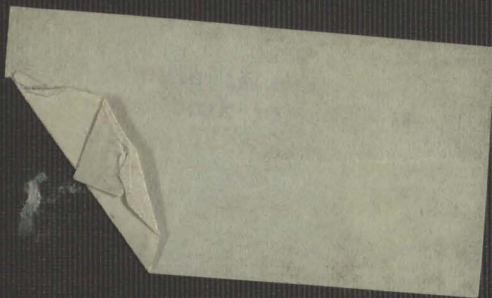
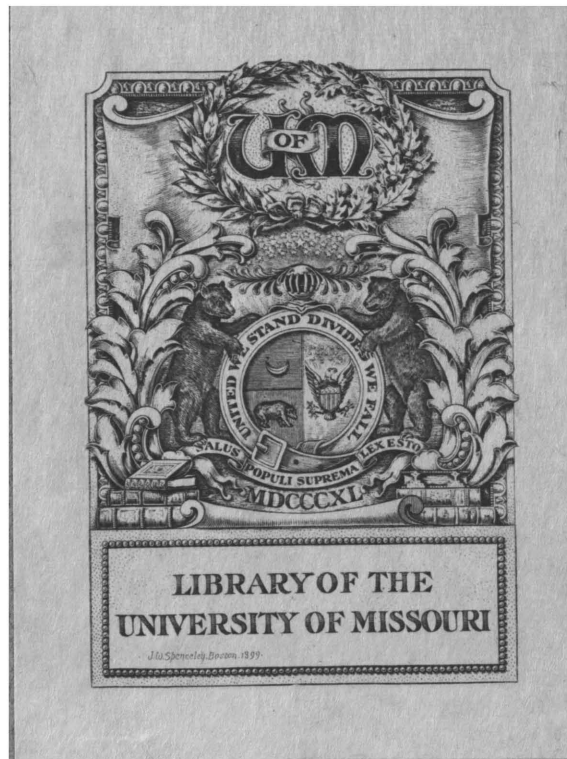


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HAMILTON R. GAMBLE AND  
THE PROVISIONAL GOVERNMENT OF MISSOURI

by  
GEORGE M. CRUTSINGER, A. B.

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## CHAPTER ONE.

### The Political Situation Previous to the Inauguration of the Provisional Government.

In order to present an intelligible account of the necessity of a Provisional Government in Missouri; and the policies, actions, and results of such a government, it will be necessary to devote attention, as briefly as possible, to the political situation beginning with 1860. The whole country, and especially the South, considered the elections of that year as marking the crisis which for some years all had felt to be impending. The results of those elections began to make it plain to men, especially in the border states, that it would soon be incumbent on them to choose their positions. The positions taken by prominent Missourians, and the deliberation with which they were assumed must be understood, in some degree, in order to appreciate fully the work of the so-called "Gamble" Government.

Without going into unnecessary detail, the national situation may be outlined as follows. The Democrats in their Charleston Convention indulged in the untimely luxury of a split. The final result of their series of conventions was the launching of two sets of candidates. Breckenridge and Lane were the candidates of the extreme pro-slavery faction, while Douglas and Johnson bore the standards of the more moderately inclined. The Constitutional Union Party, or Bell-Everetts from the names of their can-



didates, also entered the lists with a platform which declared in very general terms for the preservation of the Union, and the enforcement of the laws. Finally, the Republicans, with Lincoln and Hamlin as candidates, declared against the constitutional right of slavery in the territories.

In Missouri the contest was virtually triangular, as the Republicans were not strong enough to make any considerable showing in the result. That this party later played its part, however, under efficient leaders will be shown in another place. The two wings of the Democratic party, agreeing to disagree as to national issues, united in support of a common state ticket. There were a number of irreconcilables, however, who tenaciously held to Breckenridge principles, and nominated Hancock Jackson for governor. The strongest fight made against the fusion Democratic candidate, C. F. Jackson, was made by the so-called Opposition lead by Sample Orr. This party seems to have really held the principles of the Constitutional Unionists, in general, though some of their most ardent supporters stood by Douglass in the national campaign. From the speeches of the candidates, and the campaign literature in general it appears that the question of slavery and secession were by no means the exclusive issues involved in the state campaign. Local questions, such as the policy toward the troublesome railroads; the abuses and corruption of the long-standing Democratic regime, assumed the chief place in the popular thought and discussion.<sup>1</sup>

<sup>1</sup> This opinion is founded on perusals of, the Statesman, Osage Valley Star, for the period covered by the campaign, and of various speeches.



The campaign was vigorous and at times excited, but at no time bitter. At the election held on August sixth, C. F. Jackson was elected governor by a handsome majority, as shown by the following returns:

C. F. Jackson, fusion Democrat,	74,446.
Samuel Orr, Opposition or American,	64,583.
Hancock Jackson, Breckinridge Democrat,	11,415.
James Gardenhire, Republican,	6,135. <sup>1</sup>

The results of the state election appear to have caused no more than the usual excitement or interest. The substantial majority of the successful candidates, of itself, would tend to indicate the lack of unusual popular excitement which obtained. Those persons in any degree politically inclined, quickly forgot the August election, and turned their undivided attention to the momentous national struggle that was to culminate in November.

It was the period following that election that saw the feelings of the nation so deeply stirred, as they had never been stirred before. They ran the whole gamut from hilarious rejoicing, through doubt and uncertainty, to deep-felt resentment and alarm. Missouri, situated as she was between the extremes, was moved by most all shades of current feeling. The self-satisfied and jubilant opinion of the Republicans- that the Union had been preserved- was in strange contrast to the secession and rebellious feelings of the radical Southerners, who believed with equal firmness that the same Union was henceforth to be divided against itself. It is

<sup>1</sup> Switzler, s History of Missouri, p. 297.



necessary to look yet further for the most general, and deep-seated, though not the most conspicuous feeling. As may be seen from the August returns, the Republicans and extreme pro-slavery Democrats received comparatively small portions of the vote. The presidential vote of the state was given to Douglas, though Bell and Everett had a strong following. It is among these parties that the representative spirit of Missouri is to be found. The majority were possessed of a deep and patriotic desire for the preservation of the Union, though many of them were, or had been, slave holders. Their difficult question was not whether or not the Union should be preserved, but the manner of, and the part they should take in, its preservation. This kind of sentiment that obtained immediately after the election is well shown by the editorials of some contemporary publications. "Lincoln is elected; and now shall we submit? is the question. Why should we not? Was he not elected by the voice of the people, in a constitutional way? Are not those who elected him our fellow citizens? Will not the inauguration of a reign of terror affect the interests and welfare of Lincoln's friends as well as our own?"<sup>1</sup> This series of questions is followed <sup>by</sup> an avowal of love for the South, and a plea for moderation and the preservation of the Union. The prominent editor of another paper speaks thus: "Our Federal Union, the common heritage of us all, and consecrated by the best blood of

<sup>1</sup> E. D.  
Osage Valley Star. (Oceola) Murphy, Ed., Nov. 1860. Supported Douglas for President.





the Revolution, is committed to the exclusive guardianship of no one political party. . . . . Is the constitutional election of any one man to the presidency, how obnoxious soever to us or to any other portion of the people that man may be, sufficient cause to dissolve the Union, and for the destruction of the government ? Let us in answering, take council of wisdom and not of passion."<sup>1</sup>

The Twenty-first General Assembly met at Jefferson City on December 21st, 1860 amid a state of national confusion that may have been well calculated to influence profoundly its proceedings. On the twentieth the South Carolina Convention had passed an ordinance of secession; and the negotiations of her commissioners at Washington were watched with much interest, not to say excitement, by the whole nation. Before January was much more than half gone, Mississippi, Alabama, Florida and Georgia had added to the confusion by following South Carolina; the Star of the West had been fired on, and feeling both North and South ran high. Further, the situation within the Assembly added to its difficulties. Four political parties were represented therein, and no one of them had sufficient strength to control either the House or the Senate. The former branch contained 132 members, of whom forty-seven were Breckinridge Democrats, thirty-seven were Constitutional Unionists. Thirty-six were Douglas Democrats, and twelve were Republicans. In the Senate, consisting of thirty-three members, fifteen were Breckinridge Democrats, ten were Douglas Democrats, seven were Constitutional Unionists, and one was a Republican.

<sup>1</sup> W. F. Mo. Statesman (Columbia) Switzler, Ed., Nov. 16, 1860. Supported Bell for President.



The Legislature organized on Wednesday, January 2nd, by electing Mr. McAfee of Shelby, a staunch Breckenridge Democrat, as Speaker of the House; and Mr. Murry of Benton, a Douglas Democrat, chief clerk. The newly-elected President of the Senate, Lieutenant Governor Thomas C. Reynolds, was also a strong Breckenridge man.<sup>1</sup>

On January third, the retiring Governor Robert M. Stewart sent his valedictory message to the Assembly, and on the same day Governor-elect Jackson took the oath of office and delivered his inaugural address. Perhaps no violence will be done to the viewpoint of this study if a comparison be made between the views of these two men, who were the products of very different localities, and belonged to different schools of politics.

Robert M. Stewart was a northern-born Democrat, and a strong Union man. He was not strongly attached to the institution of slavery, though he firmly believed that the Southerners had a constitutional right to take their slaves into the territories and hold them there under Federal protection. The sentiments he expressed in his message may fairly be considered as typical of the sentiments of a large number of Missourians at the time—the sentiment, in its embryonic form, that later supported the provisional government. He denounced secession, the foolish policy of South Carolina, and looked to the Federal government for such guarantees as would place both sections on an equality in the en-

<sup>1</sup> Switzler: History of Mo.— on parties in the 21st Gen'l Asb'ly, (Chap. 26).



joyment of their rights. As to Missouri's position, he said in part: "Missouri occupies a position in regard to these troubles that should make her voice potent in the councils of the nation. With scarcely a disunionist per se to be found within her borders, she is still determined to demand and maintain her rights at every hazard. She loves the Union while it is the protector of equal rights, but will despise it as an institution of wrong. She came into the Union upon a compromise, and is willing to abide by a fair compromise; not such ephemeral contracts as are enacted by Congress to-day, and repealed to-morrow; but a compromise, assuring all the just rights of the states, and agreed to in solemn convention of all the parties interested."

As to Missouri's right to speak, and to speak first on this subject, he holds it unimpeachable because of her position on the border. She had suffered as few of the radical states had suffered; but he goes on to say that "As matters are at present Missouri will stand by her lot, and hold to the Union as long as it is worth an effort to preserve it. So long as there is hope of success she will seek for justice within the Union. She cannot be frightened from her propriety by the past unfriendly legislation of the North, nor be dragooned in to secession by the extreme South." If Missouri is to be made to stand as a buffer between the two sections, "receive all the blows and none of the benefits, . . . . She will rather take the high position of armed neutrality. She is able to take care of herself, and will neither be forced nor flattered,



driven nor coaxed, into a course of action that must end in her own destruction."<sup>1</sup>

He would make no attempt to coerce the seceding states, but would let them go in peace; entertaining the hope that after a short experience with separate government, they would be willing to return to their allegiance to the union.

