

At this point, during the summer of 1849, the president and cabinet began to come under the influence of William H. Seward and the anti-slavery branch of the party, and the Kentucky Governor found his influence at Washington growing less and less. There came to be dissensions among the cabinet members, and a universal desire among the rest of the members to get rid of Clayton, still working for Crittenden. It did not suit Crittenden's scheme for succession at all to have the Taylor regime collapse, so he had Letcher, who was still in Washington as another personal representative, make an attempt to keep the cabinet together,⁵⁸ but the attempt to control the government from Kentucky had failed. In his attempt to further his own ambitions, Crittenden had helped to bring about a reaction against the section of the party upon which he depended for the succession he desired. The blame for the weakness of the short Taylor administration must rest in great part upon his head.

During the time that this secret intrigue was taking place, the people of Kentucky and of the whole nation were disturbed by a very public set of problems which were a legacy from the Polk administration. With the conclusion of the War with Mexico, the sectional struggle over the future status of the territories acquired, whether to be free states or slave states, turned all eyes in the country to the national scene. The succeeding events had a special significance to the people of Kentucky because of the prominent part taken by her representatives there. To the mounting rage on either side, her natural reaction was one of compromise, of self-preservation.

58. B. Dyer, Taylor, 313.

This spirit of compromise was begun against great odds by one of Kentucky's Senators, Joseph Rogers Underwood, a Whig from the third congressional district, considered a leading Whig jurist in the upper South, having served for seven years as a Judge of the Kentucky Court of Appeals and having practiced law in the western part of Kentucky for many years. In a speech in the Senate, on July 25, 1848, on the bill to establish Territorial Governments in Oregon, New Mexico, and California, he expressed his personal opinion that the people of the territories should be given the right to decide for themselves whether they should be free or slave, but as a mere question of power he believed that Congress had the right to decide.⁵⁹ This ran counter to the general Whig doctrine in the South which opposed the legislation by Congress over the territories as unconstitutional. To Underwood, the strictly legal aspect of the problem was that if the states had unlimited control over slavery within their jurisdiction, Congress, by the same token, had the same right when legislating for a territory. He was defending himself in this speech, as he said, for the benefit of his constituents. He had been a member of the Select Committee of eight chosen by ballot in the Senate July 13, 1848, to which had been referred the bill to establish the Territorial Government of Oregon and which was also to consider territorial governments for California and New Mexico.⁶⁰ He wanted it plainly understood that he was dissatisfied with the provisions of the resulting bill. He had taken a leading part in the committee meetings, and had desired that the Missouri Compromise be adopted as a settlement

59. Congressional Globe, 30 Congress, 1 Session, Appendix 1165. Hereafter cited as Globe.

60. Globe, 30 Congress, 1 Session, 932.

of the difficulties. Finding that the members of the committee from the non-slaveholding states were opposed to that, he next submitted to the committee a complete set of plans for the government of all the territories in which each territory should decide for itself whether or not slavery was to be tolerated. This, too, was defeated in committee.⁶¹ In his speech of July 25, he expressed his lack of confidence in the bill as reported because he felt that all compromise and conciliation had been lost by the divisions in the committee. The bill, bringing in Oregon as a free state, was finally voted upon in the Senate early Sunday morning, August 13, 1848, after a stirring session of twenty-four hours. Underwood voted with the South against the bill which had left unsettled the problems of governments for California and New Mexico and which he felt was only continuing the dissensions.⁶² These latter two problems were left to be settled at a later time when the more successful services of another Kentucky Senator, Clay, would combine them with all the other controversies of a sectional nature in his Omnibus Bill.

Meanwhile, however, the South's defeat in the Oregon question and the constant attacks upon slavery in Congress promoted an attempted formation of a third party, led by Calhoun, to unite the South across the existing party lines. This would have meant the dissolution of the Whig party in the South, and resulted in the consolidation of the Whig factions for the time being in opposition to

61. Journal of the Select Committee of Eight, Clayton Papers, II, Item number 251.

62. Globe, 30 Congress, 1 Session, 1078.

what was essentially a Democratic move. Many of the Whigs felt that this movement was the beginning of secession from the Union, and when a caucus of all the southern members of Congress was called for January 15, 1849, they determined to prevent the formation of a separate party, and went into the meetings with the specific purpose of modifying the tenor of the expected Report to the South.⁶³

Thomas Metcalfe, Senator from Kentucky, filling out the unexpired term of Crittenden, was elected president of the convention by this conservative element. Upon his election he wrote to Crittenden:

