THE DEMOCRATIC LEGALISM OF PIERCE

THE DEMOCRATIC LEGALISM OF PIERCE 235


The Sixth Democratic National Convention met at Baltimore June 1, 1852, with 297 delegates. John W. Davis of Indiana presided. The convention was called to order by Benjamin Mallet of Massachusetts, chairman of the National Committee, who read the call issued by his committee. The two-thirds rule and the unit rule were adopted with little debate, and later a motion to reconsider the former was rejected 260 to 13. During the balloting for Presidential nominee, Governor Floyd of Virginia, endeavored to avoid the unit rule, claiming that the Democrats of the district choosing him wanted Douglass, and not Buchanan, who was getting Virginia's entire vote. The question seems to have been decided according to the admitted usage of Virginia which was to cast a solid vote according to the wishes of the majority of the state delegation.

A motion to adopt a platform before nomination of candidates was defeated 115 to 111. The number of delegates for subsequent conventions was doubled, fixed at twice the number of Senators and Representatives in Congress.

The Democrats had an embarrassment of riches in the way of candidates; Buchanan, Cass, Douglass and Marcy, all considered of Presidential size and prestige. The first ballot was, Cass 116, Buchanan 93, Marcy 27, Douglass 20, scattering 25; twenty-nine ballots were taken with a very gradual shift of strength from Cass to Douglass, showing Cass 27, Buchanan 93, Douglass 91, and no other candidate with over 25 votes. At this point Cass's friends staged a comeback and the thirty-fifth ballot gave Cass 131; but on that ballot Virginia changed from Buchanan to Pierce, and on succeeding ballots this dark horse gained or held firm. The forty-eighth ballot was Cass 73, Buchanan 28, Douglass 33, Marcy 96, Pierce 55. On the next ballot came the stampede led by North Carolina, Pierce 262, all others 8. It has been asserted that Pierce's nomination long had been planned and carefully arranged for, but there seems little evidence of this.

Ten men from ten different states were voted for on the first ballot for Vice-President, by the cooperation of the friends of Buchanan and the Southern leaders, receiving 136 votes; on the second ballot he was unanimously chosen. The platform was adopted with little dissent, and the plank dealing with the Compromise was read and reread amid great enthusiasm and long continued applause.

The Whig convention assembled in Baltimore June 16th, with all states represented. The Southern delegates held a caucus and drew up a declaration of principles which, it is said, the friends of all candidates finally agreed to stand for; this story is most credible as a reading of the platform adopted will show. Fillmore, a "Silver Grey" or moderate Whig, had most of the Southern support, many of those delegates having been instructed for him. Between Fillmore and Webster, a "Cotton" Whig, the Southerners were indifferent or individually preferred the latter. The story is that when it seemed that Fillmore could not make the grade the Southern leaders agreed to break instructions and go for Webster, provided that would insure his nomination. This resulted in at least 41 Northern votes and that number could never be obtained. The Conscience Whigs, Dawes and Lee of Massachusetts and others, would not vote, not even on just one ballot, for Webster. It seemed to be recognized as impossible to transfer Webster's strength to Fillmore. The first ballot was Fillmore 135, Scott 131, Webster 29; on the fifty-third Scott, the favorite of the "Conscience" Whigs, was named and William Graham of North Carolina given second place on the second ballot.

The platform was adopted, but not without a struggle; that Scott's friends had agreed to the main points demanded by the South seems certain. Especially was the concluding plank resisted; it has been called the death sentence of the Whig Party.
THE DEMOCRATIC LEGALISM OF PIERCE

"Southern States' Rights" candidate; he received 100 votes in Georgia and 3,000 in Alabama in November.

The Northern and far South were represented on the Democratic ticket; Scott was a Virginian but had been so long in the army as to be regarded as from the country at large, and his running mate represented the Southern Whigs; Hale was from Maine, Julian from Indiana.

The campaign was a dull one, and mean and sordid in a small way; Scott was ridiculed and an old court-martial verdict against him revived; Pierce was accused of cowardice, intemperance, opposition to religious freedom, and in the South of being an Abolitionist. Pierce placed himself squarely on the party platform and remained at home.

Scott made a short excursion into the West, with unfavorable effect. Thurlow Weed, the wisest and most accomplished politician of his day, met him and found him needing no advice, information, instruction or encouragement, being all-sufficient, sure of himself and of success. As a matter of fact he was tremendously handicapped; those of his party who liked him disliked the platform; those who liked the platform did not care for him. "We accept the candidate but spit on the platform," said Northern Whigs, while Stephens and Toombs and other Southern Whigs and Whig newspapers flatly refused to support him; "The voice of Jacob, but the hand of Esau," said they.

