders ruled the state and were "able to propagate and sustain their ideas in regard to slavery and emancipation, and overrule the public sentiment." He was thus answered by "Inquirer": "What a wild notion. Is he so blinded by his fanaticism as not to know that the prevalent idea in regard to abolition is that which has prevailed in this State from the beginning? It is not of any new creation, but is the one which has always been entertained by Delawarians: it is the popular voice: the majority of our people are ante-emancipationists; and when A. P. O. attributes its prevalence and sustentation to three hundred slaveholders, he gives them a power they never possessed. . . . Ante-abolition is the sentiment of Delaware, and if at this time there is a more than usual tenacity in regard to the feeling, it is fairly attributable to the intrusion and violence of a number of ambitious and fanatical demagogues who are agitating and exciting the public mind upon an inflammatory topic. . . ." (*Gazette*, February 21, 1862.)

A writer in the *Gazette* (March 21, 1862) thought none would deny that slavery was the cause of the war—but not in itself—It had been made a point of contention between ambitious partisans of North and South.

He was elected to the Senate for three successive terms—1851, 1857, and 1863.

For Bayard's position, see his speeches and remarks in the Senate—for example, 30 *Congressional Globe*, 378, 1477-1482, 1484-1488, 1490-1491; 31 *ibid.*, appendix, 12-19; 32 *ibid.*, 1523-1526; 33 *ibid.*, 614, 1470, 1474. The present writer has encountered no evi-
dence which would warrant the statement in the *American Dictionary of Biography* (ii, 66-67) that Bayard "entered the new Republican party," and afterwards "gradually returned to the Democratic party."

113 A flurry was caused in the Senate, January 27, 1863, by Senator Saulsbury's statement: "I never did see or converse with so weak and imbecile a man as Abraham Lincoln." The language was unparliamentary and Saulsbury was called to order; but it would not be difficult to collect evidence showing that Saulsbury's opinion was shared not only by other Democrats but by many northern Republicans as well. The remarks made on this occasion indicate Saulsbury's extreme views. He wished to be considered a southern, not a northern Senator. He believed slavery right, justified by the laws of God and man. He would not abolish it where it existed, although he would not force it on any people. He was a slaveholder and intended to be one while he lived. (33 *Congressional Globe*, 549-550.)

114 In the conference of July 12, 1862, at least—neither Bayard's nor Saulsbury's name appears on the replies to Lincoln's suggestions. (McPherson, *Political History of the Rebellion*, 217-220.)

115 He died in 1856.

116 See Bayard's speech in 31 *Congressional Globe*, appendix, 12-19.

An excellent statement of Bayard's position on the slavery question may be found in his remarks against the District of Columbia bill, April 3, 1862. (32 *Congressional Globe*, 1525-1526.) He believed that if Delaware's Negroes were replaced by even half as many white people, the wealth of the state would be quadrupled. He thought free Negroes of less benefit to themselves and to the whites, than if they were slaves. White laborers rejected the idea of working on an equality with free Negroes, and would not enter a territory having many free blacks as readily as they would a territory where the Negroes were slaves. The Negro's idea of freedom was freedom from labor. Amalgamation was out of the question, and the best way to deal with the inferior race was to keep it in bondage. Finally, he considered any measure which would advance the idea of "equality of all men without regard to race . . . a barrier against the restoration of the Union."

117 After the surrender at Fort Sumter and Lincoln's call for volunteers, a letter of "J. F. C." in the Savannah *Morning News* was quoted by the Charleston, South Carolina, *Courier* (April 20, 1861), to the effect that the meeting in Wilmington was not indicative of the real feeling in "that gallant state;" that Wilmington had been settled by Quakers and consequently had a number of "vile abolitionists;" and that the state's electoral vote had gone for Breckinridge. "Delaware has now a Governor [William Burton] who will never comply with the requisition of Lincoln. Delaware, I assure you, will be found our friend through all the contest." (Clipping printed in the *Journal*, July 18, 1862.)

See also Murphey, *Four Years in the War*, 60-62. A former Delaware clergyman, in 1862 residing in Portsmouth, Virginia, could with difficulty believe that regiments had been raised in Delaware to fight the South. He had been told that all Delaware and Maryland wanted was "help to throw off the Lincoln yoke."

118 Writing to Senator McDougall, of Kentucky, March 14, 1862, Lincoln stated that to free all the slaves in Delaware, 1798
at $400 each, would be less than one-half of a day's cost of the war, at $2,000,000 a day. Likewise, all of the 432,622 slaves in the four border states of Delaware, Maryland, Kentucky, and Missouri, and also those of the District, could be freed at a cost of less than 87 days of war. (Complete Works, ii, 137-138.)

118 Such was the belief of "S. P.," of Milford, in the Gazette, July 29, 1862.

120 April 22, 1862.

121 Should the emancipation policy succeed, the Negroes "would come in competition with the labor of the poor whites in Delaware and Pennsylvania to such an extent as to drive the white man from these States. He would be compelled from sheer necessity to emigrate southward to do the labor which the negro had fled from; or go back to the Old World in quest of employment." (Gazette, February 7, 1862.)