Yes my Dear Sir I am the presiding officer of this southern convention and the Hon. G.S. Morehead⁶⁴ is one of the committee by my appointment. When first called upon to take the chair [I refused] assigning as a reason among others that I was not apprised of the 'ends they aimed at'. But upon my being urged to do so, by those who I knew to be conservatives for conservative purposes I yielded my consent. Tomorrow evening the meeting takes place, and the report will then be made and the southern family war commences. The committee of 15 appointed by myself selected a sub committee of 5 to prepare the Report - That Report has I learned (all this for yourself and confidential friends for the present) met the approbation of the original Committee by a majority of one vote only- The hot spurs & the moderates will I trow have it hip & thigh, for I think there is as much good game on the part of the moderates as will be found with their antagonists.⁶⁵

The committee of one from each of the slaveholding states, after about five hours of debate on January 14, voted by a majority of one to submit the Report drawn by the committee of five to the whole assembly the following evening.⁶⁶

This meeting was held behind closed doors despite the efforts of Metcalfe, who threatened to resign as president of the meeting if secrecy

63. Robert Toombs to John J. Crittenden, January 22, 1849, Crittenden Papers.

64. Whig Representative from Kentucky, from the eighth Congressional district; Governor of the State 1855-1859.

65. Thomas Metcalfe to John J. Crittenden, January 14, 1849, Crittenden Papers.

66. Ibid., January 15, 1849.

was insisted upon. He did not want to be misrepresented to his constituents in Kentucky. Some of the other more conservative members, including Underwood, convinced him that he could be useful to them in his position and could help them to arrive at some sort of compromise which would not give unnecessary offense to the ultra southerners.⁶⁷

Garnett Duncan, a Whig Representative from the Louisville district, was evidently not within the circle of those whose purpose was to break up the meeting. He went to the first session on the evening of the fifteenth with Judge George M. Bibb,⁶⁸ and indignantly refused to stay himself when Bibb was personally refused admittance by Calhoun on the ground that the meeting was open only to members of Congress.⁶⁹

The sessions were drawn out over a period of eight days, adjourning about one o'clock on the morning of January 23.⁷⁰ Robert Toombs rejoiced that they had completely foiled Calhoun in his "miserable attempt" to form a third party.⁷¹

Although the party movement was effectively eliminated, Calhoun's Report to the South, the immediate problem of the caucus, was pushed

67. Ibid.

68. Judge George M. Bibb before this time had served twice as Senator from Kentucky, had been chancellor of the Louisville chancery court from 1835 to 1844, had been United States Secretary of the Treasury under Tyler, and was at this time chief clerk in the department of the Attorney General, a position amounting to assistant Attorney General. (R.H. Collins, History of Kentucky, II, 277.)

69. Garnett Duncan to John J. Crittenden, January 15, 1849, Crittenden Papers.

70. Thomas Metcalfe to John J. Crittenden, January 23, 1849. Crittenden Papers.

71. Robert Toombs to John J. Crittenden, January 22, 1849, Crittenden Papers.

through in spite of the more conservative element. His original Report was recommitted to the committee by a close vote of 42 to 44 after several attempts were made to kill it outright. On the twenty-second, Toombs wrote to Crittenden, "We hear the committee have whittled it down to a weak milk & water address to the whole Union. We are opposed to any address whatever, but the Democrats will probably out vote us to night & put forth the one reported, but it will not get more than two or three Whig names."⁷²

That night's debating was characterized by the presiding officer, Metcalfe, as "red hot." The committee reported the substitute as Toombs had predicted as an address to the whole people of the United States. Many of the Whigs who desired the defeat of any address whatever refused to vote. The conciliatory substitute measure for which the Kentucky delegates had worked was defeated by a vote of 27 to 33, after which Calhoun's original Report was adopted by a vote of 36 to 19. All of the Kentuckians present voted against the Report.⁷³

Shortly afterwards, the Maysville (Kentucky) Eagle ran an editorial which praised the conduct of the Kentucky Congressmen, both Whig and Democrat, who had defied party allegiances and risked the danger of misrepresentation at home to save the Union. The central and very vulnerable position of Kentucky was emphasized as well as the fact that the state's ~~first~~ interests lay equally with all sections.⁷⁴

72. Ibid.

73. Thomas Metcalfe to John J. Crittenden, January 23, 1849, Crittenden Papers.

74. Niles', LXIV, 138.

This natural reaction of self-preservation may well have been a deciding factor in the state legislature which elected Clay to the Senate on February 1, 1849, by a vote of 92 to 45.⁷⁵ It may also explain the fact that Crittenden did not interfere in this election, did not allow his name to be brought forward as a candidate, to the chagrin of his Washington friends. This same feeling was no doubt responsible for the rally the Whig party was able to make in Kentucky for the critical Congressional elections of August, 1849, which would either support or desert the Taylor administration. In spite of the increased agitation upon the slavery question, the party exhibited extraordinary staying powers. The same ~~ratio~~ ratio of six Whig and four Democratic representatives were returned to Congress, supporting the stand taken by her Whig members in the southern caucus. A change in the voting pattern however, showed a shifting of the Whig majorities toward the west, away from the principle slave-holding region. Two former Whig districts returned Democrats, and two former Democratic districts returned Whigs.⁷⁶

