

THE POLITICAL CAREER
OF
JESSE D. BRIGHT

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CHAPTER I

Jesse D. Bright was particularly fortunate in the character of his parents. They represented that sturdy type of upper middle class people which has been the backbone of all progressive countries for ages. He was twice fortunate in that one came from the North and one from the South, thus giving him an unusually fair outlook upon the great national problems which were to confront him in later years. Perhaps this helps to account for his ability to sympathize with and understand the attitude of both sections.

Senator Bright was a son of David G. Bright and Rachel Graham. David G. Bright was born near Reading, Pennsylvania, in 1775, of German and Huguenot stock. Up to the time when he became a grown man and entered the hat-makers' trade, practically nothing is known of him. It was probably about 1784 when he was taken by his parents to Botetourt County, Virginia. In 1800 he married Rachel Graham of Fincastle, Virginia, and some time later he moved to Clinton County, New York. It is said that the move was made on the advice of De Witt Clinton who was an intimate friend and political associate. Bright served as sheriff of the county for four years.

In the latter part of 1812 he moved to Norwich in Chenango County, New York. Here he began a lifelong friendship with Thurlow Weed. It was David G. Bright who lent Weed the money to start his first newspaper. Bright was one of the leading citizens of the community. He was elected clerk of the county and was appointed by President James Madison collector of internal revenue. It was here that Jesse

D. Bright was born on December 18, 1812.¹ Thurlow Weed, in his *Autobiography*, described David Bright as a man "who had seen a good deal of life, and was an intelligent, close observer of men and things,"² so we know that the young lad was to be brought up under the guidance of no ordinary father. In 1820 David Bright moved to Shelbyville, Kentucky, but he stayed there only a few months before moving to Madison, Indiana. There he lived for the remainder of his life, excepting for four years spent as United States receiver of public moneys at Jeffersonville.³

Of Jesse D. Bright's early life little is known except that he was a boyhood friend of Norvin Green, afterward president of the Western Union Telegraph Company, and that he spent most of his time roving about the new and thriving city of Madison. It is not altogether improbable that his father still held the property he had acquired in Kentucky, and that the family frequently visited there. At any rate Bright had not been a grown man many years before he went to Gallatin County, Kentucky, to bring back Mary E. Turpin as his wife. It was his lifelong friend, Green, who operated the ferry when Bright crossed the Ohio to claim his wife.⁴ The Bright family was not long in establishing itself as a prosperous and respected group in Madison, and the men soon took their places as leaders in the life of the community.

Jesse D. Bright was fortunate in spending his young manhood in what was then the chief city in Indiana. Madison was the seat of power, wealth, and learning in Indiana during the thirties. The Madison bar was the most brilliant in the state, and Bright, as a young lawyer, was brought into intimate contact with such men as Joseph G. Marshall, Jeremiah Sullivan,

¹For the information regarding the Bright family I am indebted to Charles A. Korbly of Georgetown, D. C., a grandnephew of Senator Bright, and to Lawrason Riggs, of Baltimore, Maryland, a grandson.

²Weed, Harriet A. (ed.), *Autobiography of Thurlow Weed*, Vol. I, p. 79 (Boston, 1883).

³Collins, Lewis, *History of Kentucky*, Vol. II, p. 440 (Covington, Ky., 1874) and information furnished by Lawrason Riggs.

⁴Letter to author from C. A. Korbly.

and John R. Cravens. His brother Michael, however, seems to have been the better lawyer. The law was simply Jesse's avocation. Politics was his ruling passion, and it was not long before he was the political autocrat of Jefferson County.⁵ In spite of the fact that Jefferson County was a Whig county, and Bright a Democrat of the strictest sect, he was elected probate judge of the county in 1834, and held the office for several years.⁶ The position of county judge grew irksome after a time, however, and he began to cast his eyes about for a position which would give more freedom to his talents. He soon perceived that as the United States marshal in Indiana he could build up a real political machine, with proper care and discretion. Accordingly he started his political friends working to secure the position for him. William Hendricks, former governor, in recommending Bright to General John Tipton said: "You may perhaps not be intimately acquainted with Mr. Bright, and I therefore add that he is in every respect well qualified & wd. in my opinion make an excellent officer and one acceptable to the people."⁷

After some delay and the exertion of a great deal of pressure Bright received his appointment as United States marshal, in January, 1840. This position gave him every opportunity to exercise his talents, and he made the most of it. His business took him all over the state and he made friends wherever he went. It was a splendid office for an ambitious young man, affording, as it did, ample opportunity for the establishment of a political foundation, and Bright was just the man to make the most of his opportunity. The friendships he formed throughout the state were later to be of great service to him.

In 1841 Bright was elected to the state senate from Jefferson County. Again he carried a Whig county. It was perhaps that element of luck which plays so important a part in the lives

⁵Monks, Leander J., Esarey, Logan, and Shockley, Ernest V. (eds.), *Courts and Lawyers of Indiana*, Vol. I, p. 82 (Indianapolis, 1916).

⁶*Ibid.*, Vol. II, p. 786; Woollen, William Wesley, *Biographical and Historical Sketches of Early Indiana*, p. 225 (Indianapolis, 1883).

⁷Letter of June 14, 1837, Tipton Papers, Indiana State Library.

of many successful men which came to his aid this time. The Whig party in Jefferson County was split between two men and Bright slipped quietly into office.⁸ As a state senator he seems to have been a good party man, and that is about all. Nothing out of the ordinary can be found in his record.

In 1843 Bright was the Democratic nominee for lieutenant governor as running mate with James Whitcomb. It was a stirring campaign, during which Bright spoke in every county in Indiana, but he felt justified when he and Whitcomb received a substantial majority. Bright's inaugural speech as lieutenant governor is not noteworthy. It was simply the conventional speech for the occasion, in which he promised that he would discharge his duties in a faithful and impartial manner, attributed his success in the election to his interest in a class of measures of deep interest to the country, and asked the legislators to be tolerant toward him until he became accustomed to his duties.⁹ Bright's position as Democratic president of a senate equally divided between Whigs and Democrats was not one to foster tolerance in the opposite party, however, and at the end of the session, on a strictly partisan vote, Bright was denied the customary resolution of thanks for his services as presiding officer.¹⁰

During the succeeding session the same equal party division persisted in the senate, although the Whigs had a majority of several members in the house of representatives. This division was acutely important in the matter of the selection of a United States senator to succeed Albert S. White, whose term expired in March, 1845. Voting strictly with his party in tie after tie,

⁸Woollen, in his sketch of Bright, attributes this division in the Whig ranks to the activity of the regular party candidate against Sunday mails. A correspondent of the *Madison Daily Banner*, however, writing in connection with Bright's political maneuvers in 1851, did not hesitate to charge that in the contest of 1841 Bright had been active in widening the split in the Whig Party before announcing his own candidacy. Woollen, *Biographical and Historical Sketches*, 225-26; *Madison Daily Banner*, July 11, 1851, letter signed Milton.

⁹*Senate Journal*, 1843-44, pp. 30-31.

¹⁰*Ibid.*, 1843-44, pp. 602-5; *Indiana State Sentinel*, January 3, 1844.

Bright prevented the senate from going into election with the house, and blocked the Whig plan to send Joseph G. Marshall to the Senate.¹¹

At the next session, with the house majority safely Democratic and the senate again equally divided, Bright himself was chosen to join Edward A. Hannegan at Washington as the junior senator from Indiana.

The Democrats had been triumphant in the United States in 1844, and James K. Polk sat in the White House as a representative of the western and southern groups in American life which stood for democracy and expansion. Southern Indiana was dominated by this type of pioneers. Among her people were many blatant, belligerent nationalists and expansionists. In politics the majority were Jacksonian Democrats, loud and boastful, and in religion they were old-fashioned Baptists and shouting Methodists.¹² A large percentage of the people in Indiana at this time were from the South.¹³ Their sympathies were with the South in the usual course of events, and they were not above keeping a black man in bondage in a few cases themselves.¹⁴

As to Bright himself, there is a world of conflicting testimony, but by 1845 he seems to have made himself the master of the Democratic Party in Indiana, and to have been an absolute boss. His sympathies were typical of his section, and his ideas on national questions were the same as those of the people that he represented.

Physically Bright was an imposing specimen of manhood. He weighed about two hundred pounds and had a tendency to

¹¹*Senate Journal*, 1844-45, pp. 31, 52, 57-58, 92, 174-75, 229-30, 278, 295-96, 443 ff., 498 ff.; Woollen, *Biographical and Historical Sketches*, pp. 226, 433.

¹²Esarey, Logan, "The Pioneer Aristocracy," *Indiana Magazine of History*, Vol. XIII, p. 275.

¹³Layton, Joseph E., *Sources of Population in Indiana, 1816-1850* (*Indiana State Library Bulletin*, Vol. XI, No. 3, Indianapolis, 1916).

¹⁴On the keeping of bondservants in Indiana, see Lindley, Harlow (ed.), *Indiana as Seen by Early Travelers*, p. 257 (*Indiana Historical Collections*, Vol. III, Indianapolis, 1916); Cockrum, William M., *Pioneer History of Indiana*, pp. 141-48 (Oakland City, Ind., 1907).

rugged stoutness. One thought of muscle, power, and grit when one looked at him. He was clean shaven and his face wore a look of imperious self-confidence. Political associates have described him as a man who carried himself with a successful swing, almost a swagger. Contemporaries are united in declaring him to have been a good friend, and an enemy who knew how to inflict punishment.

He had natural talents of a high order, but was deficient in education and cultivation when he first went to the United States Senate. He is said to have violated rules of grammar not infrequently in his public speeches, but to have been so earnest in his manner that his words burned into the minds of his hearers.¹⁵ His overwhelming energy and earnestness were great assets in addressing his hearers, and his oratory was that of the circuit lawyer of that time—loud, furious, violent, and heavy with historical comparison and political platitudes.¹⁶

A paper of the opposition party, which certainly could not be accused of being guilty of overpraise, characterized Bright as being frank and firm in his manner and always showing zeal

¹⁵A letter written by Bright shortly after his election would indicate that he was a man who could use grammar correctly when he had time to think carefully.

“WASHINGTON CITY, Dec 24 1845.

SIR

I have before me the copy of a letter addressed to you on the 25th ultimo, signed by my colleague and all the members of Congress from our State, requesting you to confirm and approve the agreement made between the Miami Indians and their creditors on the 24th October 1842.