In contrast to the retiring governor the incoming executive was a man of Southern antecedents, having been born in Kentucky of Virginia parents. He had been steadily in public life since his election to the legislature in 1836. True to his birth and breeding, he possessed strong states' rights sentiments. He was the author of the famous Jackson Resolutions of 1849, which led to Benton's appeal to the people of the State. In his inaugural address he sketched the rapid growth of the antislavery party, and proceeded to show that its chief object was the destruction of the historic institution, root and branch. He averred that there was nothing unnatural about the excitement prevailing in the South on the prospect of the national power of this party. "It has been said to be quite easy to bear the calamities of our neighbors with philosophic equanimity. Let us not illustrate this maxim by criticising the precipitancy of the South. They are not the aggressors. They ask only to be let alone. - - - - The destiny of the slaveholding states of this Union is the same. - - - - The identity

<sup>1</sup> Carr: Missouri, pp. 267 et seq. Message in Journals of House, and Senate, p. 20. Twenty-first general Assembly, first session.





rather than similarity of their domestic institutions; their political principles and party usages; their common origin, pursuits, tastes, manners and customs; their territorial contiguity and commercial relations- all contribute to bind them together in one sisterhood. And Missouri will in my opinion best consult her own interests, and the interests of the whole country, by a timely declaration of her determination to stand by her sister slave-holding states, in whose wrongs she participates, and with whose institutions and people she sympathizes."

After denying that he had given up all hope for the preservation of the Union, he asserts that the issue of the present embarrassments depends on the action of the North. He shrinks from proposing an ultimatum to the South, but says: "Candor compels me to say, however, that a mere Congressional compromise is not to be thought of - - - - - . Experience shows that such compromises only lay the foundation for additional agitation - - - - -. The object of Constitutional guarantees is to protect the rights of minorities, and it is to such guarantees and not to legislative compromises, that the South must look for protection and security."

In regard to coercion he says: "We hear it suggested in some quarters that the Union is to be maintained by the sword. Such suggestions, it is hoped, have sprung from momentary impulse and not from cool reflection. The project of maintaining the Federal Government by force may lead to consolidation or despotism, but not to Union - - - -. That stands upon the basis of justice and



equality, and its existance cannot be prolonged by coercion - - -<sup>1</sup>

These two men, who by some writers<sup>2</sup> have been represented as being entirely antagonistic in their attitude toward the paramount questions are really seen to agree on several points, differing, however, on one important particular. They united in laying the blame for the existing sectional feeling on the North. They were on common ground in holding that a remedy was to be found only in constitutional guarantees- not legislative compromises- by the North. The doctrine of coercion was denounced by both in unmistakable terms. But when it came to the fundamental question of what Missouri should do in case the Federal Government should attempt to maintain the Union by force, their paths separated. Stewart could find no possible excuse or reason for the secession of Missouri; neither did he show any fiery zeal in the cause antagonistic to the South. His attitude was probably that of a very large number of Missouri's citizens at a time when nobody knew what a day might bring forth. Jackson, on the other hand, true to his Southern birth and breeding, insisted that come what may, Missouri's place was among her sister slave-holding states.

Governor Jackson in his inaugural recommended that, - - - -  
"In order that the will of the people may be ascertained and effectuated, a State Convention, should, in my view be immediately called." The Assembly lost no time in acting on this suggestion;

<sup>1</sup> Carr: Missouri pp. 271 et. seq. Speech also found in Senate Jour. p. 46. Twenty-first General Assembly.

<sup>2</sup> E. g. Peckham, in his Nat'l Lyon.



for on Saturday, January 5th, on motion of Senator Churchill of St. Louis it was "resolved, that the Committee on Federal Relations be instructed to report a bill calling a State Convention." On Wednesday, January 9th such a bill was reported from the two Committees to both Houses.<sup>1</sup> After it had been amended by the Senate, and thoroughly discussed, the bill was passed by both Houses on the 15th. It provided that an election should be held on February 18th, to choose members to a convention which was "to consider the relations between the Government of the United States - - - and the people and Government of the State of Missouri; and to adopt such measures for vindicating the sovereignty of the State, and the protection of its institutions, as shall appear to them to be demanded." The amendment provided that no act of the Convention should dissolve the relations of the State to the Union until a majority of the voters of the State should approve the same.<sup>2</sup>

Such amendments (several having been introduced) were fathered by the Constitutional Unionists and brought the Assembly face to face with the fundamental question of the nature and functions of conventions, and the authority of the Legislature over their acts. The questions were, as stated by Jameson in his "Constitutional Conventions"; "Is this institution (convention) - - - - subject to any law, to any restriction? - - - - Is it the servant, or the master, of the people, by whom it was spoken into being?"

<sup>1</sup> Switzler Hist. of Mo.;- and the Journals of House and Senate for the given days.

<sup>2</sup> Laws: Twenty-first General Assembly, pp 20 - 21.



The individual answers to these questions depended largely on the individual's attitude toward secession. Those whose leanings were in that direction held, to quote Jameson again, "that whatever had been done (or should be done) by a Constitutional Convention, had been done by the people, 'in their primary and sovereign capacity,' and was therefore absolutely unquestionable, on legal or constitutional grounds." The men of Union tendencies, on the contrary, held that the convention would be a collection of delegates chosen by the people, to whom had been entrusted<sup>a</sup> certain definite task, and to the people they were to render an account of their stewardship.<sup>1</sup>

The political classification of the ballots on the amendments and on the amended bill are given below as showing the nebulous and indefinite character of the ideas that prevailed among all parties on the question of Missouri's position- that at this time there was neither a secessionist or union party in the later significance of these terms. The vote in the House on the amendment offered by Mr. Lacy of Cape Girardeau, that the action of the Convention be submitted to the people, was:- yeas; Constitutional Unionists, 27; Douglass Democrats, 23; Republicans, 12; and Breckenridge Democrats, 18. Nays:- Bell-Everetts, 3; Douglass Democrats, 12; Breckenridge Democrats, 25; Republicans, none.<sup>2</sup>

The vote in the House on the original bill as amended by the

<sup>1</sup> Switzler's, History of Missouri, p. 305. Carr, Missouri, Chap. 13.

<sup>2</sup> Switzler, History of Missouri, p. 306.





House was:- yeas 105; nays, 18. Of those voting against it, eleven were Republicans, including such men as Peckham, Partridge, Friede, Doyle, Hanna and others.<sup>1</sup> If there were at this time distinct secessionist and union parties of far-seeing men, is it not a matter of marvel that, of all men, eleven Republicans should vote against the bill that later gave them their power?

In the Senate, an amendment by Mr. Hardin of Boone and Callaway district, to refer any secession act of the Convention to the people was adopted by the very close vote of 17 to 15,- showing at any rate a lack of unanimity. On the bill with the Hardin amendment, however, the vote was- yeas, 30; nays, 2; indicating that the opposition to the amendment was not ineradicably grounded. The bill then as passed by the Senate was reported to the House, where on motion of such a loyal son of the South as Mr. George C. Vest it was concurred in nem. con.

Perhaps the most striking commentary on the indecision prevailing during the pendency of the bill is to be found in a review of the motives and attitudes of the different parties. The forces of the three leading parties being so evenly matched prevented any one of them from carrying out in full its own scheme. The Breckenridge men were not able to carry a resolution in favor of secession, even if they had been disposed to do so,- which is very unlikely at this time. It is not at all certain that a

1

Switzler, History of Missouri, p 307.



Breckenridge caucus would have passed a secession resolution during the first two weeks in January. The other two parties while strongly avowing Union sentiments, were so divided on certain ulterior issues that the only course left them was to support the Convention Bill. With this united support the Bill passed easily; each faction hoping that such a measure would prove advantageous.<sup>2</sup> A noticeable incident took place in the Senate on January 10th.<sup>1</sup> Senator Gullett had offered to amend the Bill by providing that two columns be opened on the poll books, one headed "for a Convention," and the other headed "against a Convention", and if a majority voted against the Convention the election of delegates should be void, and no convention would be held. Immediately Senator Thompson of Clay arose and said that on ordinary occasions such an amendment would be very proper, but under existing circumstances he was unwilling to vote for an amendment that would give the 15,000 or 20,000 Black Republicans of St. Louis a chance to defeat the Convention.

At any rate this Act forever took Missouri from the control of the chief men in the State government, and finally resulted in placing her military stores at the disposal of the Federal Government. By it also the Confederate battle line was pushed back from the Missouri to the Arkansas. The passage of the Convention Bill ended political action of any consequence in the General Assembly. True, resolutions were passed strongly denouncing coercion,

<sup>1</sup> Senate Journal for that day.

<sup>2</sup> Carr: Missouri, p. 280.



and pledging Missouri to resist it, but they were of value only as indicating the personal feelings of the members.

Before taking up a discussion of the convass preceding the election of delegates to the Convention, it might be well to notice briefly the group of rather radical Unionists in St. Louis about which the Union sentiment of the state crystalized. The trusted leader of this group was Frank P. Blair, Jr., who had been a disciple of Benton, and upon whom the mantle of the veteran fell. He had been elected to Congress in 1860 for the second time, and, since his brother, Montgomery Blair, was a member of Lincoln's cabinet, he had exceptional opportunities for successfully enacting his role of intermediary between Missouri and the Federal Government. In the winter months of 1860 and '61 he seems to have been the only man in Missouri, with the possible exception of C. F. Jackson, of sufficient far-sightedness to perceive the logical outcome of the existing difficulties, and to act accordingly. He did not delude himself with the notion that the sectional controversy was to be, or could be, settled peaceably; nor was he a victim of the delusion that Missouri could maintain "the high position of armed neutrality." A study of the times throws a different light on the importance in Missouri's career of this group of Republicans from that obtained in the necessarily summary general accounts. A perusal of Rhodes' History of the United States, and Nicolay and Hay's Abraham Lincoln would leave the general reader with the impression that the St. Louis Republicans were solely responsible for



Missouri's continued allegiance to the Union. In the latter work are found such statements as these: "There was an intolerant pro-slavery sentiment throughout the State; but it also had a positive and outspoken minority of strong antislavery citizens in a few localities, chiefly in St. Louis."<sup>1</sup> In another place<sup>2</sup> the authors hold that Blair opposed effective obstacles to the Governor's course in spite of the latter's "official position, large following, and the prevalent proslavery opinion of the state." Also; "The Legislature was sufficiently subservient; it contained a majority of radical secessionists, and only about fifteen unconditional Union members - - - ." Contrary to the impression such statements would make on the general reader, pro-slavery sentiment was not synonymous with disunionism in Missouri, especially before the meeting of the Convention; neither was St. Louis the pars magna of Missouri; and, as will appear more clearly later, the conditional rather than the unconditional Union men constituted the main support of the Union during the national fiery trial.<sup>3</sup> Further, if the Legislature had "contained a majority of radical secessionists" the bill calling a convention with the amendment submitting its action to the people would probably never have been passed. Even after the Governor had openly avowed his allegiance to the South, he was unable to get a quorum of this same Legislature to act with

<sup>1</sup> Vol IV, p. 206.

<sup>2</sup> Ibid, page 207.

<sup>3</sup> This opinion is based on a study of the newspapers and speeches of the time.





him.<sup>1</sup>

The basis of Blair's power in the State rested in the political organization in St. Louis known in the beginning as the Wide-Awakes. It was started in the campaign of 1860 and did strenuous and valuable service for Lincoln. This party had no love for those Constitutional Unionists and Douglas Democrats who were generally regarded as conditional Unionists; for it regarded them as secessionists in sheep's clothing. These so-called "secessionists" re- criminated by charging the Republicans with responsibility for all the national woes. With this view of conditions the magnitude of the task to which Blair had set himself- that of uniting all in behalf of the common country- was truly appalling.<sup>2</sup> There can be no more convincing testimony to the greatness of his ability and the broadness of his patriotism than his success in the accomplish-<sup>3</sup> ment of this herculean labor.

With the beginning of the canvass for the election of delegates to the Convention, which was begun soon after the passage of the act, the people of the State began to form themselves into parties on the main issue of the immediate passage by the Convention of an act of secession. At first the party lines were indistinct and indefinitely drawn, but before the election on February 18th,- because of the failure of certain schemes of national conciliation, and the fast gathering war cloud,- the voters were pretty distinctly divided into three parties; the Secessionist;

<sup>1</sup> On Neosho Legislature, See Switzler's History of Missouri, pp. 318-321.