A prominent Whig politician from the fourth district predicted its loss to the party before the election. "We are in this district in much difficulty," he wrote. "The emancipation is disturbing the old parties. How far the Whigs are to be affected it is impossible to say. Much fear

75. R.H. Collins, History of Kentucky, I, 58.

76. Districts II, III, and IV returned 100% Whig votes; districts IV, VIII, and IX showed a decided drop in Whig votes; district X changed enough to return a Democrat rather than a Whig. (Appendix)

is felt for Mr. Buckners success in consequence of his speech & vote on the Wilmot ~~Amendment~~ proviso - as these in this time of excitement connect him according to popular opinion with the emancipation move - but I hope for the best - nor do I know that any man could do much better than he, for if he were removed in consequence of his supposed emancipation tendencies it might arouse the opposition of the emancipators to his successor on the track. The district must be saved, in fact it looks to me, that old Sack needs help, now more, than he did at Buena Vista."⁷⁷

These August elections in Kentucky were of more than ordinary interest in Washington. It was hoped that the Democratic landslide in Virginia, which had returned only two Whigs to Congress out of fifteen, would be matched by a counter Whig movement in Kentucky.⁷⁸ The Connecticut elections which had also just been held had returned one Whig out of four. Clayton offered to solve the difficulties of the fourth Kentucky district by appointing Buckner to a minor post with the approval of Crittenden,⁷⁹ but the race was lost in that district, 5,579 to 6,719.⁸⁰

In general, the overall Whig elections in the country had gone very badly, and Clay believed by December, 1849, that unless there were some favorable turn in public affairs in their favor, they must lose

77. Joshua Bell to John J. Crittenden, June 9, 1849, Crittenden Papers.

78. B. Rowan Hardin to John J. Crittenden, May 8, 1849, Crittenden Papers.

79. Ibid.

80. Whig Almanac, 1852, p. 47.

the ascendancy."⁸¹ This turn in public affairs Clay hoped to bring about by conciliating both sections of the country, and thus consolidating the two great sections of the Whig party, over the controversies centering around the remaining portions of the Polk legacy, California and New Mexico.

Clay's Compromise as originally presented was a series of eight resolutions introduced into the Senate. In order to quiet all the problems of the sections, they included the admission of California with no restriction by Congress as to slavery, the organization of territorial governments for the remainder of the Mexican territory without the adoption of any restriction on the subject of slavery, the relinquishment by Texas of her extreme boundary claims, the abolition of the slave trade in the District of Columbia on one hand but a more effective fugitive slave law on the other. For two months the debates over these measures took almost the whole of the Senate's time and energy.

Taylor had hoped to avert the whole slavery question by allowing the states to come into the Union as they pleased and considered the compromise activities as a personal affront and the contest which ensued as one between himself and the Senator from Kentucky. In January, 1850, Clay wrote to James Harlan, "My relations with the President and his cabinet is amicable, but not remarkably confidential."⁸² By March, 1850, Clay confided to Harlan that his relations with the president were civil but cold, and that there was little co-operation between the two ends of the avenue.⁸³ This attitude lasted until the

81. C. Colton, Life of Clay, V, 570.

82. Ibid., p. 600.

83. Ibid., pp. 603-604.

death of Taylor on July 9. Shortly afterwards, the all-inclusive Omnibus Bill, which had failed to pass as a single measure, was dismembered, slightly altered from the original resolutions, and passed in five separate parts by Congress.

Underwood, at this time / a member of the Committee on Territories in the Senate, pursued an independent course of opposition to the Omnibus Bill presented by his colleague. As a result his wife informed him on September 3, 1850, from their home in Bowling Green, Kentucky: "Mr. Gorin is attending Court here. He took tea with me a few evenings since by invitation. He says you are politically dead in Kentucky & there would be no difficulty in your staying at home with me after your present term expires. The defeat of the Compromise Bill is charged entirely upon you & they report some remark as having been made by you...to the effect you would not give money to prevent civil war. Mr. Gorin says the public voice is changed with regard to you, & that you have given some very unpopular votes. He himself preferred Genl. Taylor's plan. I heard Mr. J.B. Graham say that he would throw a hundred millions in the sea, sooner than risk a civil war. The fewest number seem to think of the principle involved in the question, & to me it looks like establishing a singular precedent to allow unjust claims under threats of vengeance."⁸⁴