I desire to say that I cheerfully concur in that request, and unite with my colleague and the representatives in the desire it may be settled.

The Indians should be removed; their welfare, the interest of the people of our state, and the humane policy of the Gov. all call alike for this.

The claimants named in that settlement are citizens of Indiana, and I feel anxious to have justice done with as little delay as possible.

I have the honor to be With great respect your most obt. servt.

JESSE D BRIGHT

HONORABLE WM. L. MARCY

Sec'y of War Washington"

The above letter is among the Ewing manuscripts in the Indiana State Library. The third paragraph is marked out in the copy.

¹⁶Woollen, *Biographical and Historical Sketches*, pp. 223-24; Monks (ed.), *Courts and Lawyers of Indiana*, Vol. I, p. 82.

and fidelity to a cause after he had once taken it for his. The paper went on to say that whatever quarrel they might have with his political sentiments they always knew where he stood on every delicate question and this was more than they could say of certain other influential members of his party.¹⁷

¹⁷*Indiana State Sentinel*, January 11, 1851. Reprinted from the *North American Independent*.

CHAPTER II

Mr. Bright took his seat in the United States Senate on December 27, 1845, amid a group of exultant and distinguished Democrats. Through the influence of Hannegan he was soon placed on the Committee on Public Buildings and the Committee on Revolutionary Claims. During the first session of the twenty-ninth Congress, committee service and learning the procedure seemed to occupy most of his time. He did find time, however, to present several petitions from the Indiana legislature asking for various internal improvements. His only speech during this session of Congress was a short mild defense of printing pamphlets which contained information of value for the farmer.¹ Bright had his political eye out for popular approval, and shortly after the War with Mexico began he proposed an increase in pay for privates and noncommissioned officers in both the regular army and the militia.² Aside from this, Bright said nothing and voted regularly and consistently with his party. He supported the Mexican War straight through, and voted "aye" on the Walker Tariff.³ When, early in June, 1846, the president adopted the plan of consulting the Senate in advance concerning the British offer of the forty-ninth parallel, Bright was not recorded as voting on either side, though Hannegan stood by the "Fifty-four, forty" slogan and voted against the president. Later, Bright voted against printing the negotiations for the use of the Senate, which perhaps indicates an inclination in favor of the compromise.⁴

¹*Congressional Globe*, 29 Congress, 1 session, pp. 693-94.

²*Ibid.*, p. 1023. The bill was referred to the Committee on Military Affairs and was reported back to the Senate with an amendment and the recommendation that it not pass. *Ibid.*, p. 1064.

³*Ibid.*, p. 1158.

⁴*Ibid.* (Appendix), p. 1169.

In the short winter session of 1846-47, the Whigs became bitter at the turn events were taking. They denounced President Polk and the whole administration policy toward the Mexican War at every turn, whereupon Tom Ritchie, the famous editor of the *Washington Union*, wrote an article stoutly defending the Polk administration. Mere defense of the administration was not enough. He launched into a stinging denunciation of certain staid gentlemen in the United States Senate, thus calling forth their wrath. They proposed a resolution excluding the editors of the *Union* from the privilege of admission to the floor of the Senate, and a second resolution forbidding them admission to the gallery. The second proposal was withdrawn, but the first was carried 27 to 21. Bright joined most of the Democrats in voting "nay," ostensibly in defense of freedom of the press, actually on behalf of their party paper.⁵

Conflicting opinions about Mexico had so much upset the Senate that almost any senator could lose his temper over the question even though he had had but one or two drinks before taking his seat for a morning session. Men in both parties spent most of the time pointing out the fraud and partisanship rampant among members of the opposition. The likelihood of the acquisition of Mexican territory by the United States as a result of treaty negotiations brought the question of slavery extension to the fore, and discussion reached a high peak of excitement. Leaders from the Northeast cried out that the whole war had been a scheme for the expansion of slavery. With similar bills before the House and Senate appropriating three million dollars for the establishment of peace with Mexico, David Wilmot, of Pennsylvania, introduced in the House his famous proviso against expansion of slavery into territory so acquired. In the Senate an amendment of substantially the same sort was introduced by George Upham, of Vermont. Both were eventually defeated, and the House bill forced

⁵*Ibid.*, 29 Congress, 2 session, pp. 406-17, gives the discussion and the vote on the question.

through without mention of slavery. Bright took no part in the discussion of the Upham amendment, but he and Hannegan joined the southern Democrats in voting against it.⁶

The thirtieth Congress found Bright an established member of the Senate and ready to take his full share in the events which were transpiring. He was now chairman of the Committee on Revolutionary Claims, and ranking member of the territorial committee of which Stephen A. Douglas, of Illinois, was chairman. The question of great importance before the thirtieth Congress was the bill for the admission of Oregon into the Union. Bright, as a member of the Committee on the Territories, was in charge of the measure. In a speech early in the session he pleaded that the bill be passed without delay. He said in part:

In addition to the general obligation to furnish the people of Oregon with a government, recent events, developed in the late message of the President, imperiously demand that we should pass this bill immediately. If we desire to extend aid to our fellow-citizens in that distant region, it is absolutely necessary that we should act promptly. The Indians are in a state of hostility; they are massacring the white inhabitants; military aid is implored in the most pathetic tones.⁷

When Bright finished this speech Calhoun demanded to know whether the friends of the bill were going to support Senator John P. Hale's amendment extending the Ordinance of 1787 to Oregon. Bright assured Calhoun that he was voting against the Hale amendment.

Bright pleaded, begged, and cajoled but he could not hurry the Senate. The debates were interminable, and proposals and counter proposals were made and rejected. New England would be satisfied with nothing less than the stipulated exclusion of slavery from Oregon, and the irreconcilable Southerners, led by Calhoun, would have nothing short of the admission that neither Congress nor the territory could legally

⁶*Congressional Globe*, 29 Congress, 2 session, p. 555. The Upham amendment was defeated 31 to 21 by a party vote although a number of northern Democrats—John Dix, Simon Cameron, Daniel Sturgeon, and John Fairfield—joined the Whigs. This was offset, however, by such southern Whigs as John Crittenden, Willie P. Mangum, James T. Morehead, and Hershell Johnson voting with the Democrats.

⁷*Ibid.*, 30 Congress, 1 session (Appendix), pp. 684-85.

forbid the right of Southerners to migrate thither, taking their slaves with them. Finally the moderates presented an amendment to the Oregon bill through Mr. Bright which appeared, for a time, to be the solution of the problem.

The amendment provided:

That in all the Territories owned by the United States, including Oregon, New Mexico, and Upper California, which lie north of $36^{\circ} 30'$ north latitude, slavery and involuntary servitude in the said Territories, otherwise than in the punishment of crimes whereof the party shall have been duly convicted, shall be, and is hereby forever prohibited.

There was also a provision for the return of whatever fugitive slaves might escape to this territory. This amendment, Bright explained, he introduced because he felt that the Union was endangered if men persisted in their extreme views. He further explained that it was nothing more than an extension of the Missouri Compromise to the Pacific.⁸

Bright's proposal, which was of a compromise nature in that it gave the South compensation for the admission of Oregon as a free territory, was speedily dispatched to the House after it had passed the Senate. Time and time again the House defeated the Senate compromise measures, most of which were of the same nature as the one presented by Bright. The House had determined to have Oregon recognized as free territory and no compromise of any sort was to be entertained for a moment. At last the neutral members of the Senate yielded to the pressure for an immediate government in Oregon and receded from their amendments, allowing the House bill to pass in its original form. Bright, Hannegan, Breese, and Douglas voted with the antislavery group.⁹ The southern group was greatly disappointed at the outcome, since the least they expected was the extension of the $36^{\circ} 30'$ line. President Polk considered vetoing the bill, but finally signed it with a written notation that he did so because Oregon was north of $36^{\circ} 30'$.¹⁰

The question might well be asked—just how important a part did Bright play in the Oregon fight? Was the idea of

⁸*Ibid.*, p. 868.

⁹*Ibid.*, 30 Congress, 1 session, p. 1078.

¹⁰*Ibid.*, pp. 1081-82.

extending the Missouri Compromise line to the Pacific original with him, or did he get this solution from some one else? Fortunately for the biographer a few chance sentences in the diary of James K. Polk do a great deal to clear up the situation.¹¹ The moderates from both the Whig and Democratic parties and from both the North and South had been working hard for a solution which would cause the least possible irritation to any constituency when Bright suddenly relieved the tension in the Senate by coming forth with this compromise proposal. Since Bright was a moderate, and as free from prejudice on the slavery question as any man living, it would seem quite likely that he was indeed the author of the resolution. But, according to President Polk's diary, the president himself conceived the compromise idea, and gave it to Bright and Henry S. Foote, of Mississippi, when they called on him one morning late in June, 1848. The two senators agreed with President Polk that the extension of the Missouri Compromise line to the Pacific was the only practical method of settling the slavery question, and several days later Bright introduced the resolution as quoted above.¹²

Bright's really important contribution to the Oregon bill was the manner in which he fought for its passage in some form—any form so long as it was passed. His diligence and perseverance kept it before the Senate many times when some senator was attempting to bring up a bill of lesser importance. The zeal and untiring effort with which he stood by the bill cannot be underestimated in apportioning credit for its final passage.

During the second session of the thirtieth Congress the question of the admission of California to the Union arose. As with every other question which touched slavery, acrimonious and heated debate burst forth every time the subject was mentioned. One of the first discussions originated in the

¹¹The discussion will be found in Quaiie, Milo M. (ed.), *The Diary of James K. Polk*, Vol. III, pp. 504-5 (Chicago, 1910).

¹²The amendments were all defeated in the House.

question of which committee should have charge of the bill. The radical Southerners were afraid to trust the bill to the Committee on the Territories which was composed of Stephen A. Douglas, Bright, John M. Clayton, a Whig from Delaware, John Davis, of Massachusetts, and a single Southerner, Andrew P. Butler, of South Carolina.

Senator John M. Berrien, of Georgia, opened the discussion by arguing that the bill should be handled by the Judiciary Committee since that committee had always taken charge of such measures. Senator Douglas admitted that that had been true in the past but pointed out that the Committee on the Territories was a new one, created in 1844, and that since its creation it had had charge of such questions. Senator Hershell V. Johnson, of Georgia, declared that the Senate had previously determined that matters affecting the organization of a territorial government should be referred to the Committee on the Territories, but the bill under consideration was for the admission of a state into the Union—a technical matter which should be submitted to the Judiciary Committee.