<sup>2</sup> Carr: Missouri; pp. 281-283. Snead, Fight for Missouri, Ch. 3.

<sup>3</sup> For their methods see Peckham, Nat'l Lyon, pp. 83 et. seq.



the Conditional Unionists; and the Unconditional Unionists, Thomas L. Snead,<sup>1</sup> whose intimate relations with the leaders of the first party, and his influential positions enabled him to speak with authority on such subjects, holds that even the members of this party were not in favor of immediate and unconditional secession. This was in a great measure due to the common belief- or hope- that some plan of adjustment would be devised that would prevent a rupture. But as the failure of several plans looking to this end became apparent this party declared that the Union was virtually dissolved, and in that case Missouri's place was with the Southern States. Among the most prominent leaders of this party, may be mentioned Governor Jackson, Senators James S. Greene and Trusten Polk, ex-Senator and Ex-Vice-President David R. Atchison, and in the Legislature Vest, Parsons, Claiborne, Churchill and others. Their chief organ was the St. Louis Bulletin edited by Tucker and Snead,- seconded by the Jefferson City Examiner.

The most anomalous aspect presented in this canvass is that presented by the Conditional Union party. Especially is this so if it is viewed in the light of later events. This party, even to a greater extent than the Secessionist, was deluded by the expectation that the existing difficulties would be peaceably settled. Consequently, its members stood by the union until the final rupture came, when some of them sided with the South, and others

<sup>1</sup> The Fight for Missouri, Chap. III.



helped the Federal Government in its war against the South. Conspicuous among the former was Sterling Price, while the latter were represented by Gamble and other officers of the Provisional Government, who in the beginning were loud in their protests against coercion.

This party constituted a large majority of the people of the state, and it is to it that the State was indebted for her allegiance to the Union more than to any other one party. The consummate tact and insight of Blair in building, of this material, a strong Union party around the St. Louis Republicans as a nucleus has already been noticed. Suffice it is to say, that as the nucleus without the surrounding protoplasm could not constitute a living cell, neither would the Republicans of themselves have been able to constitute an effective Union party. The principles of this party are well brought out in the following extracts from the editorial column of a contemporary publication. "Of plans of adjustment for our national troubles the times are rife. They flow in upon us in myriads. They come in swarms like the locusts of Egypt. They come in shoals like the fish of the sea. It will indeed be singular and much to be regretted, if, out of so great a multitude, no one of them fastens itself upon the national conscience and intelligence."<sup>1</sup> The editor goes on to say that the wave of revolution sweeping over the South is not local and transi-

<sup>1</sup> Columbia, Mo., Statesman, Jan. 18, 1861.



tory, but "has its source in a determination to have our rights under the Constitution and if possible in the Union". In another issue<sup>1</sup> he says: "For ourselves our position is taken; we are for the rights of the South in the Union. We are against secession, coercion and war." In the same paper, (issue of February 1st) the claim is made that secession meant abolition; showing, incidentally, that unionism did not mean abolition in Missouri.

As has been intimated, the Unconditional Union party was composed mostly of the Republicans of St. Louis. As their name implies they were for the Union first, last and all the time; and were willing to support the Federal Government in any and every measure it might seem necessary for its preservation.

The result of the election appears to have come as a surprise to all parties. To the Secessionists the surprise attained the acuteness of disappointment. To the Republicans, who had opposed the bill calling the Convention, it came as a most agreeable surprise. The total majority in favor of Unionism was about 80,000.<sup>2</sup> Not a single radical Secessionist was elected, though the majority of the members were of southern birth, most of them being natives of Virginia and Kentucky.<sup>3</sup> The leaders in the Convention including the President, and Chairman of Committee on Federal Relations, were all Virginians. There were ninety-nine members in

<sup>1</sup>Jan. 25.

<sup>2</sup> Snead, Fight for Missouri, p 66; Statesman, Mar. 1, 1861.

<sup>3</sup>See appendix, Sec. I.





all, the law<sup>1</sup> having provided that each Senatorial District should be represented by three times as many delegates as it was then entitled to State Senators.

In accordance with the law, the Convention assembled in the court house at Jefferson City at eleven o'clock A. M. on Thursday, February 28th. On motion of Judge Sample Orr, Judge Gamble was called to act as chairman pro tempore. A committee on credentials, and one on Permanent Officers was appointed, after which the Convention adjourned till ten o'clock the following morning. On the second day, permanent organization was effected by the election of Sterling Price of Chariton, over Nathaniel W. Watkins of Cape Girardeau, as President. Gen. Robert Wilson of Audrain was made Vice-President. Then on motion of Mr. Hall of Randolph, the Convention adjourned to meet in the Mercantile Library Hall in St. Louis on the following Monday, March 4th.<sup>2</sup>

The sessions held at this time in St. Louis are doubly significant in view of the fact that here secession in Missouri was repudiated; and provision was made for perpetuating the Convention, - thus laying the foundation of the Provisional Government. On the first day of the session Judge Gamble, of St. Louis, offered a resolution<sup>3</sup> to the effect that a committee of seven be appointed, to be called the Committee on Federal Relations, which should consider and report on the relations existing between the State and the Union, and to which all resolutions touching these relations should

<sup>1</sup> Laws of Mo., 21st Gen'l As. p. 20.  
<sup>2</sup> Journal & Proceedings of Convention, 1861, Journ. p. 19.  
<sup>3</sup> Journal of Convention, Mar, 1861, p. 18.



be referred. After several proposed amendments had been defeated, the resolution was passed with an amendment that provided for a committee of thirteen instead of seven. The following gentlemen were appointed by the President, viz; Hamilton R. Gamble; John B. Henderson; John T. Redd; William A. Hall; Jacob T. Tindall; A. W. Doniphan, Willard P. Hall; N. W. Watkins; Harrison Hough; Samuel L. Sawyer; William Douglas; John R. Chenault; and William G. Pomeroy.

On motion of Mr. Redd the convention voted to receive, at twelve o'clock this same day, Mr. Glenn, a commissioner from the State of Georgia. A brief summary of his address,<sup>1</sup> and also of the majority and minority reports of the committee to which the address was referred is given as showing the temper of the convention touching secession. The commissioner began by reading the ordinance of secession adopted by his state; and, after sketching rapidly the rise of abolition sentiment and methods of the abolitionists, he affirmed that Georgia deemed it the part of wisdom to separate peaceably from a section with which she had so little in common, and unite in an independent government with those states with which she had a community of interests. She invited Missouri, because of her institutions and the Southern antecedents of many of her people, to join her in this course.

The committee of seven to which the address was referred

<sup>1</sup> Jour. and Proc. of Conv. 1861. (Proceedings, p. 17)



consisted of the following: Henderson; Birch; Howell; Stewart; Wright; Marvin ; and Knott. Two reports were submitted from this committee on March 21st. The majority report embraced a long and earnest argument in favor of the maintenance of the Union; and concluded with a series of resolutions that declared that the doctrine of the constitutional right of secession met with their disapproval, but while they abhorred, in common with Georgia, the fanatical attitude of the North, they were unable to approve of secession as the remedy. Such a course would be detrimental to the best interests of Missouri, and she would labor for an adjustment of all differences on a basis compatible with the interests and honor of all.

The minority report, presented by Mr. Birch, differed from the others in that, while denying the constitutional right of secession, yet recognized the right of revolution in lieu thereof, should sufficient reason arise; and, while they would labor for the recognition by the Federal Government of the constitutional right of slavery, they held it the duty of Missouri to share the destiny of the other slave States in case of any irreparable infringement of this right.<sup>1</sup> No action was taken on the reports.

The most intense interest was felt by the people of the state and by the members of the Convention in the report to be made by the Committee on Federal Relations. The report of the majority was presented by Mr. Gamble, chairman, on March 9th.<sup>2</sup> It was on

<sup>1</sup> For full report see Proceedings, Page 55, et. seq.  
<sup>2</sup> Majority and minority reports are found on pages 51 and 57 respectively for March, 1861.



the whole a statesmanlike paper, designed to allay any unnecessary excitement, holding that the grievances of both sections were more imagined than real. The opinions and desires of the Committee were embodied in a series of seven resolutions, of which the following is a summary.<sup>1</sup> They declared that at that time there was no adequate cause for the <sup>immediate</sup> secession of Missouri, that it was the opinion of the people of the State that a remedy for all differences would be found in the adoption of the Crittenden propositions; that the use of military force by either section would result in civil war and was therefore deprecated; that the Convention after its adjournment should meet again on the third Monday in December, 1861, but that a committee should be elected a majority of which should have power to call the convention together whenever they saw fit.

On March 11th Mr. Redd presented a minority report,<sup>2</sup> in which more emphasis was laid on the reality of the existing sectional differences. The report concludes with four resolutions, the burden of which is the provision for a border states convention, to amend the Constitution after the Crittenden plan.

After an extended debate, the majority report was adopted, with certain amendments, on March 21st. An amendment to the fifth resolution, declaring that Missouri would aid, in no way, in coercing the seceded states, was rejected.. The most important amend-

<sup>1</sup> For full text see App'x, Sec. III.

<sup>2</sup> Full report pp. 62 et. seq. of Proceedings. (March, 1861).





ments were: to the fifth resolution, recommending that the Federal Government withdraw its troops from southern posts where there was danger of collision with the state troops; and the substitute for the seventh, which provided that the committee having power to call the convention together, should consist of the President as ex-officio chairman, and seven members, one from each Congressional District, to be elected by the Convention.

As further evidence of the fact that, even at this time, hope was still alive that a peaceable settlement could be made, it is only necessary to mention the special report of the Committee on Federal Relations. This report contained a resolution to the effect that seven delegates be elected to attend the Border States Convention proposed by Virginia, to devise some plan of adjustment. This resolution was passed on March 21st by the practically unanimous vote of 93 to 3.<sup>1</sup> On the following day the Convention adjourned to meet again in December.

In this chapter an attempt has been made to give the political setting and background of the Provisional Government which was inaugurated at the called session of the Convention in July. The next chapter will discuss the proceedings of this session, and the circumstances that, in the opinion of the Committee, justified its being called. In order to do this, it will be necessary to pay some attention to the military preparations and operations within the State, which has been avoided in this chapter.

<sup>1</sup> Journal Convention, March, 1861, p. 59.



## CHAPTER TWO.

### Institution of the Provisional Government.

A brief review of later events may be of use just here, which will show the sentiment of Missourians; and a crystalizing process going on among the parties, which, if the State was to abide by the decision of a majority of her citizens, made a substitute government necessary.

President Buchanan's refusal to withdraw the Federal troops from Charleston, and his very evident determination to regain the Government property there and to protect it at all hazards elsewhere, doubtless accelerated the secessionward drift of the Gulf states. Forts and arsenals were seized even before secession ordinances were passed, so that before the March session of the Missouri Convention adjourned, seven states had decided to sever the bonds that connected them with the Union. As was noted in the preceding chapter, even with the doctrine of secession carried to this extent, most of the men of this state, and the other border states as well, were still clinging to the idea that the Union could be peaceably preserved. With the firing on Fort Sumpter, and the failure of the proposals offered by the Peace Congress early in April, men all over the country were awakened to the fact that they were confronted by civil war.

Despite the evident hope and desire of the majority of the people of the State to avert conflict, Blair and his Committee of



Safety- composed of O. D. Filley; Jas. O. Broadhead; S. F. Glover; John How; Julius Witzig- began as early as January 11th to re-organize the Wide-Awakes into a sort of military organization called the Home Guards.<sup>1</sup> Part of these men were armed by the aid of Governor Yates of Illinois, part by private subscription, and a part were not armed at all for some time; but all were assiduously drilled. Coincidentally with the growth of this organization there also developed the Minute Men, a similar organization of Southern sympathizers, under the leadership of Basil Duke and Colton Greene. In this way preliminaries for conflict were begun in St. Louis much sooner than in other portions of the State.