Underwood himself admitted that he was at least partially responsible for the defeat of the Omnibus Bill, and had been particularly prominent in the discussions on the Texas boundary question which was the final

84. Elizabeth C. Underwood to Joseph R. Underwood, September 3, 1850, Kentucky Library, Western Kentucky State College, Bowling Green, Kentucky, Joseph R. Underwood Papers. Hereafter cited as Underwood Papers.

difficulty of the compromise bill in its compound form, and one of the ~~principal~~ ^{principal} causes for its defeat.⁸⁵ When the Texas Boundary Bill came up as a separate measure before the Senate in August, 1850, he again opposed it, saying, "I am one of those who, I suppose, may to some extent, be held responsible for the defeat of what has been denominated the compromise bill... The Senator from Maryland who introduced the measure now before the Senate has the responsibility of having made the motion for which I voted, and which, according to the friends of the compromise bill, ended in the destruction of that measure."⁸⁶ Underwood desired that the boundary question be considered apart from the question of slavery, but admitted that it could not. He pointed out that on a previous vote every southern man present except himself had voted that the Rio del Norte was the true boundary between Texas and the United States. His stand on the Texas question he explained in terms of the welfare of Kentucky, and he voted as he felt would be best for his state.

The boundary bill provided for the assumption of the public debt of Texas which had been contracted before her annexation in return for her relinquishment of her claims to a part of New Mexico. This was considered by Underwood as an actual purchase of land by the United States from Texas, based on the idea that Texas owned something which she had a right to sell, and would leave still unsettled the question of slavery in the territory so acquired from her. He explained:

If Texas owns this country I do not want to buy it. If she owns it, I want her to keep every foot of it. If Texas owns this country, it is slave territory and I have differed with others upon this floor upon

⁸⁵. Globe, 31 Congress, 1 Session, 1540.

⁸⁶. Ibid., p. 1542.

this subject of extending slave territory. I conscientiously believe that the extension of slavery over territory, when you cannot increase the number of slaves by that extension, will operate to the relief of those States which have a superabundant slave population; and I believe that if Kentucky and some other states are ever to get rid of slavery, as I most sincerely trust they may, this extension and division of the slave population will help them to get clear of that description of population... I cannot give my assent to the purchase of this territory in order that it may be converted into free territory... I do not want to give her [Texas] ten millions, if it is her country, for the chance, after making the purchase, of converting it into free soil. I know that, if the country belongs to her, I am perfectly safe... But, sir, if she owns it, and she sells it, and we pay ten millions for it, what will happen after it is sold I do not know, and nobody can tell."⁸⁷

When the bill was passed in the Senate on August 9, Underwood voted against it with five other Whigs out of a dissenting vote of twenty members.⁸⁸ This boundary question was of great interest in Kentucky⁸⁹ but the Whig stand for Union at any price made Underwood's interference with the compromise measures unpopular, a fact of which he was well aware at the time, and which cost him his re-election.⁹⁰

The Compromise as finally effected was well received in Kentucky by both the Democrats and Whigs. On October 17, 1850, Henry Clay, now back in the state to receive a just acclaim, addressed several thousand people at a Union barbecue held in Lexington.⁹¹ By a unanimous invitation he addressed the Kentucky Legislature in the hall of the house on November 15, on the subject of the proceedings in Congress on his measures and there was a general spirit of relief, and enthusiasm for his work.⁹² The same year, at the request of the legislature a block

87. Ibid., 1543.

88. Ibid., 1555.

89. One Kentuckian expressed the opinion that the slavery question was blown up at Washington "to a much greater consequence than it deserves. The Texas boundary question is the only one of any great consequence." (R. Hawes, Esq., to John J. Crittenden, July 26, 1850, Crittenden Papers.)

90. Joseph R. Underwood to Elizabeth C. Underwood, September 3, 1850, Underwood Papers.

91. R.H. Collins, History of Kentucky, I, 61.

92. Ibid.

of Kentucky marble was sent to Washington to be used in the Washington Monument. On it was inscribed, "Under the auspices of Heaven and the precepts of Washington, Kentucky will be the last to give up the Union."⁹³ Even the Democrats of the state in their state convention in January, 1851, declared "That Kentucky, until her equality, her rights, and her honor are so outraged that she cannot preserve them by remaining within the Union, will stand by it as it is, and by the President in executing any law passed in accordance with the Constitution of the United States."⁹⁴

On the other hand, Underwood, having opposed the compromise, was made to feel the enormity of his crime, for whatever reasons perpetrated. The legislature which met in Frankfort in the fall of 1851 did not even consider his name as a candidate for re-election to the Senate. John B. Thompson was elected to the position on December 11, 1851, after a balloting which lasted 24 days, with a final vote of 73 to 65.⁹⁵

When the news of this election reached Washington, Underwood confessed that he was mortified at the condemnation implied from his failure at re-election, but upon later reflection he wrote to his wife in a calmer vein. "I do not intend to utter one word of complaint," he wrote, "in consequence of having been passed by. The Legislature had a perfect right to act just as they pleased. I am glad my name was not presented as a candidate."⁹⁶

This failure at re-election was, however, probably as much the result of the machinations of Crittenden and Orlando Brown preceding the election as it was the act of the legislature.