At this juncture of the debate, Senator Bright arose and said that while he was opposed to the organization of territorial governments in either New Mexico or California during that session of Congress, he did regard the placing of the question in the hands of the Judiciary Committee as a departure from precedent. He said further:

Is there a gentleman upon this floor who believes that any bill or proposition having for its object the organization of any of the Territories of these United States, can be passed upon by Congress without an issue made *directly* as to whether slavery shall not be *absolutely* excluded? He who comes to this conclusion must have been an inattentive observer of what passed in this Chamber at its last session. This geographical question arose then. It will arise again, and with increased strength. To send this bill to the Committee on the Judiciary is a useless waste of time, as far as their reasoning and recommendation are concerned. I accord to the members of that committee as large a share of legal talent as belongs to the same number of gentlemen in or out of this Chamber; but when I recollect that four out of the five members of that committee are from the slaveholding States of this Union, I am not mistaken in saying they cannot present a bill that will receive the sanction of this Congress.¹³

¹³*Congressional Globe*, 30 Congress, 2 session, pp. 46-49. The Judiciary Committee finally got the bill, Bright voting "nay."

This speech is so typical of Bright that it deserves attention. It is vigorous, direct, convincing, and above all it goes to the heart of the question regardless of who is to suffer. Bright was himself a slaveholder, and in sympathy with the institution, but as a practical statesman he knew that a committee composed of Butler, Berrien, James Westcott, Solomon W. Downs, and William Dayton could never give a report on slavery which would be accepted by the Senate. He knew that his stand might injure his chances of favor with the powerful southern group in the Democratic Party, but he did not let that stop him—he simply analyzed a situation as he saw it, and let the consequences take care of themselves. The outstanding quality of Bright's political career was that he never straddled a question—he was always definitely on one side or the other.

A great deal of Bright's time was spent on matters of routine and detail work. His services on committees were valuable, and he was usually a member of three or four important ones each session. He was a strict constructionist, and denounced the tendency to create offices for the purpose of political patronage. Examples are too numerous to mention of his speaking and voting against the remuneration of persons whose employment had not been specifically provided for, but it was a question which always aroused his ire.¹⁴ Another question which always brought him to his feet was the usurpation of state rights by the Federal Government. He never failed to denounce the tendency toward national government, just as he never failed to pay a tribute to the workingman who was leading a clean and worthy life. On the matter of pensions Bright was very conservative, and usually investigated cases with extreme care when he was a member of committees dealing with such matters.¹⁵

Perhaps at no other time did Bright show the prophetic fore-

¹⁴Bright's attitude on this is evidenced by his desire to limit the number of assistants for taking the census. The number of assistants used today is an example of how the abuse has grown. *Congressional Globe*, 31 Congress, 1 session, pp. 287, 429, 679, 688, 692.

¹⁵See, for example, *ibid.*, p. 1447.

sight that he displayed when he denounced the land grant system proposed by Douglas for the Illinois Central Railroad. Regarding this question he argued that permitting the company to take land through the state indiscriminately would be a dangerous experiment, and would set a precedent for Iowa, Wisconsin, Texas, and other states of the West.¹⁶ The land grant system became universal in spite of his opposition, but it seems likely he foresaw the dangers lying ahead. A short time after these remarks were made Bright again demonstrated his foresight and his independence by voting "nay" on the Clayton-Bulwer Treaty dealing with neutralization of the canal zone. Differences in the interpretation of this treaty proved a handicap to the United States for fifty years, and it was not until the Hay-Pauncefote Treaty of 1901 had rearranged matters that we were able to take up the work of building a canal across Panama. The Senate finally ratified the Clayton-Bulwer Treaty 42 to 11 on May 22, 1850, after a month of debate in executive session.¹⁷

The most discussed piece of legislation during these turbulent times was the Compromise of 1850, and it is that to which we now turn. The Senate of the first session of the thirty-first Congress which was to debate the Compromise was perhaps the ablest Senate ever assembled within the history of our democracy. Calhoun, after leaving Tyler's cabinet, had returned to the Senate in 1845. Webster had returned in the same year and would remain until President Fillmore made him secretary of state. Fiery old Benton was in his place, and the great Clay was the cynosure of all eyes. Bright, looking around him, could see the faces of Willie P. Mangum, of North Carolina; Sam Houston, from the Lone Star state; John M. Berrien, of Georgia; Jefferson Davis, soon to lead the extreme southern group; Lewis Cass, the Democratic standard bearer in 1848; James M. Mason, of the old Virginia school; Pierre

¹⁶*Ibid.*, pp. 853, 854.

¹⁷Howland, Louis, *Stephen A. Douglas*, p. 139 (New York, 1920). Since the debate was in executive session no records have been preserved, and we have no way of knowing what Bright said.

Soulé, of Louisiana; Stephen A. Douglas; and John Bell, who would lead the forlorn hope of the Constitutional Union Party in 1860.

Four bulky volumes of the *Congressional Globe* contain the record of this great session. For the most part these able men presented their views in speeches and arguments of great ingenuity and astuteness, but the real work on the question was done by a select committee of thirteen. This committee was composed of the men who were supposed to have the most fundamentally sound judgment on the slavery controversy. Indiana was justly proud when her distinguished senator, Jesse D. Bright, was appointed a member of the committee.¹⁸ On the eighth day of May, Clay and his colleagues reported three bills from the committee.¹⁹ The first provided for the admission of California, the organization of territorial governments in New Mexico and Utah without slavery restrictions, and the adjustment of the boundary between New Mexico and Texas. The second was the fugitive slave bill, while the third prohibited the slave trade in the District of Columbia. These measures were defeated as parts of the "Omnibus Bill," but were all enacted later as separate bills, and Congress adjourned in the latter part of September well satisfied with itself.

Bright spoke only twice during the discussion of the Compromise, and in each case it was to urge tolerance, forbearance, patience, and justice on the part of the two extremes.²⁰ It is a pity that none of the records of the committee of thirteen are available since it was in committee meeting that his influence was likely felt. He was a man who could wield a powerful influence in private conversation, but whose public addresses were few. He was one of those leaders whose personality is brought to bear in group discussions around the cloakrooms of the Senate chamber, in a gathering of senators at a game of

¹⁸*Congressional Globe*, 31 Congress, 1 session, p. 780. Clay, three Whigs and three Democrats from the North, and three Whigs and three Democrats from the South composed the committee.

¹⁹*Ibid.*, p. 944; Clay, Thomas H., *Henry Clay*, p. 367 (Philadelphia, 1910).

²⁰*Congressional Globe*, 31 Congress, 1 session, pp. 956 and 1379.

cards, or at a social function. That Bright was on the job every minute of the time is evinced by the fact that he was present and voted on all the myriads of questions connected with the Compromise. He was always among the moderates, and could never be swayed by the extremists from the North or the South.²¹ In this conservative policy, James Whitcomb, the other Indiana senator, seems to have been largely guided by Bright. That Bright thoroughly approved the compromise measures can be seen by a number of his statements. On one occasion he said:

Verily it looks as though there are some among us who intend not to be satisfied with any measure or measures that have the appearance of a compromise. And, sir, if the extremes of this Union have made up their minds to this course, it remains to be seen whether there be enough of us left willing to take a great middle conservative course, and settle pending controversies, or whether these exciting, distracting, mischievous questions, that have shaken the institutions of this country to their centre, shall remain open, increasing the means and supplying the elements upon which fanaticism feeds. It is unnecessary for me to say that I claim to be of that number who desire an adjustment of all these subjects upon fair, just, equitable, and constitutional grounds.

I now endorse it, broadly, distinctly, and emphatically, and pledge myself to our distinguished chairman, whose patriotic efforts in this crisis of our affairs commands my high admiration, that he shall have my humble aid and support throughout the struggle.²²

In voting for the compromise measures, Bright was not only acting on his own judgment, but in perfect accord with the wishes of his constituency. I mention this because his enemies have since charged him with subservience to southern interests when his own state felt that such laws as the Fugitive Slave Act were wrong. The Indiana legislature had passed a fugitive slave act more drastic than the one passed by Congress. Among other things it provided for a fine of one hundred dollars for any person who refused to aid in the capture of a fugitive slave. There can be no question but that the great body of the people of Indiana thoroughly approved Bright's course.²³

²¹For example, see his votes on question in *ibid.*, pp. 1481, 1490, 1784.

²²*Ibid.*, p. 956.

²³*Revised Statutes of Indiana*, 1843-44, pp. 984-85; *Indiana State Sentinel*, November 5, 1850. The following editorial which appeared in the *Indiana State Sentinel*, October 31, 1850, indicates the attitude of the Democratic press in the state.

Bright's attitude on the Compromise did, however, arouse opposition from those in his state who had abolition tendencies. Among his opponents was Michael C. Garber, a Virginian who came to Indiana in 1843. He first located at Rising Sun, but removed to Madison in 1849. He was opposed to slavery, but called himself a Democrat. As editor of the *Madison Courier*, a Democratic paper, he supported Joseph A. Wright rather than Jesse D. Bright in their struggle for control of the Indiana democracy.²⁴ It must be admitted that it took courage to oppose slavery in Madison as that place was, from its contiguity to Kentucky and its immense river and southern trade, almost a southern town, and he who challenged the righteousness of slaveholding was a pariah, and could have no part with the dominant wing of the democracy. But Garber did not let this deter him. He denounced the Compromise of 1850 and the Fugitive Slave Law, and in vigorous terms censured the two senators for supporting the measures. This was the rank-est of heresies, and for Garber to proclaim such opinions in Bright's home town was adding insult to injury.

Senator Bright was the type of man who brooked no opposition in the party and no faltering among followers. Certainly no upstart newspaperman was going to play havoc with his organization. With his usual energy, Bright set up Rolla Doolittle, one of his lieutenants, as editor of a paper called the *Madisonian*, which was to be a regular party organ. The *Courier*, Garber's paper, immediately opened fire on the *Madi-*

"SHOT BY A FUGITIVE SLAVE.—On Tuesday night last, a runaway negro, having stolen a horse in Brown county, Ohio, was pursued by Mr. Cochran, the owner of the horse, joined by his neighbor, Mr. Gilbert. On the party coming up, the negro fired, inflicting a dangerous wound in the breast of Gilbert, and then escaped.—*Cincinnati Enquirer*."

"Escaped no doubt, to seek shelter and protection from those that give aid and comfort to the 'panting slave.' This is the fruit of encouraging slaves to run away from their owners, and advising them to resist the law for their recapture. This is the beginning of the end."