122 On this northward Negro migration, see the Gazette, April 1, 4, 8, 1862, quoting the Philadelphia Press, the New York Herald, and the West Chester, Pennsylvania, Jeffersonian. February 7 the Gazette said: "We are told that there are crowds of runaway negroes now in Wilmington." In New Jersey, it was said, the blacks were so crowding the streets "that white men and women are jostled off the sidewalks."

123 "Why get rid of these [Negroes]? We have not too many of them. The price of sugar, molasses, cotton and tobacco has been high enough, certainly, for our poor people—if we kill the negroes who produce these articles they must rise still higher." The reference to killing the Negroes is to an argument in the Republican favoring the organization of colored regiments, "on the ground that the rebels might adopt the same course. In that event the negro would be pitted against negro, and if the slaves should stand fire, we should get rid of some of that population." This "atrocious sentiment" was condemned by the Gazette (July 15, 1862).

124 The abolitionists "even exclude the negro from their States—but not stopping at that they propose to send him away from this great country and turn the poor whites into the meanial [sic] avocations. . . . Our mechanics have been working for fifty years, at good wages, to clothe these people as they increased to four millions; now the Abolitionists wish to deprive our people of this 'good job'—not only so, they wish to tax the mechanic and farmer with the purchase of the negro—the purchase of a place for him to live in separately, and for his keep for a number of years." (Gazette, June 27, 1862.)

125 "But for slavery, Delaware would, to-day, be fifty years in advance of her present position. But for slavery, capitalists would have settled upon and cultivated her soil, and built her railroads. In keeping out such men and in refusing such means of advancement slavery has obliged Delaware to legalize lotteries to encourage internal improvements. But for slavery Delaware would never have been tainted with rebellion. The present Emancipation Bill offers the hope and the means of getting rid of slavery. . . . It buys what the owner cannot otherwise sell . . . what three-fourths of the slaveholders in this State are anxious to sell. . . ." (Journal, February 4, 1862.)

An interested New Yorker calculated that an average rise of 70 cents per acre on the 1,400,000 acres of land in Delaware would pay for all the slaves in the state, and that emancipation would raise the value of Delaware land several times that amount in ten
years. The wealth of the state would be immensely increased "by this change in her political and social position. A free white energetic population would flow in to cultivate her lands, improve her water powers, and set in operation new and varied industry in a hundred forms. . . ." (Journal, May 2, 1862.)

120 The Journal (April 25, 1862) urged their opponents to "take positions for or against the policy of the President and the Administration party. Let them declare . . . whether nothing shall ever be done anywhere to rid us of a race with which the white laborer never can and never means to equalize himself. Let them say boldly, that they are determined, that so far as they can they will labor to perpetuate and increase the evil of slavery. . . . and thus keep the white laborer forever degraded in the slave States."

127 See the editorial in the Gazette, quoted above, page 75.

128 Quoted above.

129 George P. Fisher made his first speech in the House of Representatives (March 11, 1862), in support of the resolution. He viewed it not "as the forerunner of a series of measures of confiscation and emancipation by which the institution of slavery is suddenly and violently to be uprooted in all the border, and, indeed, in all the seceding States," as Representative Wickliffe seemed to regard it; but rather "as an olive branch of peace and harmony and good faith presented to the border States, and indeed to all the southern States—even those which have seceded." He saw in its adoption "a final settlement of all angry discussion and agitation upon this terrible question of slavery. . . ." (32 Congressional Globe, 1174.)

130 32 Congressional Globe, 1102, 1179, 1496.

131 Lincoln said "that he did not know how this scheme was received by the members from the free States; some of them had spoken to him and received it kindly but for the most part they were as reserved and chary as we [the border states members] had been, and he could not tell how they would vote." (Crisfield's Memorandum—see next note.)

132 J. W. Crisfield, "Memorandum of an Interview between the President and Some Border Slave State Representatives, March 10, 1862," in McPherson, History of the Rebellion, 210-211. The following quotation indicates the nature of the discussion: "Mr. Crisfield said he did not think the people of Maryland looked upon slavery as a permanent institution; and he did not know that they would be very reluctant to give it up if provision was made to meet the loss, and they could be rid of the race; but they did not like to be coerced into emancipation, either by the direct action of the Government or by indirect, as through the emancipation of slaves in this District, or the confiscation of southern property as now threatened; and he thought before they would consent to consider this proposition they would require to be informed on these points.

"The President replied that, 'unless he was expelled by the act of God or the Confederate armies, he should occupy that house for three years, and as long as he remained there Maryland had nothing to fear, either for her institutions or her interests, on the points referred to.'

"Mr. Crisfield immediately added: 'Mr. President, if what you now say could be heard by the people of Maryland they would
consider your proposition with a much better feeling than I fear without it they will be inclined to do.'