When, on the next day after the firing on Fort Sumpter, President Lincoln called on each of the states for her quota of the 75,000 troops to recapture the forts, Governor Jackson telegraphed the following response on April 17th.

"To the Honorable Simon Cameron, Sec'y of War:

Sir: Your dispatch of the 15th inst., making a call on Missouri for four regiments of men for immediate service, has been received. There can be, I apprehend, no doubt but these men are intended to form a part of the President's Army to make war upon the people of the seceded states. Your requisition, in my judgment, is illegal, unconstitutional, and revolutionary in its objects, inhuman and diabolical, and cannot be complied with. Not one man

<sup>1</sup> Full account in Rombauer's Union Cause in St. Louis.



will the State of Missouri furnish to carry on such an unholy crusade".<sup>1</sup>

On the 17th, Blair also telegraphed to Secretary Cameron: "Our Governor will not meet your requisition for volunteers, Will you accept independent companies and regiments from Missouri ? If so please order Captain Lyon to muster them into service".<sup>2</sup> Accordingly on the 20th the Home Guards of St. Louis were mustered into Federal service. On the same date the arsenal at Liberty, and the munitions of war found there were appropriated to the use of the State.

In the midst of these war-like preparations, of which he doubtless clearly saw the drift, Governor Jackson on April 22nd issued a proclamation calling the legislature in extra session "for the purpose of enacting such laws and adopting such measures as may be deemed necessary and proper for the more perfect organization and equipment of the militia of this state, and to raise money and such other means as may be required to place the State in proper attitude of defense."<sup>3</sup> In accordance with this proclamation the Legislature convened on May 2nd. This session, though brief (adjourned on the 15th) was embarrassed by extraordinary excitement, and was fruitful of legislation that aided materially in crystalizing public sentiment.

<sup>1</sup> Official Records of Rebellion, Series III, Vol I. p. 83.

<sup>2</sup> Rombauer: p. 206.

<sup>3</sup> Journals of House, called Session, 21st Gen'l Assembly, p. 1.





Only a brief summary of its important acts will be attempted here. To suspend the apportionment of the school fund; to authorize the counties to make loans to the state; to authorize the banks of the state to issue notes of small denomination in lieu of those of larger denomination; to empower the Governor to lease or purchase Ballentines' foundry at Boonville for the manufacture of munitions of war, to appoint a major-general, to take possession of railroads, telegraph etc., . in case of necessity, and to take such measures as he might deem necessary to repel invasion and suppress rebellion against the State. An act was also passed creating a military fund to consist of all the money then in the treasury, or that might be received from the railroad taxes, county taxes, school taxes and others.<sup>2</sup> The State Guard Bill was before the Assembly and encountering serious resistance when the news of Lyon's capture of Camp Jackson (May 10) was received.<sup>1</sup> This intelligence created such excitement that the Bill was passed, and put into the hands of the Governor in a very few minutes. The Executive, by virtue of power given him by the act, subsequently appointed Sterling Price Major-General of the State Guard.

On May 14th General Harney returned and assumed command of

<sup>2</sup> This was a camp of a brigade of State Militia in the suburbs of St. Louis, assembled for drill and organization according to the existing State law. Captain Lyon suspected there were ulterior motives connected with this encampment; and therefore captured it. (Full accounts in Switzler; 348- 354. Peckham; 131-156.)

<sup>1</sup> Switzler, s Hist. of Mo; p 314 - 318; Laws; 21st Gen'l Assembly, passim.



the Department. He issued immediately a proclamation in which he approved the capture, and asserted that the utmost power of the Federal government would be used if need be to maintain the State in the Union; but further than that, his intentions seem to have been only to maintain peace and order. To this end, and to allay the popular excitement occasioned by Lyon's act, he invited General Price to an interview. The St. Louis Republican of May 22nd has this to say in part. "An important interview took place yesterday in this city, between General S. Price, of the Missouri State Guard, and General Harney, of the United States Army - - - - . The interview was a long one, and resulted in the adoption of a Declaration which, if seconded by the people of the State, and faithfully adhered to by the United States, as we have no doubt it will be, must end in restoring peaceful relations throughout our borders." This hopeful view was also taken by the Statesman,<sup>1</sup> of Columbia, and many other journals. The Richmond Conservator of May 31st has this to say editorially: "From the large list of exchanges before us, we are enabled to form a pretty correct idea of the effect of the peace arrangement made between Generals Price and Harney, and find that it is very generally approbated by the people and the press of the State. We are glad to see that the constituted authorities will live up to it and carry it out in good faith". Even at this late hour it is seen that there was a very respectable union-peace sentiment in Missouri, though the subsequent vigorous

<sup>1</sup> Issues of May 24th and May 31st, 1861.



action of Blair and Lyon laid bare the latent feelings, either for the South or the Union, which previously had been covered by the desire for peace.

The agreement<sup>1</sup> declares in brief that the two Generals had and interview, in which it was mutually understood, without semblance of dissent, that the object of each was the restoration of peace and good order in subordination to the laws of the General and State Governments. Each agreed, within the province of his power to suppress all unlawful proceedings, and maintain order among the people. It concludes with an exhortation to the people to attend to their civil business, and with the hope that the unquiet elements which threatened to disturb the public peace might soon subside. The published agreement was accompanied by a proclamation from General Harney attesting his pleasure at its consummation and pledging adherence thereto.

This agreement, in which the contracting parties and the people generally seemed to have so much faith, was not at all agreeable to Blair and Lyon. That Missouri should remain neutral, and that a separate State authority should be recognized, formed no part of their plans. It was their specially appointed task to see that she fought for the Union. In order to effect this, it was necessary that they rid the State of the troublesome presence of her Governor. The first task, however, was to secure the

<sup>1</sup> Full text in Statesman for May 24, 1861.



the removal of General Harney. A discussion of the means they used<sup>1</sup> need not detain us here. Suffice it to say that the order removing him was delivered to the General on May 30th. From this time, to the appointment of Fremont, July 5th, Lyon as Brigadier General, was in command of the Department of the West. As his intentions were very generally known, people began to choose definitely their sides and prepare for the inevitable conflict.

Before open hostilities were begun, however, there was an effort made by William A. Hall, Thomas T. Gantt and other prominent men to bring about a peace agreement between the two parties. Accordingly a conference took place in St. Louis on June 11th between Lyon, Blair and Major Conant on the one side, and Jackson, Price and Colonel Thomas L. Snead on the other. As might have been expected, nothing was accomplished at this meeting. Lyon, after refusing absolutely to allow the State to dictate to his Government "in any matter however unimportant", turned to the Governor with these words, "This means war. In an hour one of my officers will call for you and conduct you out of my lines".<sup>2</sup>

The Governor and his party immediately returned to Jefferson City, where the Executive issued a proclamation reciting the humiliating concessions he had offered in vain; declaring that the Federal Government intended to take complete military possession of the State; and concluded by calling for 50,000 militia to defend

<sup>1</sup> See Car, Mo. p. 311.

<sup>2</sup> Snead, Fight for Mo. p. 200.





the State. Orders were also sent to the commanders of the different military districts to assemble their men and prepare them for service. This done, and having received rumors that Lyon was preparing to march on the Capital, he collected the necessary effects of the State government and moved with them to Booneville. General John B. Clark was already at this place with several hundred men. General Price, seeing that it would be useless, in the present condition of his force, to try to hold the Missouri River, ordered Clark to remain at Booneville long enough to receive the troops expected from north of the river while he proceeded to Lexington to prepare the force there to march south. It was his intention to mobilize his force for equipment and drill in the southern part of the State where he could have the protection of the Confederate forces in Arkansas.<sup>1</sup>

With affairs in such a condition- the chief officers of the State, Governor; Lieutenant Governor; and Secretary of State, fugitives from the Capitol, and in open hostility to the recognized Federal authority- and since the people of the State had declared that she should remain within the Union, it became necessary to establish some sort of a State government that would be recognized at Washington. It was suggested among certain Union men<sup>2</sup> that the President should appoint a Military Governor and the name of Blair was mentioned in connection with such an office. Blair, however, was opposed to such a movement, so on July 6th the following call

<sup>2</sup> Peckham: N. Lyon, p. 286. <sup>1</sup> Snead, Fight for Mo. Ch. IX, Also Switzler's History of Mo. p. 361 - 365.



was published: "We, the undersigned, being a majority of the committee of the convention of the State of Missouri, charged with the duty of convening the State convention at such time prior to the third Monday of December, 1861, and at such place as they may think public exigencies require, do hereby notify the said convention to assemble and meet at Jefferson City, in the State of Missouri, on the 22nd day of July, in the year of our Lord, 1861. (Signed by) R. Wilson, J. T. Tindall, J. W. McClurg, J. R. McCormack and Thomas T Gantt.<sup>1</sup>

Pursuant to this call the Convention reassembled in Jefferson City on Monday, July 22nd, and began one of the most important sessions ever held by a deliberative body in the State. On the second day, Mr. Breckenridge offered resolutions to the effect that the office of President be declared vacant, and that the Convention proceed to fill the vacancy; which resolutions were adopted. Robert Wilson, the Vice President was elected to fill the vacancy, and Akeman Welch was made Vice President. On the same day a committee of seven was elected, whose duty it was to report what action should be taken by the Convention in the existing state of affairs. The committee was made to consist of the following members:- James O. Broadhead; John B. Henderson; William A. Hall; Willard P. Hall; William Douglass Littlebury Hendricks; and Joseph Bogy.<sup>2</sup>

On Thursday, the fourth day of the session, Mr. Broadhead as chairman of the Committee of Seven made a report, wherein he

<sup>1</sup> Price had espoused the rebel cause, and Knott had removed from the State. Call for Convention found in Statesman for July 12, 1861.

<sup>2</sup> Jour. of Conv. July, 1861, p. 5.



recited in brief the history of the Convention, and asserted that since the adjournment of the last session the most startling events had occurred: the Governor and high officers of State had deserted the Capital; and were at that time in open rebellion against the United States; and in consequence, it was the duty of the Convention to remedy these evils, if possible, and to restore the relations that had existed between the State and Federal governments. To this end it was recommended that amendments to the Constitution be ordained as follows: 1st, That the offices of Governor, Lieutenant Governor, Secretary of State, and members of the General Assembly be declared vacant. 2nd, That the first three officers should be appointed by the Convention to continue in office till August, 1862; when their successors should be elected by the people. 3rd, That the Supreme Court should consist of seven judges, four of whom were to be appointed by the Governor who was to be chosen by the Convention, and were to hold office until their successors, elected at the August election, should be qualified. The Committee also recommended the adoption of an ordinance repealing and declaring "of no effect or validity whatever" the following acts of the late call<sup>ed</sup>-session of the Legislature, viz; the militia<sup>law</sup>; the law creating a military fund; the resolution to suspend the apportionment of the school money; and the act to promote friendly relations with the Indian tribes. It was also recommended that the act of December, 1859 to regulate the volunteer militia of the State be revived and declared in force.<sup>1</sup>

<sup>1</sup> Report of Committee found on pp 10 and 11 of Jour. of Conv. July, 1861.



The report having been ordered to be printed, a resolution, offered by Mr. Phillips was carried, to the effect that Hamilton R. Gamble be added to the Committee of Seven; which committee is henceforth known as the Committee of Eight. On Saturday, the sixth day of the session, on motion of Mr. Broadhead, the report of his committee was recommitted to the Committee of Eight for perfection.

On the following Monday<sup>1</sup> the Committee, by its chairman, made a report which was very similar to the former report, - differing only in these points: the substitution of the first Monday in November, 1861 for the first Monday in August, 1862 as the date of the election; and the omission of the amendment providing for four additional judges of the Supreme Court. The report was also supplemented by an ordinance providing that the action of the Convention be submitted to the people at the November election.