Numerous editorials in other Democratic papers, such as those of New Albany and Lafayette, show the tone to have been the same.

²⁴Garber, William S., "A Chapter in the Early History of Journalism in Indiana," pp. 10-12 (unpublished manuscript in Indiana State Library); Woollen, *Biographical and Historical Sketches*, pp. 480-84.

sonian, and for a time a spirited newspaper battle raged. Bright used his powerful influence to have the *Courier* excluded from the legislative halls in Indianapolis. This was in February of 1851.²⁵ In July a Democratic meeting was held in the courthouse in Madison, and Mr. Garber was read out of the party. He lingered on as a Democrat awhile, but later joined the People's Party, and eventually became a Republican.²⁶

One of Garber's anti-Bright editorials read as follows:

. . . Is he [Bright] known at all in Indiana, save as an expert political manager and wire worker and straw-puller? as a politician who has grown fat and rich in office, and who has managed to enrich, by the perquisites of office, other members of his family?

Such is his character in Indiana. How stands it on the national theatre? Is he known in the debates of the Senate as Webster, Buchanan, Benton, or even as a fifth rate Senator? But for the reflected light of the great Clay . . . he would have remained "unknown to fame."²⁷

Several months after the above editorial appeared in the *Courier*, a most unfortunate incident occurred. The city of Madison was preparing a celebration in honor of Louis Kosuth, and a number of men were selected as members of a committee of reception. Garber was to be chairman. A man by the name of Hamilton Hibbs, who was also appointed a member of the committee, made a public statement that he would rather serve on a committee with a negro than with a man like Michael Garber. The *Madisonian* printed the statement,²⁸ and Garber had just finished reading it in the rival paper when he saw Hibbs coming along the street. Garber rushed at Hibbs, calling him names, and striking at him. Hibbs, who was a carpenter by trade, was returning from work when the assault occurred, and thus happened to have several tools with him. He seized a large chisel from among his tools and stabbed Garber several times. Garber was seriously wounded, and was at the point of death for a long time before he finally recovered. Hibbs was exonerated since he fought in self-defense.

²⁵*House Journal*, 1850-51, p. 478.

²⁶*Madison Daily Courier*, July 2, 3, 4, and 8, 1851; Garber, "Early History of Journalism in Indiana," pp. 45-48; Woollen, *Biographical and Historical Sketches*, pp. 481-82.

²⁷*Madison Daily Courier*, July 26, 1851.

²⁸*Madisonian*, January 28, 1852.

But malicious tongues were quick to make the most of the affair. It was charged by the Whigs that Bright was back of Hibbs, and that the whole thing had been premeditated. Investigation has led me to believe that the editorial and the assault were simply an unfortunate coincidence. Bright was not the type of man to have others do his fighting for him. He loved a fight too well himself, and then, too, one must realize that the editorial was not a particularly malicious one for those days.²⁹

Meanwhile, on January 11, 1851, Bright had been reëlected to the United States Senate, his first term having expired on March 4, 1851. Plans for his reëlection seemed to be going smoothly until one day, while he was still in Washington, news reached him that Robert Dale Owen, who was also a candidate for the Democratic nomination, had charged him with bribery and graft. The manner in which Bright received this news is symbolic and typical of his whole life and character. He lost no time in idle denunciation of the charges, but rushed over to Postmaster-General James Campbell's office and obtained a special order for a fast engine and a United States mail coach; then he arranged for the track to be clear all the way to Wheeling. Since there was no train from Wheeling to Cincinnati, he was forced to cover this distance in a boat, but he took care to telegraph ahead to Madison and have a special train waiting to convey him to Indianapolis.

He arrived in Indianapolis in record time without a stop, and after he had a conversation with Robert Dale Owen the political world was rather surprised to hear that Bright would be unopposed in the caucus.³⁰ When the legislature met to elect a senator it was found that Bright not only received all the 94 Democratic votes, but also 4 Whig votes, which gave him a total of 99 votes to 46 for Charles Dewey, the Whig candidate.³¹

²⁹Garber, "Early History of Journalism in Indiana," pp. 667-84.

³⁰Woollen, *Biographical and Historical Sketches*, pp. 226-27.

³¹*Indiana State Sentinel*, January 23, 1851; *Senate Journal*, 1850-51, pp. 135-36.

Bright was fond of doing things in the proper style, and since he desired to show his appreciation to his friends he determined to have a grand levee. Accordingly, he sent invitations to more than fifteen hundred people to be at the Masonic Hall for a party on the evening of January 16. Captain John Cain of the Capital House was engaged to prepare the supper, and the Indianapolis band, bedecked in new uniforms, furnished the music. The reception was a brilliant one, and Bright, arm in arm with Robert Dale Owen, moved smilingly among the groups of young people who were briskly dancing the cotillion. The master had gained another political victory, and his party was well in hand for was it not supporting him in a great social triumph.³²

After his election Bright returned to Washington, and became one of the outstanding Democratic leaders in the Senate. He was the recognized authority on parliamentary procedure, and it was he who made most of the technical motions regarding consideration of amendments, order of precedence of measures, executive session, and similar questions. The Senate demonstrated its confidence in him by electing him a member of such important special committees as those on the Florida Election Case, and the Investigation of the Revenue.³³ In the election of a committee for the Florida Election Case, he received 21 votes, while Stephen A. Douglas received but 10.³⁴ As a member of the Finance Committee, Bright was given charge of getting the committee report on the Texas debt question ac-

³²*Indiana State Sentinel*, January 18, 1851. The origin of Mr. Owen's charges was as follows: Owen was in company with three members of the legislature. One of them, Dr. George B. Graff, said to him, "Mr. Owen, I know you would scorn to offer a bribe to any man, but I could make more between this and Saturday night, by voting for Jesse D. Bright, than I could by my profession in a whole year."

Later, Graff admitted that no bribe had ever been held out to him, but a friend of his had advised him to vote for Bright because of political advantages he might secure. Graff wanted to go to Oregon, and thought Bright might help him secure an appointment from the national government. He admitted that Bright did not know him. *Madison Courier*, February 6, 1851. Reprinted from *Delphi Times* by request.

³³*Congressional Globe*, 32 Congress, 1 session, pp. 11, 2487.

³⁴*Ibid.*, p. 11.

cepted by the Senate. His complete mastery of the details of the report was obvious from the manner in which he answered all the questions fired at him, and the simplicity and ease with which he explained the complicated situation is ample evidence of his command of cold, hard, impersonal methods when dealing with business legislation. Seven years in the Senate had taught him to dispense with florid oratory, and to work definitely and efficiently for a good bill. Bright's efforts were rewarded, and the Texas debt question was settled as he had hoped it might be.³⁵

It was Bright, aided by Douglas and Cass, who led the Democrats in their efforts to give the government contract for printing the census returns to the firm of Donelson and Armstrong.³⁶ The Whigs were emphatically opposed to granting the contract to any specific firm, but wanted the name of the firm left vacant, no doubt hoping to gain control of the Senate and reward one of their group. Of course, their plea was that the lowest bidder should get the contract, and that the Democrats were only granting it to Donelson and Armstrong as a reward for party services. The important thing with which this paper is concerned, however, is that Bright was the recognized floor leader of the Democrats. He was always before the Senate, moving and counter moving, always dignified, though sometimes caustic. He maintained a certain aloofness and a dominating dignity which seemed to compel silence from his hearers, and when some "hot-head" from the opposition did attempt a sally, he found unsupported oratory of little avail, for he was held strictly to the point at issue by direct and telling questions, and if unprepared was sent back to his seat discomforted.

In the summer of 1852 the much abused Fugitive Slave Act was being vigorously assaulted when Bright arose in his place and said :

³⁵*Congressional Globe*, 33 Congress, 1 session, pp. 1847, 1849.

³⁶*Ibid.*, 32 Congress, 1 session, pp. 155-57 *passim*. Donelson had been private secretary to Andrew Jackson and was now editor of the *Washington Union*, a Democratic paper.

. . . I do not propose now to enter upon an examination of the reasons that existed then, and still exist, for the passage and maintenance of the law proposed to be repealed by the amendment of the honorable Senator from Massachusetts. Nothing I could say would alter his, or the opinion of those fanatics who think and act with him. . . . If I felt that it was incumbent on me to find a justification for my support of the "fugitive slave law," I would, as the Senator from Illinois has just done, point to the Constitution which forms this Confederacy, and say that, . . . I shall ever hold myself ready and willing to aid in the enactment of all laws having for their object the aid necessary to carry into effect every one of its requirements.

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While upon the floor, I must be indulged with one other remark in connection with this important subject—and that is, as to the difference of position of the two great parties in the free States on the subject of domestic slavery . . . the great body of the Democratic party of this country are sound on this question. It is an entire mistake to suppose that any considerable portion of that party of the free States are hostile to southern institutions. Many of them, doubtless, regard slavery as an evil; but the remedy for that evil they claim no right to prescribe or administer; on the contrary, with one voice, they unite in urging the representatives of their opinions in Congress to carry out the requirements of the Constitution in good faith. I wish, sir, I could say as much in behalf of the Whig party of this country. If this remark were true of them there would not be enough "higher-law" men to be found to make mile stones of, and we would have peace and quietude here in Congress, instead of the unsound demoralizing doctrines heard to-day from the Senator from Massachusetts.