93. C. Kerr, Kentucky History, II, 838-839.

94. Kentucky Yeoman (Frankfort Kentucky), January 16, 1851, requoted from ibid., p. 841.

95. R.H. Collins, History of Kentucky, I, 63.

96. Joseph R. Underwood to Elizabeth C. Underwood, December 27, 1851, Underwood Papers.

Crittenden resigned as governor of Kentucky to go into President Fillmore's cabinet less than a month after the death of Taylor on July 9, 1850. However, he kept his influence on the state and the Whig party there through Orlando Brown, who was now back in Kentucky. As the senatorial election approached, the various factions in the Whig party grew farther apart, each one defending a candidate for the office. By May, 1851, John W. Finnell, secretary of state for Kentucky, wrote to Crittenden in Washington asking for his help in keeping down these many rival cliques within the party. He asked him to run for the office himself, since in that case the only other Whig likely to run against him would be Underwood. Otherwise there would be many, and the party in his estimation could not stand such a struggle.⁹⁷

By September, Crittenden began negotiating through Brown to see whether Underwood intended to run for re-election. At this time Underwood was considered still strong enough by Crittenden to make his own candidacy doubtful and a devious correspondence was begun to sound out his position. John B. Temple wrote to Crittenden from Frankfort, "very soon after you left here for Washington I wrote to Judge Underwood, giving him the general tenor and purport of the letter which you had recently addressed to him and explaining the reason why it had not been sent. My letter was submitted to Col. Brown who thought there was nothing improper in it. And it was accordingly sent. Today I have Judge Underwood's reply." He quoted several paragraphs of Underwood's letter to the effect that he did intend to make the race although he knew how difficult his position was for a re-election. Temple continued, "In my letter I did not convey

97. John W. Finnell to John J. Crittenden, May 6, 1851, Crittenden Papers.

the idea, but expressly avoided it, that your course or that of your friends would be changed or governed by the course that Judge Underwood might determine upon, but I will again write a short letter to the Judge & reiterate the idea that your letter was rather to prepare the way for a dignified & generous contest if it should arise."⁹⁸

By October, both Crittenden and Underwood were pledged openly for the race among the Whigs but apparently there were other factions as well that would not give up the attempt.⁹⁹ By whatever means, whether by persuading Underwood to withdraw or by other maneuvering, the crucial month of December found the contest narrowed to two main candidates - Crittenden from the east, and Archibald Dixon from the western part of the state. Dixon depended for a large part of his support upon the Democratic vote, according to Orlando Brown, and this vote, he believed, would feel much safer with ^{its} ~~their~~ own rather strong Democratic candidate in this election.¹⁰⁰ The resulting balloting showed a sufficient difference in the Whigs, perhaps a dissatisfaction in part of some of the western representatives that Underwood was not supported by the party, that neither Crittenden nor Dixon was elected, but a compromise candidate, Thompson.

When this election was known in the third district, the home of Underwood, the reactions were varied but none of them reflected much credit upon the Whig party. Underwood's wife wrote to him in January of

98. John M. Temple to John J. Crittenden, September 22, 1851, Crittenden Papers.

99. Charles S. Morehead to John J. Crittenden, October 19, 1851, Crittenden Papers.

100. Orlando Brown to John J. Crittenden, December 3, 1851, Crittenden Papers.

1852, and expressed some of the opinions of their friends after Dixon, by a special election, was sent to the Senate to replace Henry Clay, resigned. "Thompson and Dixon!" She wrote in indignation., "A sweet pair to succeed Underwood and Clay! All the Whigs here are ashamed; and predict that the State is lost. I understand that Mr. Curo said he was introduced to Thompson when the latter was in Bowling Green, & that he speedily got away, as 'the man was so drunk he could not spit over his shirt collar'. Mr. Gorin, who is in Town again, says he would challenge the world to produce...greater sets than the two men above named.... Alas! for old Kentucky, her glory is departing."¹⁰¹ She reported that many of their friends were glad that it was Thompson who was elected in his place because the contrast would be so great. Another remarked more strongly that it was a "blackguard legislature and a blackguard state." Frank Gorin, at the last declared that he had given up the Whig party altogether and turned Democrat.¹⁰²