When on Tuesday morning,, July 30th, the report came up for consideration, it was divided and each clause taken up separately.<sup>2</sup> The first, providing that the three highest state offices be vacated, was adopted by a vote of 56 to 25. The clause declaring vacant the seats in the General Assembly was adopted: 52 to 28. The clause providing for the appointment by the Convention, of a Governor, Lieutenant Governor, and Secretary of State was adopted;

1

Journal of that date; Switzler, Hist. of Mo. p. 333.

2 Jour. pp. 20 et seq. July, 1861.





54 to 27. The remaining clauses were adopted by practically the same vote.

As may be seen from a consideration of the votes on the different clauses, their adoption was by no means unanimous, though they obtained a fair majority. A number of men voted consistently against all of them. Among these may be mentioned the following: Bartlett; Bass; Calhoun; Chenault; Drake; East; Doniphan; Dunn; Frazier; Flood; Givens; Gorin; Haugh; Howell; Hudgins; Knott; Marmaduke; Matson; Moss; Pipkin; Ray; Sayre; Waller; Woodson and Wright.

Several of these gentlemen addressed the Convention in speeches of considerable length in opposition to the radicalism of these measures.<sup>1</sup> Their arguments may be briefly summarized as follows: 1st, They denied the power of the Convention: 2nd, granting the power, they were opposed to deposing the Governor without legal evidence; 3rd, to adopt the proposals, would be virtually arraying two state governments against each other; 4th, such a course would directly violate the State Constitution. Mr. Hudgins, on this point, after affirming that powers to empeach and depose the Governor rests, according to the Constitution, in the Legislature. says; "This being the case, and we having sworn to support that Constitution, we should look well before attempting, on the part of ourselves, the violation of it."<sup>2</sup>

It appears, also, that these views as to the radicalism of such a course were shared by many good Union men of the State. It

1 Proceedings of Conv. July, 18, 1861, pp. 88 - 131.

2 Mr. Hudgin's Speech, *ibid.* pp. 93 - 98.



is a rather remarkable thing, and indicative of the turbulent conditions in Missouri, that this Convention which was regarded as exhibiting radical tendencies in July 1861 was regarded by the same men a few years later as eminently conservative+ as will be noticed more fully in another place. The editor of the Statesman (issue of August 2nd, 1861) in commenting on the action of the Convention, holds that the second report of the Committee of Eight "emasculates the former of much of its radicalism; in this, that it submits everything to a vote of the people. . . . " In the same column, after agreeing to waive all argument as to the power of the Convention to set up a provisional government, he says; "It cannot fail, we think, in the present excited state of the public mind greatly to complicate our difficulties . . . . The services of a Provisional Government for the short time intervening between this and the election in November, cannot we fear be worth what they may cost the people in domestic strife and fraternal war".

It appears, however, that the action of the Convention on Wednesday, July 31st, in electing Hamilton R. Gamble Governor; Willard P. Hall, Lieutenant Governor; and Mordicai Oliver, Secretary of State, met with the unqualified approval of the Union men of the State. In the Convention, Gamble received 69 votes; 20 members being absent and eight excused from voting+ Bass, Bast, Frayser. Hudgins, Pipkin, Waller, Woodson, and Wright. Mr. Hall and Mr. Oliver were elected by votes of 64 and 65 respectively.<sup>1</sup>

1 Jour. of Conv. pp 25 - 26, July, 1861.



After adopting an address to the people of the State, the Convention adjourned until the third Monday in December next, subject, however, to the call of the Governor, who was given power to call it together at any time prior to that date.

The address, which was reported by the Committee of Eight, called attention to the threatened condition of anarchy; enumerated the rebellious acts of Governor Jackson and the Legislature; reminded the people that the highest officers of the State government had fled from the State; and concluded with a justification of the act of the Convention in appointing new State officers.<sup>1</sup>

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<sup>1</sup> The full address is found in the Statesman, for August 9th, 1861.



## CHAPTER THREE

### The Provisional Government up to Meeting of the 22nd General Assembly.

As will appear more fully in this chapter, the election for members of the General Assembly, to replace those ousted by the Convention, was not held until the Tuesday after the first Monday in November, 1862. In the interim, from July 31, 1861, the government of the State was entirely under the control of the Convention and the executive officers chosen by it. It is the purpose of this chapter, then, to examine the administration of the state government up to the meeting of the 22nd General Assembly in December, 1862. Fuller treatment of such topics as the Test Oaths, and Emancipation, which are introduced in this chapter, will, however, be deferred to a following section.

Governor Gamble entered immediately, and with determination, upon his onerous duties as chief executive. His policy, as set forth in a proclamation to the people of the State, was one of moderation; not devoted to the interests of any particular section or persuasion, but to the highest welfare of Missouri. This proclamation was issued from Jefferson City on August 3rd.<sup>1</sup> It is an eminently conservative paper; evidently the work of a man who was conscious of the full weight of the responsibilities that had been

<sup>1</sup> Full Text in Statesman, Aug. 16, 1861.





placed upon him. After referring his readers to the address issued by the Convention, for a justification of its action in vacating and refilling the State offices, he affirms that his own judgement as to the necessity and constitutionality of such action is attested by his acceptance of the office of Provisional Governor. In the next paragraph occurs a promise that shows the broad sympathies and wisdom of the man, "No countenance will be afforded to any scheme or to any conduct calculated in any degree to interfere with the institution of slavery existing in the State. To the very utmost extent of Executive power, that institution will be protected." He further promises that it shall be his endeavor to arrest the oppressive conduct of the Federal military- such as unnecessary search and seizure of private property, and the molestation of citizens not in arms against the Government. He deprecates as unAmerican the apparent tendency among the citizens to regard with a feeling of intolerance those whose opinions on political matters differ from their own. It is only, he says, when those opinions are the causes of acts, that they bring the holders into responsibility to the law. All citizens are urged to assist in maintaining quiet and good will by refraining from the discussion of topics that are known to be exciting. Finally, loyal Missourians are urged to organize the militia in accordance with the act of the Convention which revived the act of 1859; and the Confederate forces in the State are notified that their presence is not desired, as it is likely to bring upon Missouri the horrors of war which she



desires to avoid.

The following dispatch was received by the Governor too late to be incorporated in the proclamation:

August 3, 1861.

"In reply to your message, addressed to the President, I am directed to say that if by a proclamation you promise security to citizens in arms who voluntarily return to their allegiance and become peaceable and loyal, this government will cause the promise to be respected.

I have the honor to be &c.,

Simon Cameron,

Secretary of War.<sup>1</sup>

From this message it is seen that Governor Gamble and the Provisional Government were at once recognized by the Federal authorities as the legitimate source of authority in the State. The Governor's rather extensive correspondence with the national government, which is found in the Official Records of the Rebellion, shows that he was recognized in the same manner as the regularly elected executives of the other states.

The new governor's activities during the autumn months of 1861 were very largely directed toward raising and equipping Missouri's quota of forces for the Federal service, so that the State responded promptly to every call of the War Department. Scarcely had he assumed the duties of his office when he received

1 Found in Statesman, Aug. 16, 1861.



a message<sup>1</sup> from that Department, dated August 5, advising him that F. P. Blair, Jr., had offered fifteen regiments from the State, and authorizing him as Governor to organize ten regiments of infantry, three regiments of cavalry, and two of artillery to serve for three years or during the war. He seems to have encountered some difficulty in obtaining proper equipment for the State militia, which necessitated his making at least two trips to Washington to confer personally with the President and War Department. The Statesman of September 20th quotes the St. Louis News of the 11th thus: "Governor Gamble returned to this city last evening, from Washington. The object of his visit to the capital was to exhibit the condition of Missouri to the President, and solicit his active aid in the effort to arm and equip the Militia of the State. It is said that the President agreed to place money to the credit of Governor Gamble to equip the state troops, and to furnish them with arms, as soon as they can be procured."

As evidence of his second visit to the capital and his success, the following is quoted<sup>2</sup>:

Washington, November 7, 1861.

Charles Gibson, Esq.,

Sir: I have made an arrangement with the President for arming, equipping, clothing, subsisting, transporting, and paying troops to be raised in Missouri, as Missouri State Militia, and a general

<sup>1</sup> Official Records of Rebellion, Ser. III, Vol. I., p. 388.  
<sup>2</sup> Ibid. page 623.



order will issue to the different departments of the U. S. service to carry the arrangement into effect.

I appoint you to act as agent of the State to make arrangements with the officers of the United States in the different departments of the military service to carry out the agreement with all possible dispatch, as the safety of the State and the interest of the United States require the utmost diligence in carrying it into effect.

H. R. Gamble,

Governor of Missouri.

The St. Louis Republican (quoted in the Statesman for December 13, 1861) notes the return of Mr. Gibson from Washington who brought with him a Treasury draft for \$250,000 in favor of the Governor, to be used in equipping the State militia. The total number of troops furnished to the Federal service by Missouri in 1861 was 25,238.<sup>1</sup>

It might be well to notice, briefly, at this point the general effect, on the people, of Governor Gamble's policies and actions. During the pendency in the Convention of the resolution to vacate the State offices, a good deal of stress was laid, by the speakers on the floor and by the press, on the argument that such action would inaugurate a most bloody conflict within the State. The majority of the citizens wanted peace, yet knew not

<sup>1</sup> Official Records, Ser. III, Vol. I, p. 384, note.





which way to turn. The desire for peace in their state outweighed, with may, their deep-seated Southern sympathies; yet it looked, in July, as if men were crying peace, when there was no peace, and that it would soon be necessary to resort to arms,- for many, in such an emergency, on behalf of their beloved South. Gamble, with his sane policies and determined action, furnished a foundation for the hope that Missouri might yet have peace; which doubtless prevented at this time a very considerable precipitation of Missourians into the Southern army.

It is impossible to offer evidence as to what extent this was true, but from the contemporary press it is very obvious that the Gamble government was the rock on which hopes for peace were based. Speaking of the Governor's policy the Louisiana Journal<sup>1</sup> says: "His object is to restore peace to our State, which is so much needed; and he desires those who have broken it to return to their right minds. - - - - We hope that peace will soon be restored." The Parkville Courier has this to say:<sup>2</sup> "The wise and patriotic suggestions which Governor Gamble makes in his inaugural, and in his proclamation to the people of Missouri, in connection with his superior qualifications for the duties he has to meet, beget new hope - - - ." Such sentiments, many of which are also quoted in the Statesman of August 16, naturally lead to the belief that Gamble's course during the late summer and fall of 1861 had

<sup>1</sup>  
<sup>2</sup> Quoted in Richmond Conservator, Aug. 16, 1861.  
Quoted in Ibid.



a most beneficial and quieting effect on the public mind.

By a proclamation, dated September 21st, 1861, the Governor called the Convention to meet in its third session, in St. Louis on October 10th following. Accordingly it convened on this date in the Mercantile Library Hall, but, no quorum being present, adjourned to the following morning.