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. . . I should say . . . that they [the compromise measures] are supported by at least nine-tenths of the voters of Indiana. With me, the voters of Indiana unite in opposing and repudiating Disunionists South and Abolitionists North . . .³⁷

Bright made few speeches as long as the one quoted here, because his duties as chairman of the Committee on Roads and Canals, ranking member of the Finance Committee, chairman of the Committee to Audit and Control the Contingent Expenses, and member of the Committee on Retrenchment kept him busy when he was not leading the Democrats out of some parliamentary tangle on the floor of the Senate. During the discussion of the question of improvement of rivers, Bright summed up his attitude on internal improvements fairly well when he said:

There is a presidential election pending—there is a studied effort making to create the impression that the Democratic party, as a party, are opposed to the improvement of all rivers, harbors, &c. This is not

³⁷*Congressional Globe*, 32 Congress, 1 session (Appendix), pp. 1123-24.

true. There is a branch of the Democratic party, . . . and among them I call my honorable friends the Senator from Virginia and South Carolina, who oppose all improvements on constitutional ground; . . . A large majority of Senators, however, on this floor, of all parties, as I understand them, acknowledge the power of Congress to make appropriations for such objects, but differ widely as to the extent of that power. I claim to belong to that class opposed to a general system of internal improvement by the Government, but willing to improve objects clearly national in their character . . .³⁸

Bright made another significant statement in connection with the bill to extend the provisions of the warehousing system. An amendment had been offered to the effect that nothing in the bill extended the time of withdrawing goods for consumption beyond one year. Bright said:

. . . My reason for voting against the amendment, and the reason why I shall vote for the bill is, that I think the bill will be one step towards free trade; and I am anxious to reach that as soon as possible.³⁹

It was during the first session of the thirty-third Congress that the Nebraska question was debated. In spite of the fact that the Democrats had made a clean sweep of the election in 1852 on the plea of maintenance of the *status quo*, they had not been in office long before Douglas, with the sanction of President Pierce, introduced his Nebraska bill. The bill simply gave to the settlers of Nebraska Territory the right to decide whether or not they wanted slavery. There was nothing radical or unusual about this since it had been done previously in the case of Utah and New Mexico, but the aggressive opponents of the extension of slavery had been so certain that Nebraska would come in free that they now raised a great hue and cry. In spite of the opposition, the Democrats put the proposition over in the form of the Kansas-Nebraska Bill, which left Kansas open to slavery. Bright did not speak on the bill, although he approved its passage.⁴⁰

When the second session of the thirty-third Congress assembled in December, 1854, the Senate was ready to reward Bright for his services. The first act of importance performed by the new Senate was to elect him president pro tempore. The

³⁸*Congressional Globe*, 32 Congress, 1 session (Appendix), p. 993.

³⁹*Ibid.*, 32 Congress, 2 session, p. 501.

⁴⁰*Ibid.*, 33 Congress, 1 session, p. 532.

vote was rather scattered, but Bright received 24 votes while Salmon P. Chase, his nearest competitor, received only 6.⁴¹ Sumner and Seward worked against Bright, though quietly, and Seward made a speech in which he was careful to point out that the recipient of the office stood a very good chance of being president of the United States since William R. King, the vice-president, had died. James A. Bayard, John B. Weller, and John Pettit worked as lieutenants for Bright, and helped bring the doubtful ones into line for him. He took the position seriously, and was always scrupulously just in the decisions he rendered regarding ordinary business, and in his decisions when individual members were involved. If he seemed a bit partisan when party benefits could be gained, one must remember that in those days it was a common practice for the presiding officer to use his position for the advantage of his party. In judging individuals one should bear in mind the practice which is general at the time under consideration. It is interesting to note that Charles Sumner received not a single committee appointment during Bright's whole term as president pro tem.⁴²

⁴¹*Ibid.*, 33 Congress, 2 session. p. 4.

⁴²Woollen, *Biographical and Historical Sketches*, p. 228.

CHAPTER III

The country received the news of the passage of the Kansas-Nebraska Act with a storm of protest. All the groups who were in any way dissatisfied with the administration, or with the status of slavery under the provisions of the bill rallied to the standard of the new Republican Party. Abolition meetings were held in hundreds of northern counties, while bonfires and barbecues attested the fervor of the new group.¹ By the fall of 1856 the Republicans were arrayed for battle, and furthermore they had a thorough organization which had gained confidence by numerous victories in local skirmishes. The trained legions of the old Democracy, under veteran leaders of many a campaign, withstood the assault as best they could, but they could carry only five northern states for Buchanan and Breckinridge. Indiana was one of these states, but the election had been close. Southern Indiana stood by the old party of Jefferson and Jackson, but the northern part of the state deserted to the Republicans by whole counties.²

One of the results of this close election in Indiana was a divided legislature in 1857. The state house of representatives was

¹Various Democratic county meetings in Indiana gave a vote of confidence to the senators who supported the Kansas-Nebraska Bill. In general, the Whig press in Indiana opposed the bill, and the Democratic press favored it. The *Sentinel*, on April 24, 1854, went so far as to say, "... we feel certain that the People of Indiana will uphold the great principle and prostrate its enemies, and the enemies of State Rights in the dust."

However, the people of Indiana, as a whole, did not support the bill and only two members of Congress who voted for it were returned in the elections of 1854. Kettleborough, Charles, "Indiana on the Eve of the Civil War," p. 144, in *Indiana Historical Society Publications*, Vol. VI, No. 1; *Indiana Magazine of History*, Vol. XIII, pp. 224-47; Vol. XVIII, pp. 61-78.

²Esarey, Logan, *History of Indiana*, Vol. II, pp. 289-91 (Fort Wayne, 1924); Stanwood, Edward, *A History of the Presidency from 1788 to 1897*, Vol. I, p. 276 (Boston and New York, 1912).

Democratic, but the senate was slightly Republican, the former having a majority on joint ballot. When the legislature met there was difficulty about the election of United States senators.³ The Republicans decided to try the tactics used by the Democrats in 1844 and 1855 and refused to go into joint session for the election. The situation was further complicated by differences within the state Democratic Party, one wing of which followed Bright, while the other acknowledged the leadership of Governor Joseph A. Wright. Both wanted the senatorship. Apparently an agreement was reached under which Wright consented to leave the senatorship to Bright on condition that he, Wright, receive the Democratic recommendation for an important post under Buchanan. Thereupon, the Democratic legislators held a caucus and agreed to nominate Bright and Graham N. Fitch. The Democratic members of both houses met in joint convention and formally nominated the two men, each receiving eighty-three votes, a majority of the total number possible. The Republicans promptly protested that since the joint convention had not been attended by all members of the senate, there was technically no election,⁴ but Bright and Fitch were fortified by the opinion of a committee of prominent Indiana lawyers that an election so conducted was perfectly legal. It was pointed out that a joint session loses legislative character, and that a quorum from each house is unnecessary under such conditions, a bare majority of the joint session's total membership being sufficient to control.⁵

³The term of John Pettit, who was filling out James Whitcomb's term, expired on March 4, 1855. The senate of 1855 was evenly divided but the house was Republican by a slight majority. The Democrats in the senate declined going into joint session for the election of a United States senator and for two years Indiana was represented by only one senator at Washington. *Senate Journal*, 1855, pp. 10, 66, 84-85, 105-6, 520-23.

⁴*House Journal*, 1857, pp. 395-97, 398-400; Kettleborough, "Indiana on the Eve of the Civil War," pp. 147-48.

⁵*Indiana State Sentinel*, February 12, 1857. The *Sentinel* carried a number of editorials on the subject during and after the struggle in the legislature. These give the Democratic viewpoint, of course, but they were representative of what a large portion of the people of Indiana felt regarding Bright and the election. One of them reads as follows:

"The re-election of the Hon. Jesse D. Bright to the seat he has so

If Bright and Fitch were safe in so far as Indiana was concerned, they were far from it when they attempted to take their seats in Congress.⁶ A movement was on foot among the Republicans to keep them from their seats. The credentials of Graham N. Fitch were presented on February 9, 1857, and after a spirited debate he was seated. The question of his election was referred to the Judiciary Committee. Bright's term, under the contested election, began March 4, 1857, and in the special session of the Senate begun on that day, the matter of his election was likewise contested and referred to the Judiciary Committee. During the first session of the thirty-fifth Congress, that committee returned a report which stated, "That Graham N. Fitch and Jesse D. Bright, Senators returned and admitted from the State of Indiana, are entitled to their seats which they now hold." The Republicans insisted, however, that since the Judiciary Committee was composed of five Democrats and only two Republicans the report was biased. Dyspeptic Lyman Trumbull, of Illinois, led the assault. He spun many fine arguments, and in the true style of a demagogue appealed to the Americanism of the Senate to "keep out the two claimants, illegally elected, if elected at all." Scheming, sly Seward, of New York, and John P. Hale, the ardent abolitionist from New Hampshire, also argued against the right of the two senators to be seated.

Senators who were moved less by party motives, and more by a sense of the right as they saw it, made a more telling ef-

ably and honorably filled in the United States Senate, will give great satisfaction, not only to the Democrats of the State, but to those of the whole Union. In the recent contest for the Presidency, Indiana rolled back the tide of frantic madness and fanaticism that threatened to overwhelm and sweep away in its bitter waters all the paternal and natural sympathies and attachments which constitute so great a portion of the strength and glory of our free institutions. . . . Mr. Bright has acquired a National reputation alike honorable to his State and himself. He is a man in whom the Democracy of the State can and does repose unlimited confidence as one of the ablest and most unflinching champions of the great principle upon which our party is based."

⁶For the discussion in Congress, see *Congressional Globe*, 34 Congress, 3 session, pp. 626, 633, 661, 774-76, 907-8, 1034-40; (Appendix), pp. 193 ff., 385-86, 392-97; 35 Congress, 1 session, pp. 355, 379, 429, 543-45, 567-70, 698-710, 720-24, 1658-59, 2353-54, 2876, 2923-49, 2981.

fect on their hearers. One of these, James Harlan, of Iowa, attempted to prove that a form of rotten borough existed in Indiana, and quoted statistics to show that Boone County (Democratic), with only 2,875 votes, sent two representatives to the legislature, while La Porte County (Republican), with 4,817 votes, sent only one representative.⁷ While this was perhaps true it had no technical bearing on the rights of senators to their seats. The debate continued through the third session of the thirty-fourth Congress, and well into the first session of the thirty-fifth Congress. Bright's attitude throughout the debate was one of dignity and forbearance. Whenever he did say a word, which was seldom, it was always to ask that action be taken one way or the other since he was embarrassed by his situation. He remained aloof from petty personal squabbles, and made no attempt to challenge the taunts thrown at him. At one time he arose and said:

... Entertaining not a particle of doubt about the validity of the election under which I hold my seat, I hear with impatience, I confess, an allusion from any quarter which questions that right; and nothing but an unwillingness to obtrude myself upon a body that I have the profound respect for that I have for this has prevented me from making a personal appeal to Senators to take up and dispose of my case at least.⁸

Finally, after a long-drawn-out struggle, which lasted until June 12, 1858, Bright and Fitch were declared entitled to their seats, but the vote had been close—30 to 23, and Bright never forgave Senators Douglas, of Illinois, and David C. Broderick, of California, for voting against him. They were both Democrats, and had been close acquaintances, and he felt that they should not have deserted him.⁹

The Indiana Republicans did not accept the decision of the Senate. During the special session of the Indiana General As-

⁷*Ibid.*, 34 Congress, 3 session (Appendix), p. 210. This condition was true in a great number of the states of the West since the legislature could not possibly reapportion the states as rapidly as the newer sections were populated.