The business element of New York were lukewarm or opposed to Scott because they believed him under Seward's influence. The Webster men in New England were dissatisfied, to say the least. Webster, not paying enough attention to several local conventions nominating him to accept or decline their compliments, would take no part in the campaign and announced to close friends that he would vote for Pierce. Their fathers had been war comrades under Washington, and Pierce, though of the opposite political faith, had always been a keen admirer of Webster, and their families were intimate.

Pierce, so soon as his party had digested his nomination, became very popular. Van Buren came back into the Democratic fold and with him Samuel J. Tilden and David Dudley Field. Pierce's three other conventions, public, military and political, was excellent, and he inspired liking and confidence. He stood for what his party wanted. Yet many Northern Democrats disliked the platform so far as it was pro-slavery as much as anti-slavery Whigs disliked the Whig platform.
THE STORY OF THE DEMOCRATIC PARTY

On the great issue the platforms of the two leading parties were practically the same and the people, being tired of the agitation, voted for the ticket they thought most likely to secure peace and quiet. This, added to normal Democratic strength, brought about a sweeping victory. A like state of public weariness brought about a similar result in the Harding election in 1920.

Pierce carried 27 states with an electoral vote of 254, while Scott carried 4 states, Kentucky, Massachusetts, Tennessee and Vermont, with 42 electors. The popular vote was Democratic 1,901,474; Whig 1,386,620; Free Soil 156,667. A Webster vote of 5,224 in Georgia and 1,670 in Massachusetts was polled, though most of those voting for him must have known of Webster's death ten days before election day.

Undef Tom's Cabin was published in book form in March, 1852, and obtained wide circulation immediately, but seems to have had little influence on the election. It was not until 1860 that its tremendous political influence was felt.

Susan B. Anthony, Lucy Stone and other distinguished Woman's Rights advocates held their annual convention in 1852, but did not tie up their cause with the fate of any one party. The Temperance people, flushed with their success in establishing prohibition in Maine the year previous, worked on state legislatures and in state politics and held aloof from national parties, but complicated matters in many districts for regular party candidates of the main parties.

General Franklin Pierce, son of Benjamin Pierce, a General in the Continental army and afterward Governor of New Hampshire, was fifty-two years old when inaugurated, the youngest man ever assuming the office. He began his public career in the New Hampshire legislature in 1829 and was twice Speaker. Elected to Congress in 1833 he was active in opposition to internal improvements and all anti-slavery measures. Here he always was a strong Jackson Democrat. Promoted to the Senate in 1837 he was consistently Democratic there, but his personal relations with his neighbor, Daniel Webster, were cordial.

Resigning in 1842 to resume the practice of law, he declined in 1846 Polk's tender of the Attorney Generalship, and refused the Democratic nomination for Governor. He ardently advocated the annexation of Texas and as soon as war was declared enlisted as a private in a volunteer company at Concord, New Hampshire, his home. Commissioned Colonel and later Brigadier General, he served with distinction under Scott, who gave him honorable mention in his dispatches, and made him one of the commissioners to arrange the truce. Hostilities ended, he returned home to practice law until elected President.

To escape the waiting hordes of office-seekers Pierce rode from Baltimore to Washington in the baggage coach of his train, thus evading the reception committee and the crowd of office-seekers in waiting. His escape was only temporary for Washington was jammed with deserving Democrats, some of whom, for lack of other quarters, slept in the rotunda of the capital, congregating early in the morning in Lafayette Square, where they looked with loyal admiration at the equestrian statue of General Scott, newly put up, and hoped his present successor would follow in his footsteps in the distribution of offices.

The inaugural address boldly announced that the country's position rendered certain acquisition of territory important if not essential, and the administration would not be controlled by timid forbodings of evil from expansion. This indicated a determination to annex Cuba. The policy of appointment to office of men of the administration party was frankly announced, but the President declared himself free from all personal obligations. The observance of the boundaries of federal and state powers was stressed; the Compromises approved as constitutional, and underlining enforcement of the law promised. A hope was expressed that the questions lately so dangerously exciting the people would be left at rest.

The cabinet, which remained entirely unchanged throughout the administration, was Marcy, State; Guthrie of Kentucky, Treasury; Jefferson Davis, War; Dobbins of North Carolina, Navy; McClelland of Michigan, Interior; Campbell of Pennsylvania, Postmaster General, and Caleb Cushing, Attorney General. Every section was represented. Marcy and Guthrie, the latter a successful bank and railroad magnate, were considered the conservative influence in the cabinet; Davis and Cushing were credited by the critics of the administration with being the mounting forces of it. Cushing had eagerly sought a place; Davis had at first declined and reluctantly yielded to Pierce's personal solicitations after reaching Washington. The cabinet was charged with having too strong a Southern bias, Cushing being held to be at odds with Massachusetts and New England since leaving the Whig Party.

Southern statesmen, including the Whigs, had long been desirous of annexing Cuba, and the present interest England and France were manifesting in that island excited them. The ex-
THE STORY OF THE DEMOCRATIC PARTY

274