The message<sup>1</sup> of the Governor, submitted to the Convention on the second day, is worthy of notice as indicating the existing condition of affairs and the character of the new government. In the first few paragraphs he called the attention of the members to the act of the preceding session giving him power to convoke the body; and while pointing out the lack of a constitutional requirement for his message, deemed it expedient and proper that he should acquaint them with his reasons for calling them together. There are three such reasons which he cited, viz: 1st, the impracticability of the old military law of 1859, under which they were then working; 2nd, the lack of funds in the State treasury; and 3rd, the necessity of postponing the election set by the former session for the first Monday in the following November. In regard to the second item he informed the Convention that, according to the Treasurer's report of September 24th, there was in the treasury only \$21, 422. 73., most of which he surmised had been absorbed in payments of debt coupons and salaries of civil officers, before the date of his message; also that the sheriffs in many counties

<sup>1</sup> Journal of Oct. Session, p. 4.



were resigning in order to avoid the supposedly impossible duty of collecting the taxes. Under such circumstances it was imperative that the Convention devise some means of raising money to support the troops and defray the ordinary expenses of the government. As to the third item he said that many had expressed the opinion, in which he concurred, that it would be impossible, in the distrubed conditions then prevailing throughout the state, to obtain a fair vote within the next month. Hence he recommended that the election, ordered at the last session for the first Monday in November, be postponed. He proceeded further to remind them that the effect of such action would be to continue him in office for a longer period than was contemplated by the Convention at his election, or by himself when he accepted. After suggesting that they elect someone to discharge the duties of Governor during this period, and that they had the whole State from which to make the choice, he concluded with these words: "It is not necessary that I remind you, that the only basis of a safe choice is the good of the people, without regard to personal predilections, or party relations. The motto on our State arms, 'Salus populi suprema lex esto' furnishes a safe guide in all our public action".<sup>1</sup> The message was referred to the Committee of Eight.

On the same day at the evening session, in accordance with a resolution the President appointed the following committee:  
Militia- Tindall, Gnatt, Sayre, Henderson, and Hitchcock; Ways and Means- How, Birch, Howell, Hall of Randolph, and Douglass;

<sup>1</sup> Same Committee appointed at July Session. Jour. p 5, October, 1861.



Civil Officers- McFerran, Phillips, Wright, Orr, and Broadhead;  
Elections- Hendricks, Marvin, Breckenridge, Hudgens and Turner;  
Revenue- Hall of Buchanan, McCormack, Gravelly, Rowland and Wool-  
folk.<sup>1</sup>

The Committee on Election reported<sup>2</sup> an ordinance changing the time of the election for Governor, members of the Legislature and for submitting the action of the Convention to the people, from the first Monday in November, 1861 to the first Monday in August, 1862; and for continuing in office until that time the Governor, Lieutenant Governor and Secretary of State. This ordinance was adopted by a vote of 49 to 2; Hall of Buchanan excused from voting.

The Committee on Civil Officers made quite an elaborate report,<sup>3</sup> to which various amendments were suggested, some of which were agreed to and others rejected. The ordinance as finally adopted contained the following provisions: The Board of Public Works, and the office of State Superintendent of Public Schools and State Geologist, were abolished, as was also the office of County School Commissioner; salaries of all civil officers were reduced twenty percent; oaths, to test their loyalty, were prescribed for all civil officers within the State, including county clerks, except the Governor, Lieutenant Governor and Secretary of State- which oaths were to be filed within sixty days; amnesty was promised to any person who should take, subscribe and file the oath of loyalty.

1 Jour. of Conv. p. 6, Oct. 18, 1861.

2 Report in *ibid.* p. 7.

3 Report in *ibid.* p. 10.





On the 16th the Committee on Militia submitted an extensive ordinance of thirty-three sections providing for the organization and government of the State militia. The main features of this ordinance, aside from military details were; all able bodied white men between the ages of eighteen and forty-five were made liable to service; troops were to receive the same pay and be governed by the same rules as those of the United States army; they were authorized, at their option, to enter the service of the Federal government; all officers and men were required to take oath to serve faithfully the State, support the constitution and laws of the United States, and obey the lawful orders of superior officers. This ordinance was adopted on the 17th by a vote of 43 to 8.<sup>1</sup>

The Committee on Ways and Means reported, on the 18th, an "Ordinance to Provide for the Defense of the State," which was adopted, with an amendment, by a vote of 37 to 14. The ordinance as amended provided for the issue of Auditor's warrants, and of Union Defense Bonds. The former were to be issued in denominations of five, ten, twenty, fifty, and one hundred, and one thousand dollars, and the amount outstanding was not to exceed one million dollars at one time. They were to be used in lieu of ready cash to pay current State obligations. The prescribed form of such warrants was as follows:

<sup>1</sup> The chief argument against the bill was that it would be impossible to raise any considerable force. Proceedings, pp. 84 et seq. October, 1861.



"The State of Missouri promises to pay to - - - - or his assignee, - - - - dollars, and this warrant shall be receivable in taxes due the State, and the bank stock owned by the State is pledged for its redemption, if it shall not be otherwise redeemed or paid in for taxes before the thirty-first day of December 1862." (Signed and countersigned by the Auditor and Secretary of State)<sup>1</sup>

In addition to these warrants the Governor was empowered to issue bonds to the amount of one million dollars, bearing seven per cent annual interest and payable ten years after the date of issue. A fund, called the "Union Defence Fund", was also provided for the redemption of the bonds. This fund was to be raised by the assessment of an extra tax of fifteen cents on the one hundred dollars, and an extra tax of twenty-five percent, on all licenses granted.

After passing an ordinance requiring all banks chartered in the State to resume specie payments on or before the first day of February, 1862, the Convention adjourned, on the eighth day of its session, subject to the call of the Governor.

During the interval between the adjournment of the third session of the Convention and the assembling of the fourth, popular interest in the State was centered chiefly in military affairs,<sup>2</sup> though several interesting incidents, other than military, may be noticed in passing. The Governor, though ill, being forced to undergo an operation for cancer of the face at Philadelphia,<sup>3</sup>

<sup>2</sup> Contemporary Newspapers.  
<sup>3</sup> Statesman, Mar. 7, 1862.

<sup>1</sup> Jour. p. 23, Oct. 1861.



was exceedingly busy with the organization of the State militia, and with the transformation of the personnel of the State and county governments made necessary by the enforcement of the Test Oath.

Also during this interval Sample Orr and James H. Birch were announced as candidates for Governor at the coming election.<sup>1</sup> It appears that neither looked for support to any political party, but depended on their personal qualifications, and their promises to maintain law and order.

It is also interesting to note in this connection the attitude of the military officers and prominent citizens toward slavery at this time. The editor of the Statesman maintained<sup>2</sup> that his prophecy- that secession meant abolition in Missouri- was being daily fulfilled. To strengthen his position, and to show the attitude of the military authorities on the subject he gave in the issue of February 21 some correspondence between himself and General Halleck. It seems that in the early part of February a few regiments of Federal infantry in passing through Boone County had by some means or other taken several slaves with them. Furthermore, such acts had by this time become a cause for general complaint. Consequently, Mr. Switzler, addressed a letter to General Halleck in which he stated the injustice of such proceedings, and suggested that the General enforce more rigidly the order forbidding commanders to allow slaves within their lines. To this communication

<sup>1</sup> Statesman, February 21, 1862.

<sup>2</sup> Issue of February 6, 1862.



he received the following reply.

"Headquarters, Dep't of the Mo.,

St. Louis, Feb. 12, 1862.

Wm. F. Switzler, Esq., Columbia, Mo.

Sir:- Your note of the 11th is just received. I shall adopt your suggestion. I am determined to put an end to such things. Every regiment will be examined as it reaches St. Charles, and all fugatives turned out. I will also arrest every officer who permits his men to violate Order No. 3. I have a Colonel now in the military prison in this city, under charges for stealing horses and negroes. It takes time to restore order and discipline in this Department, but it will be done. All marauders will be punished as soon as I can prove it on them.

Very respectfully, Your obedient, servant,

H. W. Halleck, Major. General."

Within two days an order was issued to enforce the reforms mentioned in the above letter.

The following is a part of the order issued February 15, by which the Commander of the Department anticipated the action of the next session of the Convention. "At the request of the acting Governor of Missouri, it is hereby ordered that at all future elections in this State, whether for State, municipal, county or towns officers, every voter will be required to take the oath of allegiance prescribed in article six of the ordinance of the convention, dated October 16th, 1861."<sup>1</sup>

<sup>1</sup> Statesman, February 21st, 1862.





The rest of the order made it the duty of election officials to see that the above was enforced.

On the twenty-eight day of April, 1862, the Governor issued a proclamation calling the Convention to meet in its fourth session in the City of Jefferson on the second day of the following June.<sup>1</sup> He stated in the proclamation that in his opinion the public exigencies required this session, not only for the purpose of dividing the State into Congressional Districts, but also to transact other business.

The Convention assembled in accordance with this call, and, after appointing Elder Thomas M. Allen of Boone, Chaplain, received a message<sup>2</sup> from the Governor. In this message, which is of considerable length, the Executive outlined the history of the past year,- stating the necessity of the Provisional Government, the difficulty of raising State troops, his agreement with the President, and calling the attention of the members to the benefits that had been derived from the existing State government. Among these last he cited the fact that in most parts of the State the courts were open and the law was regularly administered; that, while there was considerable violence in different places, the people were generally pursuing their ordinary occupations and peace and security were being gradually though slowly restored.

He pointed out, however, that the work was not completed,

<sup>1</sup> Journal of Conv. 1862, p. 1.

<sup>2</sup> Text of Message Journal p. 4. et. seq.



and suggested the following as subjects of action at that session- Since Missouri was entitled to nine Representatives in the next Congress, the State should be divided into districts so as to leave no question as to the legality of her representation. He also questioned the plan of electing congressmen so long before they took their seats. It was also suggested, owing to the large number of Missourians in the army and the unsettled state of affairs, that the election, for executive officers and for submitting the action of the Convention to the people, which had been set by last session for the first Monday in the coming August, should not be held. The message concluded by suggesting an oath of loyalty for all voters, and a retrospective oath for all officers who should be elected.

Five committees of five members each were appointed to which the suggestions made by the Governor were referred. A resolution was carried declaring vacant the seats in the Convention of: 1st, Sterling Price; 2nd, John R. Chenault; 3rd, Robert W. Crawford; 4th, V. B. Hill; 5th, Robert A. Hatcher; 6th, W. W. Turner; 7th, N. W. Watkins, and 8th, Uriel Wright.<sup>1</sup>

Perhaps the most important ordinance, in its subsequent effects, that was passed at this session was that "defining the qualification of voters and civil officers in this State."<sup>2</sup> This

<sup>1</sup> The first had gone to the Confederate Army; as had the third and fourth; the second and fifth had removed from the State; as had the sixth; the seventh and eight were supporting the rebel cause. Switzler, 337. Conv.

<sup>2</sup> Full Text in Appendix to Journal of <sup>^</sup>1862, p. 13.



ordinance provided that an oath<sup>1</sup> to the effect that he would support the State and Federal governments, and had not engaged in rebellion against them, should be required of each voter in the State. A similar oath was required of all civil officers. An oath was also prescribed for the faculty and curators of the State University; for common school teachers, and trustees; ministers of the Gospel; jurymen and attorneys. Failure to take these oaths rendered ~~the~~ liable to prosecution. The oath for voters was adopted by a vote of 39 to 27; that for civil officers, attorneys etc., by a vote of 36 to 33.<sup>2</sup>

On Saturday June the seventh, an ordinance was passed repealing all ordinances that had been passed by the Convention, submitting its action to the people. On the eleventh an ordinance was adopted, after considerable debate,<sup>3</sup> continuing in office, until their successors should be elected in 1864, and qualified, the Governor, Lieutenant Governor, and Secretary of State formerly appointed by the Convention. On the thirteenth an ordinance was enacted which repealed the third article of the existing State Constitution, and provided instead that all general elections should be held biennially on the Tuesday next after the first Monday in November. Said ordinance to be in effect after the first day of July, 1862. Ordinances were also adopted, providing for

<sup>1</sup> See Appendix, Sec. 5. <sup>2</sup> Votes on amendment and ordinance. Jour. Proceedings, pp. 172 et. seq., June, 1862. <sup>3</sup> pp 26 - 29, 1862.



taking the ballots at general elections;<sup>1</sup> and to provide for the more stringent assessment of property, and for paying certain debts of the Convention with the Defence Warrants issued by the October session.<sup>2</sup>

An ordinance introduced by Mr. Breckenridge on June seventh, though it was not adopted, was of special significance as foreshadowing the issue on which parties were to be divided in Missouri in coming campaigns. This proposed ordinance<sup>3</sup> provided for submitting certain amendments to the Constitution to a vote of the people, and a scheme for the gradual emancipation of slaves. The election for ratification was to be held on the first Monday in August, 1864. Two clauses of the Constitution were to be abolished; one, which forbade the Legislature to free slaves without the consent of their owners, or without paying for them in full; and the other, which forbade the Legislature to restrict the importation of slaves into Missouri by bona fide settlers. The scheme of emancipation was set forth in the second section, and was as follows: "All negroes and mulattoes who shall be born in slavery in this State from and after January 1st, 1865, shall be deemed and considered slaves until they shall arrive at the age of twenty-five years and no longer, unless sooner permanently removed from the State; providing always, that it shall be the duty of the General

<sup>1</sup> Appendix to Jour. p. 15. June, 1862.