⁸*Ibid.*, 35 Congress, 1 session, p. 1659.

⁹*Ibid.*, p. 2981. James A. Pearce, of Maryland, James M. Mason, of Virginia, and Sam Houston, of Texas, were other Democrats who voted against Bright, but he does not seem to have resented it from them.

sembly in 1858, the Republicans had a majority, and in a regularly conducted joint session of house and senate, they elected Henry S. Lane and William M. McCarty to fill the vacancies they believed existed. When this measure proved unsuccessful in unseating Bright and Fitch, the Republicans continued to pass resolutions protesting against the irregularity of their position.¹⁰

At the very time of his reelection to the Senate Bright was frequently mentioned as a probable member of President James Buchanan's cabinet. As the dominant agent in Indiana politics he was certainly entitled to some consideration, for Indiana had been one of the very few northern states, other than Buchanan's home state, to deliver its electoral vote to the Democratic nominees.

It was generally expected that Bright would be offered the secretaryship of the Department of the Interior. The Wright-Bright controversy flared up again during this period, with Bright's enemies charging that in the pre-election agreement with Wright it had been definitely understood, if not explicitly stated, that Wright's withdrawal as a candidate for the Senate was to be rewarded by a post in Buchanan's cabinet; that Bright, finding his position in the Senate an uncertain one, had turned against Wright. Bright's adherents, on the other hand, protested that the recommendation of Wright by the Democratic legislators of Indiana had contemplated a foreign embassy and not a cabinet post.¹¹

The rights, wrongs, and probabilities of the situation were bitterly argued in the pro-Bright *Indianapolis Daily State Sentinel*, and the anti-Bright *Indianapolis Daily Journal*. It was known that Bright had made a visit to Buchanan's home at Wheatland, between the tenth and thirteenth of February. Every possible interpretation was put upon that event.¹² After

¹⁰*House Journal*, 1858 (special session), pp. 319-24; 1859, pp. 95-105.

¹¹Wright was appointed minister to Prussia in 1857, and served until 1861.

¹²Robert M. McLane, of Maryland, had an interview with Bright the day after the latter's return from Wheatland. In a letter of February 14, 1857, to Howell Cobb, he says of the interview:

the announcement of the cabinet appointments on March 7, the following editorial appeared in the *Sentinel*:

We have it from undoubted sources that Mr. Buchanan not only tendered a Cabinet appointment to Mr. Bright, but urged his acceptance of it, and this, too, notwithstanding there was a certain opposition to the appointment *out* of as well as *in* the State. But Mr. Bright positively declined, as he did not think it right to abandon his position in regard to the Senatorial election while undecided, and for the further reason that he could be of more service to his party and friends, in the Senate, than in the Cabinet.¹³

Lewis Cass, of Michigan, became secretary of state, the only representative of the Northwest in the Buchanan cabinet.

During all these happenings which so greatly affected his career, Bright kept his mind firmly on his duty, and was not idle in the Senate chamber. He was now one of the oldest members of that body, and was repeatedly called on for an opinion regarding parliamentary custom, and not infrequently he was called on to perform little tasks in recognition of his long service.¹⁴

Bright was still the ardent expansionist, and in favor of the immediate admission of Minnesota.¹⁵ But other and more serious affairs were confronting Bright and the Senate, for Kansas was seeking admission into the Union under several different constitutions. It was the old, old slavery struggle burst forth

"Bright told me that though he expected his visit to Wheatland would be no secret yet he was unwilling to refer to it or to the matters there discussed in any general way. . . . I will make no reference to that part of his intercourse with Mr. B. which had reference to himself except to say that he put himself entirely at ease in regard to all issues made between Douglas and himself in the conversation had between the former and Mr. B., and in regard to his own connection with Mr. B's cabinet, explaining fully to Mr. B. his desire to be left in the Senate. Bright has not changed his own original view that General Cass should be in the State. . . ." Phillips, U. B. (ed.), *Correspondence of Robert Toombs, Alexander Stephens, and Howell Cobb*, p. 395 (American Historical Association Report, 1911, Vol. II, Washington, 1913.)

¹³*Indianapolis Daily State Sentinel*, March 14, 1857; see also issues of February 18, 24, and 25, and *Indianapolis Daily Journal*, February 18, 21, 24, 25, 27, March 2 and 16, 1857; *Indianapolis Old Line Guard*, September 27, 1860.

¹⁴On the first day of the first session of the thirty-fifth Congress, as a courtesy extended to the oldest member present, he was asked to administer the oath of office to Andrew Johnson, of Tennessee. He was also chairman of the committee to inform President Buchanan that the Senate had assembled. *Congressional Globe*, 35 Congress, 1 session, pp. 1, 4.

¹⁵See *ibid.*, pp. 1299, 1419.

with increased bitterness, and now there was a young, vigorous, and determined party blocking slavery, and this new party had such strength in Congress as to make matters extremely grave.

Bright, now a veteran of fourteen years' experience in the Senate, stood in his place and pleaded for harmony. He asked that Kansas be admitted immediately in order to relieve the national tension, and the national expense. He lamented that the original Kansas-Nebraska Act had not been enough to settle the problem. On the immediate question of the Lecompton Constitution, he expressed himself as follows:

No objection is made, so far as I can learn, against any provision of that instrument as being contrary to the Constitution of the United States. If there be none such, let those of us, at least, who said in effect that such should be the only ground of rejection be silent.

The only complaint made is as to the method of the making. Is there anything in the Constitution of the United States which prescribes the mode in which Territories shall be initiated into the membership of States? If there be any such clause my reading has never shown it to me. If, then, the Federal Constitution does not prescribe the manner in which constitutions shall be made, and if there be nothing in the constitution now presented which is in conflict with the Constitution of the United States, in all sincerity and candor I ask, how can we, who agreed to make that the only test, refuse to admit Kansas into the Union?

After discussing some of the constitutional technicalities, Bright continued:

The constitution of Kansas now presented, so far as it conflicts with the interests, or even caprices, of the people of that Territory, can be altered at any time, and in any way, at their pleasure. Nay, more: I hold that if the proposed constitution be obnoxious to the people of Kansas, the surest and speediest way of securing to Kansas a constitution agreeable to her people, would be to admit her to the companionship of States, under the Lecompton constitution, and then leave her as a sovereign power, to adjust her own affairs without interference from any quarter. Once admitted into the Union, the contest loses its national character, (an event which every true patriot should desire,) and the determination of her people will stand as the law and the fact for the youthful state.¹⁶

Bright ended his speech in a burst of appreciation of President Buchanan's policy, and poured a series of compliments on the chief executive's head.

Eventually, the Senate passed the bill admitting Kansas under the Lecompton Constitution, by a vote of 33 to 25, but the bill was defeated in the House. Stephen A. Douglas led the

¹⁶*Congressional Globe*, 35 Congress, 1 session (Appendix), pp. 164-65.

opposition to the Lecompton Constitution and by now his enmity for Bright was an openly discussed affair.¹⁷ It was already becoming evident that men whose opinions were as far apart as those of Bright and of Douglas would never be able to work in harmony. There were almost as many opinions as to the proper method of dealing with the expansion of slavery as there were leaders in the Democratic Party.

The full extent of the rupture between Douglas and Bright became marked when the Democratic State Convention met at Indianapolis on January 11, 1860, in order to elect delegates to the National Convention at Charleston. The state convention was one of the most dramatic in the history of the party, and the degree of interest was so great among the Democrats of the state that every hotel in Indianapolis was filled to overflowing by the day of the opening session.¹⁸ There were two groups which were diametrically opposed on nearly every important question. The administration group, or those favoring the re-nomination of Buchanan, were led by Bright, Governor Willard, and Daniel W. Voorhees. The Douglas men, composed of the anti-Lecompton Democrats, were led by Lew Wallace, J. J. Bingham, editor of the *Sentinel*, and Norman Eddy. There were double delegations from several counties, and in each case a spirited fight arose over which one should be seated. Every point which might tend to give one side or the other an advantage was thoroughly contested.¹⁹ The fight was intensely bitter, and no quarter was given. It was even charged that Bright had brought \$8,000 with him from the Treasury Department in order to bribe delegates.²⁰ This, however, was never substantiated. There were 395 delegates at the convention, and it was impossible to predict how a large number of them would react. The senatorial and congressional delegations, the state central

¹⁷Howland, *Stephen A. Douglas*, p. 297; *Congressional Globe*, 35 Congress, 1 session, pp. 1264-65. Only four northern Democrats voted against the bill in the Senate. They were Douglas, George E. Pugh, Broderick, and Charles E. Stuart.

¹⁸*Indiana State Sentinel*, January 11, 1860.

¹⁹*Ibid.*, January 2, 1860.

²⁰Kettleborough, "Indiana on the Eve of the Civil War," p. 152.

committee, and many of the newspapers supported Buchanan, but this "old guard" could not muster sufficient strength to turn the trick.

The anti-administration and anti-Lecompton group controlled the convention and instructed the delegates to vote as a unit for Stephen A. Douglas.²¹

This did not aid in uniting the party. The men who opposed Douglas only redoubled their efforts. The "old guard," led by Bright and Fitch, perfected a Breckinridge organization after the conventions of the summer had shown them that it was entirely possible to defeat Douglas. To advocate the interests of the Breckinridge cause, Bright established a weekly newspaper in Indianapolis which he called the *Old Line Guard*. Bright was too shrewd a politician to believe that Breckinridge would carry the state; his paramount object was to impair Douglas' chance to the full extent of his ability.²²

With the Democratic Party badly split, the Republicans swept into power in the state and nation. Just how much influence the defection of the Administration Democrats to Breckinridge had on the result in Indiana can never be accurately known. The more ardent Douglas papers charged Bright and Fitch with contributing 20,000 votes to the Republican state ticket. The Breckinridge papers, however, maintained that Breckinridge men had stood by their party. The truth seems to be some place between the two.²³ In any event it could have made little difference how Indiana voted since Douglas carried only Missouri. Where the epoch-making change might have been was in the Democratic State Convention. Had Bright controlled that, and Indiana sent an anti-Douglas group to Charleston, the convention there might not have broken up, and modern history might have followed another course.

Events moved rapidly following the election of Lincoln in November of 1860. South Carolina seceded in December, and

²¹Kettleborough, "Indiana on the Eve of the Civil War," pp. 150-56.

²²*Ibid.*, p. 157.