Gorin was expressing the opinion of many in the third district when he said that he was giving up the Whig party. Between the election of 1849 and that of 1851 this district dropped its three largest slave-holding counties into the ranks of the Democrats. Logan, Warren, and Todd Counties, the three highest Whig counties in 1844, were, in 1851, first, second, and fourth from the bottom in per cent of Whig votes cast.¹⁰³

101. Elizabeth C. Underwood to Joseph R. Underwood, January 7, 1852, Underwood Papers.

102. Ibid., December 17, 1851.

103. See Appendix. Between 1847 and 1851 the counties of the second and third districts made an almost complete change. Compare results with geological map.

A curious feature of the political picture in Kentucky from 1847 to 1851 was the conservative united Whig attitude which the state adopted whenever the Union was concerned, as evidenced by her acclaim of the Kentucky delegates who helped to prevent the southern movement in Congress, her return of Henry Clay to the Senate to compromise the sectional difficulties, her failure to return Underwood who had refused to sacrifice principles for safety and ~~her~~ ^{the} maintenance of her ~~ratio~~ ^{ratio} of Whig representation in Congress in spite of Democratic landslides in other Whig states. On the other hand, within the state, there was a growing Democratic tendency wherever the Union could be dissociated from the problems which were presented.

This growing strength in the Democratic ranks drew powerful support from many dissatisfied elements in this period of struggle between Taylor Whigs and Clay Whigs, between North and South, between expansionists and anti-expansionists. In Kentucky it was further aided by an additional east and west antagonism as well.

This east-west division of the state had both a geographical and an economic basis. The geological formation of Kentucky had been such that a definite section of the state in the northeastern part of Kentucky was particularly favored with an especially rich soil. This soil was the result of the weathering away in this section of the deposits of several successive geological ages and the resultant exposure to the surface of a very old layer of soft limestone, called the Lower Silurian.¹⁰⁴ It was this shield-shaped area of broad flat-topped

104. See Appendix.

ridges and gently rolling valleys, covered with a luxuriant growth of dark green grass and completely enclosed by a narrow range of sharp tower-like hills called the "knobs," that attracted the earliest emigrants across the mountains. This Bluegrass section, the earliest center of population and wealth soon became the center of political power as well. This section was particularly well adapted to the growing of hemp and maintained a virtual monopoly of that crop in the state. On the other hand, the western section of Kentucky, beyond the range of hills, was found to be most suited for raising tobacco for a cash crop. With very minor exceptions the state was sharply divided between the two. 105

All of the unrest within the state, partly a reform movement, partly a protest against Whig abuse of power, and partly the shifting

105. See Appendix. An interesting example of this cleavage within the state was shown in the very heated arguments which took place on the floor of the House of Representatives in Washington in the spring of 1850. A question of furnishing the Navy with hemp from Kentucky caused a discussion that held a monopoly upon the proceedings of the House for several days, during which the Secretary of the Navy, the Attorney General, and the Committee on Naval Affairs were all involved over a matter of 600 tons of hemp. Under the contract system, the Secretary of the Navy had asked for bids and then had refused the lowest bidder because he wanted to give the contract to the Kentucky firm which had entered a bid slightly higher. The Attorney General had agreed with the Secretary that the lower bid was "illegal," but the Committee had awarded the contract to the lowest bidder who had complained. The discussions were involved with the resolutions then presented by the Kentucky Representatives from the seventh and eighth districts who desired to have hemp removed from any contract basis so that the Secretary could buy in the open market, wherever he pleased and from whomever he pleased - obviously an attempt to place the power back into the hands of the Secretary to buy Kentucky hemp. One of their arguments was that they only wanted to place hemp upon the same basis as cotton and tobacco. Significantly, the western tobacco region representatives from Kentucky were completely silent in the whole discussion, letting the two eastern representatives, with some half-hearted help from the tenth district, fight the matter out alone. (Globe, 31 Congress, 1 Session, 198, 432-435, 456-459, 613, 617, 626-636, 665-669.)

of political influence from the older section of the state to the west, culminated during this period in a movement to revise the old Kentucky Constitution of 1799.