<sup>2</sup> Appendix to Journal, p. 16. June, 1862.

<sup>3</sup> Journal, p. 19; June, 1862. Also Switzler, Hist. of Mo. p. 338.





Assembly of the State, at its first regular session after this ordinance shall take effect, or as soon thereafter as may be practicable, to provide by law for the payment to the owner of those negroes and mulattoes who would but for this ordinance have been born slaves for life, a full equivalent for their value at the expiration of their term of service." The remainder of the section made it the further duty of the Legislature to provide for the removal of such freedmen from the State at public expense; and to prepare a memorial to Congress, asking Federal aid in this work. The third section made it the duty of the owner of any negro born after January 1st, 1865 to file with the county clerk information as to the date of birth and sex of said negro.

Having also passed an ordinance dividing the State into nine Congressional districts, the Convention adjourned June 14th, on the twelfth day of its session.

As has been noted, the fourth session of the Convention made important changes in Missouri election laws. By these changes a general election was to be held on the Tuesday next after the first Monday in November, 1862, at which all citizens who would take the oath were to vote for congressmen, members of the General Assembly and county officers.

Considering the generally unsettled conditions- the large number of citizens in both Federal and Confederate armies and the prevalent guerilla warfare<sup>1</sup> it is not natural to suppose that this election was preceded by any approximation of the usual canvass.

1 Interesting sidelights on conditions may be gained from Carr: Missouri, pp 346 - 362. Also Leftwich: Martyrdom in Mo. Ch. 7, to end.



From contemporary newspapers<sup>1</sup> it is easily inferred that interest in the campaign was very slight until within a few weeks of the election. This inference is substantiated by the account of an active participant: "Very little general attention was given to the subject, until a few weeks before the election"<sup>2</sup>. Such newspapers as were being published urged all voters to attend the polls. On October 23rd Governor Gamble issued a proclamation promising that no restrictions, other than the oath adopted by the Convention, should be imposed, and cautioning all officers and men of the enrolled militia to keep and help to maintain the peace.

Because of the oath for civil officers, all candidates were necessarily Union men. The issue, in so far as there was an issue, hung on the question of emancipation. As yet, however, this issue may be said to have been yet in its embryonic stage. There appear to have been no hard and fast lines drawn among the candidates as to whether emancipation should be gradual or immediate, with or without pay to owners or whether indeed there should be emancipation at all. That there were some men in the state, however, who had at least some general ideas on the subject will appear from the following quotations.

"It is the war waged by politicians and the pro-slavery men against God Almighty and His Providence to maintain slavery in

<sup>1</sup> The writer had access to complete files of the Statesman and Richmond Conservator for this period.

<sup>2</sup> Switzler's "History of Missouri, p. 444.



Missouri and keep Missouri a slave state.' (Judge Well's Letter, June 6, 1862). 'Slavery is doomed in Missouri: This, all admit, and whether it be agreeable to us or not, we have no power to alter the decree'. (Judge Breckenridge's Speech, June 10, 1862).

- - - - If the emancipationists have God and His Providence and the doom of slavery as a foregone decree upon their side, why are they not content with them? With such powerful and unconquerable agencies at work in advancing their policy, why do they persist, here in the midst of a gigantic rebellion to overthrow the government, in thrusting this firebrand into the household of the Union men?"<sup>1</sup> Another editor expresses this opinion: "Let the Emancipationists be taught such a lesson that they will never again attempt to force their doctrines upon the people of this State."<sup>2</sup>

The election passed off quietly. "There was no tumult- no excitement- no outbreaks or disorders of any kind. All was quiet, not a ripple being seen on the surface of popular opinion."<sup>3</sup> For obvious reasons, however, the vote was small, the most potent of these of course being the test oath. The following observations by the editor of the Statesman, though referring particularly to conditions in Boone County, yet, may be fairly applied to conditions throughout the State- "Many good citizens however who could have taken the required oath with all propriety, either did not under-

<sup>1</sup> Whole quotation taken from Statesman for July 4, 1862.

<sup>2</sup> Richmond Conservator, October 30, 1862.

<sup>3</sup> Statesman, November 7, 1862.



stand its object or were so prejudiced against it that they remained from the polls entirely. - - - - Many could not take this oath and did not take it; and did not vote; while hundreds could have taken it who failed or refused to do so."<sup>1</sup>

Missouri now had a constitutional legislative Assembly, and was no longer to be entirely dependent for legislative action on the Convention, though it will be remembered that the latter body was still in existence. A narrative of political events after the meeting of the newly elected Legislature will occupy the following chapter.

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<sup>1</sup> Issue of Nov. 7, 1862.





## CHAPTER FOUR.

### From the Meeting of 22nd General Assembly to the Death of Gamble in 1864.

The Twenty-second General Assembly convened in Jefferson City on December 29, 1862. "The organization of the two houses being the first thing in order, several caucuses were held by those in favor of Emancipation and those against it. Senator A. L. Gilstrap, of Macon, presided over the Emancipation caucus, and Representative Luke W. Burriss of Clay, over the other. The former, finding they had the strength to elect all the officers, made a clean sweep by the nomination of every officer of the House from Speaker down to Pages."<sup>1</sup> The Emancipationsists succeeded in putting their nominees in office, electing L. C. Marvin, of Henry, Speaker by a vote of 67 to 42;<sup>2</sup> W. C. Gantt, of St. Louis, was chosen Chief Clerk of the House; and I. V. Pratt, of Linn, Clerk of the Senate. A fresh impulse was given to the policy of immediate emancipation by President Lincoln's Proclamation issued on January 1st, 1863. Though the Proclamation did not apply to Missouri, it served to confirm the feeble knees of many who were possessed of emancipation inclinations, and also necessarily tended to draw the lines of party distinction more sharply.<sup>3</sup>

<sup>1</sup> Statesman, Jan. 9, 1863.

<sup>2</sup> Jour. of House, p. 6. First Session, Twenty Second General Assembly.

<sup>3</sup> Richmond Conservator, Jan. 15, 1863. Statesman, Jan. 8.



On Tuesday, December 30th the message<sup>1</sup> of the Governor was transmitted to both houses. It is an unusually long paper, covering thirteen pages in the Journal, and for this reason a detailed analysis cannot be attempted in this place. A summary synopsis, however, will be of interest as indicating the condition of the State and the position of the Executive on the question on which parties in the Assembly were divided. He congratulated the people that at last a loyal Legislature was convened, and that the secession schemes of the last Legislature had been thwarted by the very Convention that had been created to execute them. He stated that the debt of the State amounted to \$27, 737, 000. of which \$700, 000 consisted of the Defense Warrants authorized by the Convention; and, in reminding the Assembly that the current revenue was inadequate, recommended a tax on contracts and conveyances as a likely source of revenue. In regard to the military situation, he recounted his agreements with the Federal government, and stated that the number of Missouri volunteers in the Federal service in distant fields was then 27, 491; the number of militia organized under the agreement with the President, 10, 540; making a total of 38, 031 in the service. Aside from those in service there were 52, 056 men organized and enrolled in the militia throughout the State,- making a total of 90, 084 fighting men. On the subject of emancipation the Governor set forth his views at some length. He disclaimed

<sup>1</sup> Full text in Jour. of House and Senate. 1st Session, 22nd Gen'l Assembly.



any prejudice against slavery, but was of the opinion that the material interests of the State would be best served by a substitution of free for slave labor, and further, he declared that emancipation in Missouri would cause the Confederates to abandon their efforts to attach her to their government. He therefore urged that a plan of emancipation be adopted— gradual in its character, in order to avoid the violent disturbance of social relation and industrial conditions, which would be likely to follow immediate emancipation. In concluding, he recognized that wide divergence of opinion was likely to exist, and counselled mutual concession and harmony, advising the members to deal with the subject, not upon "any romantic notion of natural right, but upon the actual fact that part of the population was held in slavery".

The first session of the Twenty-second General Assembly continued until March 23, 1863, when it adjourned to meet on the second Tuesday in the following November. The attention of the body at its first session was largely occupied with ordinary routine business, which had not been undertaken by the Convention, and very little of permanent importance was done. Only the action taken on fiscal matters and emancipation are deemed of sufficient importance to be noticed here.

Considerable difficulty appears to have been experienced in collecting the revenue in many counties during the year preceding this meeting of the Assembly. The difficulty seems to have been the result of several causes: such as vacancies in the office



of collector; irregularities in assessments and collections, and inability of officers to perform their duties in the specified time. To remedy these faults and fill up the depleted revenue of the State, numerous acts were passed to correct deficiencies in the several counties.<sup>1</sup> As a further provision against the heavy expense of maintaining the militia, the Governor was directed to issue from time to time "Union Military Bonds" in small denominations, in all not to exceed \$3,000,000. These bonds were payable within twelve months, bore interest at six per cent., and were made receivable for taxes, assessments, fines, etc.<sup>2</sup> The Executive was further requested to secure a loan of \$3,000,000 from the Federal Government to be used in defraying the expenses of the Enrolled Militia.<sup>3</sup> Another act made United States Legal Tender Treasury Notes, and postage stamps in sums not exceeding five dollars, receivable at par for all taxes levied by the State.<sup>4</sup>

The subject of emancipation was thoroughly discussed by both houses, but no definite action was taken. Special committees were appointed; resolutions introduced; and constitutional amendments were proposed providing for a scheme of gradual emancipation. A special committee of the Senate reported that approximately there were 94, 304 slaves in the State, and, at a valuation of three hundred dollars per head, the sum of \$28, 291, 300 would be requir-

<sup>1</sup> Laws of Mo. 1863 pp. 216 et seq. Also pp. 187 et seq.

<sup>2</sup> Ibid. p. 26.

<sup>3</sup> Laws 1863, p. 32.

<sup>4</sup> Ibid. p. 50.





ed to pay for their freedom<sup>1</sup>.

Within a few weeks after the adjournment of the Legislature, on April 15, 1863, Governor Gamble issued a proclamation<sup>2</sup> ordering the Convention to meet in Jefferson City on the fifteenth day of the following June. He asserted that the failure of the General Assembly to act on the question of emancipation was due to constitutional limitations upon its power; but, as many members had expressed a wish that some action be taken on the subject, he called the Convention together for that purpose. This session was looked forward to as one of the most momentous of the series, and the question of emancipation was being discussed freely in the newspapers.<sup>3</sup>

The Convention assembled on the date set by the Governor, and received the credentials of members newly elected to fill vacancies, as follows: Solomon A. Moxley, of Lincoln; Charles D. Drake, of St. Louis; Robert T. Prewitt, of Howard; William Boker, of Laclede; Smith O. Schofield, of Buchanan; Claudius P. Walker, of McDonald; William J. Duvall; William H. McLean, of Cape Girardeau; Henry J. Deal, of Mississippi; William Bonnifield, of Jackson and H. J. Lindenbower, of Greene.