"The President. 'That (meaning a publication of what he said) will not do; it would force me into a quarrel before the proper time;' and again intimating, as he had done before, that a quarrel with the 'Greeley faction' was impending, he said 'he did not wish to encounter it before the proper time, nor at all if it could be avoided.'"

133 The vote as given by McPherson (page 210) was 97-36. Among the opponents were four members from Maryland, eight from Kentucky, and one from Missouri. Four members from the "reconstructed" states of Virginia and Tennessee voted for the resolution.

134 Ibid. Bayard and Saulsbury voted against the resolution. Even the Senators from Lincoln's loyal government of Virginia were divided—Willey voted aye, and Carlile no.

On the preceding day, Saulsbury's opposition prevented Wilson from introducing on March 10 another resolution, doubtless designed as a substitute for Lincoln's. (32 Congressional Globe, 1183.)

135 Complete Works, ii, 156. See above, page 75.

136 McPherson, 213. In addition to the minority reports of the eight members, Senator Henderson of Missouri wrote to Lincoln pledging his support. Henderson did not regard Lincoln's suggestion "as one of the most potent and swift means of ending the war," but still be expressed "the most unbounded confidence in your sincerity of purpose."

The border states objectors complained that Congress had done nothing more definite than adopt a resolution "expressive rather of a sentiment than presenting a substantial and reliable basis of action" for the proposed emancipation. This suggests why Lincoln submitted a bill to Congress, for the appropriation of money to any state adopting emancipation, on July 14. Congress adjourned July 17, and the Lincoln bill not unnaturally was disregarded in the closing rush of business. (32 Congressional Globe, 3322-3323.)

137 The Galaxy, xiv (1872), 843. This is an article on "The History of Emancipation," by Gideon Welles, Secretary of the Navy in Lincoln's cabinet. Lincoln wrote to A. G. Hodges, April 4, 1864: "When in March and May and July, 1862, I made earnest and successive appeals to the border States to favor compensated emancipation, I believed the indispensable necessity for military emancipation and arming the blacks would come, unless averted by that measure. They declined the proposition, and I was . . . driven to the alternative of either surrendering the Union, and with it the Constitution, or of laying strong hands upon the colored element. I chose the latter." (Complete Works, ii, 508.)

138 According to the terms of an act of July 17, 1862, "to suppress insurrection, [etc.]," authorizing the President to make such seizure, after sixty days warning.

139 Complete Works, ii, 213.

140 Complete Works, ii, 237. Issuance of the proclamation was delayed, on Seward's suggestion, until the military situation should be more favorable. It was issued after the battle of Antietam, which was considered a federal victory. On this point, and on the discussions of the proclamation in the Cabinet, see the Galaxy, loc. cit.
141 Complete Works, ii, 270-277.

142 Bills were passed by each house of Congress appropriating money for compensated emancipation in Missouri, but the session ended in March, 1863, before a compromise measure could be agreed upon. See J. G. Nicolay and John Hay. Abraham Lincoln: A History (New York, 1890), vi, 395-397, and H. A. Trexler, Slavery in Missouri 1804-1865 (Johns Hopkins University Studies in Historical and Political Science, Series 32, No. 2—Baltimore, 1914), 234-239. Provision for the extinguishing of slavery in West Virginia was required by Congress for admittance into the Union. See Nicolay and Hay, History, vi, 312.

143 Complete Works, ii, 456.

144 By constitutional provision, without compensation. See W. S. Myers, The Maryland Constitution of 1864 (Johns Hopkins University Studies in Historical and Political Science, Series 19, Nos. 8-9—Baltimore, 1901), 52-59. This constitution was adopted by a popular majority of only 375. (Ibid., appendix.)

145 Lincoln to John A. G. Cresswell: "...I had thought the gradual [plan of emancipation] would produce less confusion and destruction, and therefore would be more satisfactory; but if those who are better acquainted with the subject, and are more deeply interested in it, prefer the immediate, most certainly I have no objection. ..." (Complete Works, ii, 492.)

146 Complete Works, ii, 529.

147 Complete Works, ii, 635-636; Nicolay and Hay, History, x, 133-137.

148 In the last public address of his life, April 11, 1865, after the surrender of Lee, Lincoln discussed the future, and concluded: "In the present situation...it may be my duty to make some new announcement to the people of the South. I am considering, and shall not fail to act when satisfied that action will be proper." Nicolay and Hay interpret this statement, together with those of his second inaugural address a month earlier, to mean that Lincoln still had in mind some plan of compensating the slave states for their losses. (History, ix, 147.)

[NOTE. This paper, and that on the Delaware constitution of 1776, in the preceding volume of Delaware Notes, are results of studies begun in the classes of Professor Herman V. Ames, of the University of Pennsylvania. The writer desires to acknowledge the friendly criticism and encouragement of Professor Ames—who should not, however, be held responsible for any errors or other faults which may be discovered in these studies as here presented.]