²³*Ibid.*, pp. 179-81.

by the first of February, 1861, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas had followed in rapid order. President Buchanan felt that these states were acting beyond their rights, but he did not know how to stop them since the Constitution provided no means whereby the Federal Government might do so. Congress and the country at large was at a loss to know what to do. There was a general feeling that if a state wished to secede it could not be kept from doing so. Only in the South was there resolution and determination. The South did not propose to be dictated to by a sectional party, and its leaders went quietly about the organization of a government. Meanwhile things assumed a more serious aspect; some of the state governors in each section started military preparations.

The moderates began to make futile attempts to compromise between the two sections, but none of them produced any results since the radicals on both sides could not agree upon any plan. The most notable attempt was the Crittenden Compromise. In spite of the fact that Bright was a little bitter, since he felt to the very bottom of his heart that the Democratic Party could have prevented the obviously approaching catastrophe if the people had only left it alone to solve the problem, he gave the Crittenden Compromise measures his whole-hearted support.²⁴ He was an even stronger believer in moderation and in temperate action then than he had been at any time of his career.

An interesting incident in the Senate chamber during the discussion of the Crittenden measures not only shows Bright's position, but also illustrates the temper of the times. Andrew Johnson, of Tennessee, in a speech on the compromise proposal characterized some of the acts of the southern states as treasonable. This was greeted with applause in the galleries. The presiding officer immediately ordered the galleries cleared. This precipitated a partisan debate between those hostile to the South, and those disposed to be friendly. Bright was moderate, as usual, and attempted to point out that the difficulty could

²⁴For Bright's vote on the various phases of the compromise see *Congressional Globe*, 36 Congress, 2 session, pp. 409, 1254-55, 1404, 1405. Fitch, his colleague, also supported it.

be overcome by adjourning until evening. Both sides opposed adjournment as well as clearing the galleries. When Johnson resumed his speech and spoke of Tennessee remaining loyal, the applause was repeated, whereupon, Fitch, who had taken the chair, ordered the galleries cleared. He also added that those resisting should be arrested. The galleries were cleared.²⁵

Incidents such as the one mentioned were frequent, and, as the days passed, the continual clashing between the two parties steadily became more bitter. Virginia, North Carolina, Arkansas, and Tennessee seceded, and their representatives in Congress withdrew. The Democrats who were left were few in number. They were a helpless minority, and though several of them, as in the case of Bright, were the oldest and most experienced men in the Senate, they were ridden over roughshod, and their ideas were not even courteously received.

What was Bright's attitude preceding actual hostilities, and during the early days of the war? He was at first unable to believe that an actual resort to arms would be necessary. He was a firm believer in the old state sovereignty doctrine, and did not believe that the government would attempt to coerce the states, nor was he sure that the states themselves actually meant to stay out of the Union. Later, when hostilities actually began, we find him saying:

There are three parties here. . . . The extreme wing of the Republicans, known generally as Abolitionists, and representing the sentiment of the New England States, are for a war of subjugation, as they term it, and the total abolition of slavery, which they believe can be accomplished by the march of the Army . . . through or over the States that have declared themselves out of the Union.

Again, sir, inside of what is known as the Administration party, . . . are to be found a more conservative class, who oppose this extreme policy.

There is still another class here and in the country in favor of furnishing the Government with all the aid that is necessary to defend the capital of the United States against any and every enemy that may threaten to assail it, but who are not willing to vote either men or money to invade states that have formally declared themselves out of the Union, until every effort to secure peace and an honorable adjustment has been exhausted. There are a great many who do not believe that all efforts have been exhausted; and I am free to admit that I am one of that number.

²⁵*Congressional Globe*, 36 Congress, 2 session, pp. 1350-56.

. . . Avow that this is your motive [to subjugate or hold as conquered provinces any of the States of this Union, and to declare slavery abolished where it now exists by constitutional recognition] and . . . thousands of the honest loyal men that have come promptly forward at the call of the Government will say: "We will join in no such crusade against constitutional compacts; we are willing to peril our lives to defend that instrument, and unite these States again, but whatever we do must be done in the name of the law, and in aid of the Constitution, not in violation of it."²⁶

This speech not only makes Bright's own position clear, but it illustrates his keenness of judgment, and his ability to analyze situations and motives. For a contemporary analysis of conditions it is remarkable, and in a few years the fight between the radicals and the administration was to prove conclusively just how correct Bright had been in his summary.

Bright and the other Democratic members of Congress were frequently accused of being obstructionists. There is some truth in the charge that they did attempt to obstruct much war-time legislation, but they were not moved to do this so much from a desire to thwart the preservation of the Union as from a constitutional objection to the methods being used by those in charge of the Union. One example of this was the attitude of the Democrats on the measure which the Republicans passed creating a high protective tariff on all imports. The tariff was inordinately high, and was totally without precedent—it was almost twice as high as any preceding tariff, and was the highest one in the world at that time. Because the measure was wholly unscientific and has been the basis of all our tariff troubles since that time it seems appropriate to give the names of the eight men who faced the wrath of the country by voting "nay" on the bill. They deserve recognition. They were John C. Breckinridge, of Kentucky, Bright, of Indiana, Waldo P. Johnson, of Missouri, Anthony Kennedy, of Maryland, Milton S. Latham, of California, Trusten Polk, of Missouri, Lazarus W. Powell, of Kentucky, and Willard Saulsbury, of Delaware.²⁷

Most of these senators were considered by the majority group as rank traitors. It was not for a moment conceded that

²⁶*Ibid.*, 37 Congress, 1 session, p. 193.

²⁷*Ibid.*, p. 400. James A. Bayard, of Delaware, and James A. Pearce, of Maryland, were unavoidably absent or they would undoubtedly have voted "nay."

these men might honestly differ in regard to the methods which should be used in solving the difficulties confronting the nation. They were insulted daily, and their position in the Senate was made intolerable. Before a year had passed practically all those among them who had not left the Senate in disgust were being charged with some form of treason in order that they might be expelled. The majority was ruthless in stamping out the minority.

Bright's time came on December 16, 1861, when Morton S. Wilkinson, a senator from Minnesota, introduced a resolution for his expulsion.²⁸ The basis for the resolution was the letter which is here given:

WASHINGTON, March 1, 1861.

MY DEAR SIR:

Allow me to introduce to your acquaintance my friend, Thomas B. Lincoln, of Texas. He visits your capital mainly to dispose of what he regards a great improvement in fire-arms. I recommend him to your favorable consideration as a gentleman of the first respectability, and reliable in every respect.

Very truly yours,

JESSE D. BRIGHT.

TO HIS EXCELLENCY JEFFERSON DAVIS,
President of the Confederation of States.

Mr. Bright had no comment to make; he merely asked that the matter be settled as soon as possible. It was referred to the Judiciary Committee, and on January 13, 1862, the committee returned a report that they were of the opinion that the facts charged against Mr. Bright were not sufficient to warrant his expulsion from the Senate, and recommended that the Wilkinson Resolution should not pass.²⁹

The question was debated from time to time during the rest of January and the first week of February. Mr. Wilkinson, in a set speech, denounced those who had in any way aided or abetted the South. He was particularly vicious in denouncing Mr. Bright, who, he said, had betrayed his trust as a United

²⁸*Congressional Globe*, 37 Congress, 2 session, p. 89. The Senate expelled three other senators representing states that did not secede. They were Breckinridge, of Kentucky, and Trusten Polk and Waldo P. Johnson, of Missouri. *Ibid.*, 9-10, 263-64.

²⁹See their report in *ibid.*, p. 287. The committee was composed of Lyman Trumbull (R.), chairman, Lafayette S. Foster (R.), John C. Ten Eyck (R.), Edgar Cowan (R.), Ira Harris (R.), James A. Bayard (D.), Lazarus Powell (D.).

States senator. He said he would vote to expel Mr. Bright regardless of the committee report.

Mr. Bayard replied at some length, and attempted to show the Senate how the letter was a perfectly natural one when one considered all the factors. Bright and Davis were good friends of long standing, and at the time the letter was written a state of war did not exist. Even cabinet members were corresponding with their friends in the South. Why should the Senate make so much of such a natural thing? Had not Bright done what any gentleman would do in addressing another? He had simply used the polite form of address which would be used in society, and it implied no more than when Americans call a foreign nobleman by his title. The letter might have been indiscreet, but it was certainly not traitorous.

Bayard had scarcely finished before Trumbull and Lot M. Morrill, of Maine, were on their feet demanding the floor. Each made a long speech filled with invective and insinuation.³⁰ As these men and their cohorts talked and maneuvered it was obvious that justice was not their object. They were vindictive. Every little wrong or imagined wrong which they had been forced to suffer under the old régime they were now going to pay back with interest. Was not this a golden opportunity? Here was one of the leaders of that haughty group which had ignored them, and this leader was in their power. They fairly expanded with insolence, and in analyzing their attitude as portrayed in their speeches it is easy for one to see how these same intolerant men were soon to give their country a great blow in the form of reconstruction measures.

Charles Sumner, the major-domo of this group, arose in his place to put a final stamp of authority on all the previous denunciations. This polished, sanctimonious, and austere apostle of abolition piously reminded the Senate of the sacredness of its duty in such a case as this one. It must purge itself of all traitors, being certain they were traitors, of course. In studied phrase and sonorous sentence, with a due solemnity to suit the

³⁰*Congressional Globe*, 37 Congress, 2 session, pp. 391 ff.

occasion, the great son of Massachusetts adroitly compared Bright to Catiline, to Aaron Burr, and to Benedict Arnold. He even recited the history of the United States, and the history of the events leading up to the war as a part of his emotional harangue.³¹ The atmosphere of the Senate chamber was heavy when he finished, and senators sat in the darkening room and nodded their heads wisely.

Henry S. Lane, the Republican senator from Indiana who had contested Bright's seat three years before, could not let propriety keep him from "saying a few words." He prefaced his argument with a reference to the contested election of three years before, merely, as he said, to assure the Senate that no remembrance of the injustice done him then should color his attitude on the question under discussion. After this somewhat dubious introduction, he proceeded with a lengthy speech in which he followed the line of attack begun by his predecessors. Davis, of Kentucky, in an exceedingly bitter speech charged that Bright had supported Breckinridge against Douglas with a clear understanding that he could not be elected, but that Lincoln would be assured of election, and just that situation brought about under which the southern states would secede.³²

Andrew Johnson, of Tennessee, next took the floor. At first he made an attempt toward tolerance and control, but before long he had let his old passions against wealth and against aristocrats get the better of him. From then on his speech was one long denunciation of Bright for being in league with

³¹*Congressional Globe*, 37 Congress, 2 session, pp. 412-15.