There had been sporadic agitation for a new constitution practically since the old one had been adopted, but the means of amending it had been made so difficult that it required an intense and long-sustained interest in reform to bring about any change. To protect the constitution from the emancipationists, who were active in Kentucky even during the writing of the first constitution in 1792, the method of amending and thus of changing the status of slavery in the state was made almost impossible. According to the Constitution of 1799, any revision must originate with the legislature. A majority of the members elected to each house - not merely a majority of those present in general assembly - must, within the first twenty days of the regular session, when attendance would likely be poor, pass a law stating the changes which were contemplated and authorize an election to be held throughout the state to ratify their decision. This election was to take place, not immediately, but at the next general election held for representatives in the state. As the representatives were elected annually, this would mean that any representative voting against the will of the majority of his constituents would very effectively bring about his own defeat. When such an election was held, it was the duty of the sheriffs to send a report to the secretary of state of the names of all the people who had voted to call a convention to revise the constitution. If the secretary of state found that a majority of the people entitled to vote in the state - not a majority of those voting - had voted to call a convention

he was to notify the legislature which could then direct that a similar vote could be taken the following year. The same procedure must be gone through again in the next August election with the same perils for the legislators. If in this election the names reported by the secretary included a majority of those entitled to vote, the general assembly must call for an election of delegates to a convention. This election for delegates was not to be held immediately, however, but must wait until the general elections of still another August, when both delegates to the convention and representatives to the legislature were to be elected. If at any time during this procedure there was a sufficient lack of interest on the part of the people, and any one of these steps failed, the whole process had to be repeated from the beginning.¹⁰⁶ This constitution remained unchanged until the new constitution was adopted in 1850.¹⁰⁷

One problem which this projected constitution was expected to solve was one that the Whigs had allowed to mount in their period of control in the state. This was the adoption and protection of an adequate system of common schools. Their preoccupation with internal improvements was to a great extent responsible for their failure to advance in this field with the current of popular opinion. As early as 1836, Kentucky had received \$1,433,177 as her share of the distribution of the money obtained from the sale of public lands. There was no obliga-

106. Benjamin P. Poore, The Federal and State Constitutions, Colonial Charters, and other Organic Laws of the United States (Washington, 1878), I, 665-666. Hereafter cited as B.P. Poore, Constitutions.

107. R.H. Collins, History of Kentucky, I, 25.

tion on the part of the state to devote this sum to education, but the money was asked for and received with that purpose in mind.¹⁰⁸ The money was soon confiscated for other purposes and in February of 1837, only \$850,000 of this original sum was set apart for schools, the rest going into the elaborate system of turnpikes and river improvements. Even this sum was invested in bank stocks and internal improvement bonds of the state. The scheme as proposed was to use the principal for internal improvements and the interest ~~accruing~~ accruing from that application for the support of the schools. The plan did not work, if that was ever the true intention. The dividends were never as high as had been expected.¹⁰⁹ In 1838, there was enough concern in the state to cause a system of common schools of a sort to be established, based on the New York system, with school districts and a superintendent of public instruction. Under this system the interest from the \$850,000, such as it was, was to be used to encourage a local voluntary tax in the various districts. The system never was applied to any extent because in 1840 the state was unable to pay the interest on the school funds because of a deficit in the Treasury. Other commitments were met, however, and it was felt that the school money had been used to pay these preferred debts. By 1843 there was a sum due to the schools of \$116,375.¹¹⁰ However, there was a general dissatisfaction with the whole ~~plan~~ plan because the system of local taxation was felt to be hard on the poorer counties and resulted in practically

108. Ibid., p. 503.

109. Zach P. Smith, History of Kentucky (Louisville, 1892), p. 716. Hereafter cited as Z.P. Smith, Kentucky.

110. R.H. Collins, History of Kentucky, I, 503.

no schools being established outside of the Bluegrass and in the larger cities.¹¹¹ In 1845, the final blow was given the Congressional grant when the school bonds were burned by the Governor, William Owsley, by authorization of the legislature. Cassius M. Clay, one of the leaders of the emancipation group in Kentucky, and at this time the editor of a liberal newspaper, The True American, charged that the act was that of the slaveholders to prevent the general education of the people as inimicable to the institution of slavery.¹¹²

On September 14, 1847, the Reverend Robert J. Breckinridge, pastor of the first Presbyterian Church in Lexington, ~~emancipator~~ ^{emancipator} and reformer, a man of intense beliefs and unlimited energy, was appointed superintendent of public instruction.¹¹³ He considered this work, to revive the common schools in the state, as above his religious duties. He wrote to a professor in Pennsylvania a year after his appointment that it was more important to him than any single congregation could ever be.¹¹⁴ Through his very great influence in the Presbyterian Church in the state he contacted others who were interested in educational reform. In 1847, his personal influence was instrumental in getting the legislature to pass an act directing the governor to issue new bonds for all the back interest owed to the schools and for submitting to the people the question of a two cent tax on each one hundred dollars worth of taxable property for common school purposes.¹¹⁵ This question was to be settled at the

111. Z.F. Smith, Kentucky, p. 717.

112. Ibid.

113. C. Kerr, Kentucky History, II, 766.

114. Robert J. Breckinridge to S.R. Williams, September 29, 1848, Breckinridge Papers.

115. C. Kerr, Kentucky History, II, 766-767.

regular August election in 1848, and prior to that time Breckinridge spoke wherever he could to rouse interest in the subject. In July, when it was known that he would come to Versailles to speak on the subject of the tax, notice was spread throughout Woodford County by means of the churches there.¹¹⁶

In some communities the preachers were the teachers as well, uniting the two interests. One request to Breckinridge for a teacher for Greenup County desired that he be both a teacher and preacher and a gentleman in his deportment. Either a Methodist or Presbyterian would do.¹¹⁷

Another letter which followed this one from another citizen of Greenup stated that they did not need anyone because they already had a teacher-preacher who went from one congregation to another on Sundays and taught during the week.

The churches paid him three hundred and fifty dollars a year and ~~what~~ "what his school nets [nets] him I do not know."¹¹⁸ Such were the conditions in at least one section of the state just prior to the August election. The vote on this question of taxation was 74,628 for, and 37,746 against the measure, or 112,374 votes cast, out ~~more~~ of a possible 141,620 eligible voters in the state, a participation of 79.4 per cent.¹¹⁹

The result of this balloting was considered by Breckinridge as a personal triumph. He wrote to a friend that with the back interest he had been able to get, the new tax would "be all I asked them to give,

116. D. Thornton Robert J. Breckinridge, July 24, 1848, Breckinridge Papers.

117. James W. Davis to Robert J. Breckinridge, February 22, 1848, Breckinridge Papers.

118. James M. Mullan to Robert J. Breckinridge, March 14, 1848, Breckinridge Papers.

119. R.H. Collins, History of Kentucky, I, 57.

is I trust, all sufficient. I think, an impulse, a very great impulse has been given to the noble cause - within the past year," and speaking of the coming constitutional convention he continued, "if God spares my life for a few years, & continues to give me favor in the eyes of the people, I trust it will be placed on a footing, from which it will be hard to remove it. If I can see every child in Kentucky placed in reach of the elements of Knowledge, & God's word made the basis of the General Education of the State; I shall be satisfied. These things are not beyond my hopes."¹²⁰

Crittenden, as governor, in his opening speech before the legislature in the fall of 1848, pointed out that the people had just demonstrated a strong desire that the schools be aided.¹²¹ Ironically enough the legislature passed a law on February 26, 1849, which provided in one section that the common schools which had so long been the victim of Whig improvements should have as an additional fund, the net proceeds from the Kentucky, Green, and Barren River navigation.¹²² However, there was still no guarantee against the same type of abuse that had deprived the schools of similar funds in the past, and the new constitution was looked ^{to} ~~to~~ give some ~~permanence~~ ^{permanence} to these gains.

Another strong force which called for reform in the state was undoubtedly political in its origins. The Democratic party campaigned for the election of state and local officials, to remove this source of Whig patronage. At least one fortuitous case arose for this cause

120. Robert J. Breckinridge to S.R. Williams, September 29, 1848, Breckinridge Papers.

121. Niles', LXXV, 60.

122. R.H. Collins, History of Kentucky, I, 58.

in the summer of 1848 when the state treasurer, Col. James Davidson, who had held that position since December, 1825,¹²³ resigned under conditions which were suspicious enough to cause Crittenden to include a defense of him in his opening speech to the legislature in the fall of 1848, on the grounds of lack of training for his job, and the complexity of such accounts through such a long period.¹²⁴

There were, as well, the Clay Whigs who were out of favor with the dominant faction ^{of} ~~and~~ the party and who would be gratified by a reduction of the power of the governor in local affairs. One argument advanced to Crittenden at this time to take his place in Taylor's cabinet was based upon the growing excitement attendant upon the approach of the Convention to revise the constitution. After pressing upon him the fact that he could never be president by staying at home, one of his Lexington friends added that whoever was the most popular in the present administration would likely be the successor to Taylor, and that he should "as a friend, regret above all things to see you tied down at Frankfort compelled to take part for the next two years in a strife where in all likelihood parties will be fiercely and bitterly divided without the power in any one to compromise them."¹²⁵

One of the most vocal forces for reform within the state was that of the emancipationists. This force, largely within the Whig party, increased in importance as the nation drew closer to the critical years preceding the Compromise of 1850. By the time the last of the series of necessary elections were held in the fall of 1848 for delegates to the

123. Ibid., p. 57.

124. Niles', LXXV, 61.

125. G.B. Kinkead to John J. Crittenden, February 7, 1849, Crittenden Papers.