³²For these speeches see *ibid.*, pp. 415 ff., 432-33. This charge was frequently made against Bright, but there is absolutely no truth in it. His sole object was to defeat Stephen A. Douglas. Bright hated Douglas with undying hatred. That the charge made regarding Bright's reasons for supporting Breckinridge was made after the death of Douglas, when Bright could not properly meet it is an indication of the type of men fighting Bright.

It was further charged that the entire plan to put Breckinridge in the field in Indiana was the work of the Knights of the Golden Circle or "Copperheads." That Bright was a member of this organization seems altogether probable since most men who were opposed to the administration were members. A letter referring to Bright as a member of this group appears in the supposed exposé of the organization by a dis-

Breckinridge, and the other disloyal men of the Senate. Johnson went on to say that even if there were not enough written evidence to convict Bright, his actions and attitudes were more than enough. Bright had begged his southern colleagues not to desert the northern Democrats, but after they had left the Senate he voted against every measure necessary to sustain the government in its hour of peril. His whole attitude was one of unconcern as to the fate of the Union.³³

Bright made a short defense against Johnson's attack, denying that he had ever given a sectional vote, and stating once more his "middle, conservative position, repudiating as well northern as southern isms," a policy which he proposed to follow in the future as he had in the past.³⁴

Not all of the Republicans were so completely under the control of the party whip as to support unjust action. Senator Cowan declined to do so, and in his discussion of the Bright case, said that the whole thing resolved itself down to a legal question regarding the letter. It was either treason or not. Technically it was not treason. Mr. Bright was not guilty but was simply being expelled because he held political doctrines which were not palatable to the majority of the Senate and the country.³⁵

Timothy Howe, of Wisconsin, was also more inclined to be fair; at least, he was calm and dispassionate in his summary of the question. Howe said that he did not believe that the senator from Indiana was guilty of treason, but he was voting against him because he believed him to be out of harmony with

gruntled member. ". . . almost before we were aware of it, there was a Secession ticket (that is the proper name) in every state north of the Ohio River, with such men as the Hon. J. D. B.—and D. S. D.—to stump for it. . . ." *An Authentic Exposition of the "K. G. C. . . .,"* by a member of the Order, p. 21 (Indianapolis, 1861).

The idea that the Knights were behind the Breckinridge campaign in Indiana is not substantiated, however, since many of them voted for Douglas. Bright had spoken before in defense of his record in Congress, 37th Congress, 2 session, pp. 584-89. *Ibid.*, p. 591.

for he was concerned more for his reputation as a public man than for his seat in the Senate. He repeatedly stated that he had never conceded Douglas.

the right of a state to secede. *Ibid.*, p. 544.

³⁵*Ibid.*, pp. 471-72.

the proceedings, and at a time so dangerous he felt that senators should be in sympathy with the government.³⁶

Saulsbury, a Democrat from Delaware, closed an appeal for Bright with the following words:

. . . reason, justice, and common sense have well nigh fled the land. We have much of the reason of Robespierre, Marat, and Danton; none of the wisdom of Washington, Jefferson, and Franklin. The Mountain reigns, and woe to him who is not of the Mountain.

. . . Oh! Justice, what wrongs have been perpetrated in thy name! Oh! Patriotism, what crimes are sought to be shielded by thee!³⁷

Debate ceased rather unexpectedly on the Bright case, but rumors had spread around Washington that a vote was to be taken February 5. It was the central topic of discussion for a week, and on the morning of February 5 the galleries of the Senate chamber were crowded to suffocation at an early hour, and all the available space in the chamber was occupied by members of the House and those entitled to the privilege of the floor. The interest in the proceedings was intense, and for five hours the vast throng of people sat with unabated attention, awaiting the final issue.

A few brief speeches were made by several senators, while Bright with a haughty air of unconcern and defiance gazed around at the familiar scenes about him. At length he majestically arose and in temperate and dignified spirit began an impressive defense of himself. The speech was powerful and was well calculated to affect any senator who was undecided.

Contemporary accounts agree that the speech produced a tremendous effect in the gallery, and that at its conclusion, if Bright's fate had depended on the popular vote he would not have been expelled.³⁸

Even in the cold print of the *Congressional Globe* one can feel something of Bright's intense sincerity as he made his closing speech. He began by announcing that he did not propose to appeal to any senator to support the report of the Judiciary Committee. He said he merely wished to place himself right

³⁶*Congressional Globe*, 37 Congress, 2 session, pp. 559-63.

³⁷*Ibid.*, p. 539.

³⁸My description of the scene is taken from accounts given in the *New York Times* and the *New York Herald* of February 6, 1862.

on the pages of history, or he would not have spoken at all since he was aware that his fate had already been decided in party caucus. He continued by saying that he would not attempt to answer such a formidable array of accusers, and such a variety of accusations. In all his seventeen years of experience he had never seen senators stray so far away from the point at issue. He would feel worse, he said, if he were not convinced that it was simply a partisan attack based on political motives.

He explained that he and Mr. Thomas B. Lincoln, a former resident at Madison, had been friends for years. He gave the letter of introduction as he had given thousands—without particular thought.

The language used was purely conventional and unofficial and had no partisan significance in view of the fact that at that time cabinet members and high government officials did not expect a war, but a peaceful solution. He continued:

From the hour this war actually commenced. I have had in view in every act of my life, public and private, one single object—the reunion of these States. I have not to this hour, with all the clouds that hang upon us, despaired entirely of this result; and there is no sacrifice that one man could make that I would not make to effect so desirable an object. I may differ with others, not less honest than myself, as to the means to effect this object, but I trust I am none the less honest in my purpose, or devoted to a form of Government that, up to the commencement of our present troubles, had conferred more of the blessings of civil and constitutional liberty, regulated by law, than any Government known to history. Every impulse of my heart, every tie that binds me to earth is interwoven with the form of Government under which I am living, and to which I acknowledge my allegiance.

Bright called attention to the striking contrast in attitude of two men who had spoken on the case, Senators Willey, of Virginia, and Johnson, of Tennessee—men “similarly situated and affected” by “an unnatural war.”

The former . . . did me the justice to say that he had seen nothing in my past life that rendered me obnoxious to the charge of contributing in the least degree to the deplorable condition of affairs now upon us.

But how different was the tone and manner of the Senator from Tennessee. Causes of complaint I know he has; and I sympathize with him in his afflictions, and would that I had the power to lift the load of sorrow that is bowing him and thousands and tens of thousands of others to the earth. Point me to the road that leads to peace, the restoration of the Union, making us one Government, with one flag, not a star effaced, and I will travel it with you as long as there is a gleam of light to guide

me on such a path; and, forgetting and forgiving, I would even consent to take as a traveling companion, with all his heresies, the Senator from Massachusetts.

. . . Let the country bear witness, that no legislative body in Indiana, no conventional action, no appeal from the gallant men of her army have petitioned you to strike this blow; still, I say, let it come.³⁹ The decree of that remorseless tyrant, Caucus, has been issued, and I bare my person to the blow, unawed, I trust, even though coupled with the threat of banishment made on yesterday by the brave, gallant, chivalric, polished, classic Senator from Massachusetts.⁴⁰

After Bright finished his speech he bundled up the portable property on his desk, turned his back on the court that was trying him, and with a defiant stride passed from the Senate chamber. He walked over to the office of the Public Land Commission where his wife awaited him, and hand in hand, they sat awaiting the result of the vote which was then being taken. It was soon announced, 32 for expulsion, 14 against it.⁴¹ The long and useful career of Jesse D. Bright as a United States senator had terminated—it was a stormy end, but it was in keeping with a stormy career.

The *Sentinel*, the organ of the Democratic Party in Indiana, in an editorial characterized the expulsion as a gross outrage upon constitutional rights.

It said in part:

There is no justification for the act unless it is the highwayman's plea that "might makes right"

. . . A party intoxicated with the possession of power, influenced by political prejudices and animosity, has stricken down freedom of opinion and freedom of speech in the person of a Senator. It is of but little

³⁹Bright's attitude of opposition to the administration and prosecution of the war was not much, if any, in advance of his party in Indiana. The Indiana Democratic State Convention which met in Indianapolis on January 9, had, by a vote of 431 to 52, passed resolutions censuring the administration. It was the consensus of opinion that a vigorous and unconditional prosecution of the war should not be supported. A usurper had taken away the liberty of speech and of the press guaranteed by the Constitution. One resolution stated, "That if the party in power had shown the same desire to settle, by amicable adjustment, our internal dissensions before hostilities had actually commenced, that the Administration has recently exhibited to avoid a war with our ancient enemy, Great Britain, we confidently believe that peace and harmony would now reign throughout all our borders." *Daily State Sentinel*, January 13, 1862.

⁴⁰*Congressional Globe*, 37 Congress, 2 session, pp. 651-55.

⁴¹*Ibid.*, p. 655. Those opposed were Bayard, John S. Carlile, Cowan, Harris, Kennedy, Latham, James W. Nesmith, Pearce, Powell, Henry M. Rice, Saulsbury, Ten Eyck, John R. Thompson, and Waitman T. Willey.

if any consequence . . . whether Mr. Bright occupies a seat in the Senate or retires to private life; but it is of vital importance . . . that this outrage upon the most valued prerogatives of a citizen . . . should be properly rebuked.⁴²

Little more need be said concerning the career of Jesse D. Bright. He returned home to Indiana with some thought of seeking vindication at the hands of the legislature, but owing to the small Democratic majority, and the stress of the times it was determined that a less prominent man should be put forth by his party as a candidate for the United States Senate.⁴³ In 1864 Bright moved to Kentucky, where he represented the counties of Carroll and Trimble for two terms in the state legislature at the unanimous request of the people of the district. About a year before he died, Bright moved east in order to better manage his extensive coal mines in western Virginia. He purchased a beautiful home in Baltimore, Maryland, where he was residing at the time of his death. Jesse D. Bright passed quietly away on May 20, 1875, as a result of an organic disease of the heart.

⁴²*Daily State Sentinel* (Indianapolis), February 7, 1862.

⁴³Joseph A. Wright was appointed by Governor Oliver P. Morton to fill out Bright's term until the legislature met. When that body met in January, 1863, it elected David Turpie to finish Bright's term which expired March 4, 1863. Woollen, *Biographical and Historical Sketches*, p. 102.