Also on the first day a message<sup>4</sup> from the Governor was re-

<sup>1</sup> See Index to Journals of House and Senate under Emancipation.

<sup>2</sup> Jour. of Convention, of 1863, p. 1.

<sup>3</sup> See Editorials and clippings in early June issues of Statesman and Richmond Conservator.

<sup>4</sup> Journal pp. 5 et. seq. (1863)



ceived. In this communication his Excellency quoted his views on emancipation as they had been set forth in his recent message to the legislature; and, while emphasizing the importance of the subject, advised that the utmost wisdom and prudence be employed in dealing with it. He concluded the message with a sketch of what had been accomplished by the Provisional Government, and gave it as his opinion that the work which it had been called to perform had been completed. For this reason he announced his resignation of the office of Governor, to take effect on the last day of the session.

A Committee on Emancipation was elected on the second day, which was composed of nine members, one from each Congressional District, to which all ordinances and resolutions on the subject of emancipation were referred, and whose duty it would be to report on the subject. The Committee was made to consist of the following members: H. R. Gamble; Isidor Busch; Joseph Bogy; M. H. Ritchey; John F. Phillips; A. Comingo; Willard P. Hall; William A. Hall; and John B. Henderson.<sup>1</sup>

Two reports were submitted by this committee. The majority report, presented by Mr. Gamble, contained essentially the following provisions: that the first and second clauses of section twenty-six, article three of the Constitution be abrogated;<sup>2</sup> that

<sup>1</sup> Journal p. 13. (1863)

<sup>2</sup> For said sections see R. S. of Mo., Vol I (1855) p. 64. They forbid the Gen'l Assem. to free slaves without consent, and to prohibit their importation by settlers.



slavery cease to exist on July 4, 1876; that all slaves brought into the State thereafter be free; that all slaves moved by consent of their owners to a seceded state and afterward returned to this State be free; and that the General Assembly should have no power to emancipate slaves without the consent of their owners.

The minority report,<sup>1</sup> presented by Mr. Bush differed from that of the majority in the following essential particulars: the date fixed for emancipation was January 1, 1864;- provided, however, that slaves and their issue should become indentured apprentices to their owners until July 4, 1870; also that the Legislature should pass laws governing these apprentices; and finally, that property in slaves should be no longer taxed.

A great number of amendments and substitutes were introduced, discussed and disposed of, until July first when an ordinance was adopted which was somewhat of a compromise between those presented in the majority and minority reports. The important provisions of the ordinance<sup>2</sup> were as follows;- the above mentioned clauses of the Constitution were abrogated; slavery was to cease to exist on July 4, 1870,- provided that the persons so freed should be subject to the authority of their late masters as follows- those over forty years of age, during their lives, those under twelve, until

<sup>1</sup> Proceedings, p. 136. June, 1863.

<sup>2</sup> Full text on page 4 of Appendix to Journal; and in Switzler's; History of Missouri, p. 342. Also in Statesman for July 10, 1863.



they should reach the age of twenty-three, and all others until July 4, 1876; that all slaves brought into the state should be free; that the Legislature should have no power to free slaves without the consent of their owners; and that slave property thenceforth should not be taxed. This ordinance was passed by a vote of 51 to 30.<sup>1</sup> The Statesman for July<sup>10th</sup> has this to say of the vote: "It will be seen from this vote that the radicals on both sides; that is to say, those who were in favor of immediate emancipation, and those who were against emancipation in any shape, united in opposing the ordinance. Nevertheless, the conservative men in the Convention mustered sufficient strength to pass it, by twenty-one majority, and thus we hope settled this question forever."

An ordinance was also adopted, abolishing that part of the sixth and seventh articles of the amendments to the Constitution which provided that elections for Supreme and Circuit Judges should be held on the first Monday in August; and providing that these elections be held thereafter on Tuesday after the first Monday in November.

Having also returned the Governor's resignation with the request<sup>2</sup> that he continue in office until his successor should be elected in November 1864, and qualified,-- to which request his Excellency acceded,<sup>3</sup> the Convention adjourned sine die on July first.

<sup>1</sup> For the roll of voters see Switzler's Hist. p. 343; Jour. p. 47; and Statesman for July 10, 1863.

<sup>2</sup> Journal, p. 25. June, 1863

<sup>3</sup> His message in Appendix to Journal, p. 15. June, 1863.





It is interesting to note, in passing, the general approbation with which the measure adopted by the Convention was received by those who styled themselves the Conservatives, and whom the November election proved to be a majority of the voters. The following quotation from the St. Louis Union<sup>1</sup> will give some idea as to the manner in which the emancipation ordinance was received:

"There is no better attainable test of the popularity or unpopularity of a public measure than the manner by which it is received by the public press. Adopting this test in the case of the Emancipation Ordinance, we find that it has a large majority of the papers in this state in favor of it, as the following classification of them will show: "For the Ordinance- (1) Mexico Citizen; (2) Palmyra Spectator; (3) St. Joseph Herald; (4) St. Joseph News; (5) Franklin County News; (6) Linnaeus Union; (7) Lexington Union; (8) Paris Mercury; (9) Troy Tribune; (10) Louisiana Journal; (11) Columbia Statesman; (12) Howard County Advertiser; (13) Canton Press; (14) Fulton Telegraph; (15) Kansas City Journal; (16) Weston Sentinel; (17) Cape Girardeau Argus; (18) Chillicothe Union; (19) Savannah Plain Dealer;- Opposed to the Ordinance; (1) Hannibal Courier; (2) Lagrange American; (3) Jefferson City Times; (4) Bethany Union; (5) Chillicothe Constitution; (6) Springfield Missourian; (7) Rolla Express; (8) Lebanon Herald.

In accordance with the ordinance passed at the last session

<sup>1</sup> Quoted in Statesman for Aug. 14, 1863.



of the Convention, the election for Judges of the Supreme and Circuit Courts was held on November 3, 1863, instead of in August as formally. The political situation at the time will be discussed in the following chapter. Suffice it to say here that there were only two parties represented in this campaign, the Radicals and Conservatives. The former held a convention<sup>1</sup> in Jefferson City on September first, by which Henry A. Clover, Arnold Krekel, and David Wagner, were nominated for Judges of the Supreme Court. A committee of seventy, with Charles D. Drake as chairman, was appointed to visit President Lincoln and present a list of grievances. The Conservatives held no convention and hence formally nominated no candidates, but united in the support of Barton Bates, of St. Charles, William V. N. Bay, of St. Louis, and John D. S. Dryden, of Marion, for Judges of the Supreme Court. They also strongly antagonized some of the doctrines enunciated in the Radical platform. At the election the conservative candidates were successful, with majorities as follows: Bates' majority over Clover, 681; over Krikel, 883; over Wagner, 844. The whole number of votes cast was 93, 777.<sup>2</sup>

The Twenty-second General Assembly met in Jefferson City on Tuesday, November 10, 1863, pursuant to the adjournment of the preceding March 23rd, and continued in session until Tuesday, February 16, 1864. During this unusually long session a large

<sup>1</sup>A good account of this convention is found in Switzler's Hist. of Mo. pp. 446, et. seq.

<sup>2</sup>ibid. p. 450.



amount of routine and minor local business was disposed of.<sup>1</sup>

Only the Governor's message, the ordinance providing for a Convention, and the election of United States Senators, however, are deemed of sufficient importance to be noticed here.

The Executive introduced his message<sup>2</sup> by a resume of the successes of the National arms, and rejoiced that regular military operations, in moving South, had ceased to menace the peace of Missouri. He then proceeded to outline the military situation within the State, saying that he had authorized the formation of Provisional Regiments of Militia, "of known loyalty and efficiency", from the Enrolled Militia; and expressed confidence that the Federal government would reimburse the State for her outlay in supporting this militia, since at various times they had been called into service by the Commander of the Department. He recommended no special action to the Assembly.

On January 26th, 1864, an act was approved, entitled, an Act to Provide for Calling a State Convention.<sup>3</sup> The act provided that an election for delegates to a convention be held on the Tuesday next after the first Monday in the following November. Each Senatorial District was allowed twice as many members as it then had State Senators. The fifth section provided that the con-

<sup>1</sup>As seen by an examination of the Laws passed; and of the Journals of the House and Senate.

<sup>2</sup>Text in House Jour. pp. 6 et seq.

<sup>3</sup>Laws of the adjourned Session of 22nd Genl Assembly p. 24.



vention should convene in St. Louis on January 6, 1865, and should consider, "first, such amendments to the Constitution of the State as may be by them deemed necessary for the emancipation of slaves"; second, such amendments as may be deemed necessary to preserve in purity the elective franchise to loyal citizens; and such other amendments as would tend to the public good. Only those persons were allowed to vote who were able, under the existing laws and ordinances, to vote for members of the General Assembly. The voters were also to vote "for a State Convention" or "against a State Convention;" and if a majority voted for the convention the delegates elected should assemble; but if the majority was against a convention the election of delegates was to be void, and no convention held.

On the thirteenth of November, 1863, a joint convention of the House and Senate elected two United States Senators to replace Trusten Polk and Waldo P. Johnson who had been expelled for disloyalty. On the thirty-second ballot, B. Gratz Brown was elected for the short term ending March 3, 1867, by the following vote; Brown, 74; James O. Broadhead, 66; H. M. Voorhees, 2. For the long term ending March 3, 1869 John B. Henderson was elected, the votes being divided thus; Henderson, 84; John S. Phelps, 42; Benjamin Loan, 7; William A. Hall, 3; James O. Broadhead, 1; H. M. Voorhees, 1.<sup>1</sup>

The following quotation, taken from the Statesman, though somewhat colored by the existing political strife,

<sup>1</sup> Switzler's Hist. of Mo., p. 450. Also House Jour. pp. 20 and 21.





gives a clear idea as to the political affiliations of the successful candidates; "Henderson is a conservative; Brown is a radical of the worst sort- Henderson supports Lincoln, Schofield and Gamble. Brown goes for Chase, Butler and the Devil."<sup>1</sup>

Men of all parties, in both State and Nation were deeply grieved by the intelligence of Governor Gamble's death, which occurred on Sunday, January 31st., 1864. This mournful event was not entirely unexpected by those who were familiar with the state of the Governor's health. Some weeks previous to his death he had suffered the fracture of one arm in a railroad accident in Pennsylvania, which, at his advanced age of sixty-seven, proved too heavy a draft upon his powers; The two Houses of the Legislature adjourned on Monday, February first until the following Friday, and attended the funeral at St. Louis in a body.<sup>2</sup>

Lieutenant Governor Hall assumed the duties of the Executive office, which he continued to discharge until January, 1865, when Governor Fetcher, elected in November, 1864, was inaugurated.

1 Issue of Nov. 20, 1863.

2 Ibid. Feb. 5, 1864.



## CHAPTER FIVE.

### The Politics of the Period.

In the preceding chapters an attempt has been made to present a clear, consecutive and moderately detailed account of the operations of Missouri's Provisional Government. This Government may, however, be said to have practically completed its work at the time of Governor Gamble's death. True, for another year the executive officers chosen by the Convention in July, 1861 continued in office, but this comparatively brief administration of Governor Hall was fruitful of no important events, and hence will be passed over. This chapter is intended to be devoted to a discussion of the rather complex subject of the development of political parties during this period,- their alignment on the issues of test oaths and emancipation, and the effect produced on local government and popular action by these oaths.

The political movements of the time- the decade from 1860 to 1870- may be roughly divided chronologically into four divisions, viz; In the first, which extended to the end of July, 1861, the question was one of Union or disunion. In the second, which ended with the adjournment of the fourth session of the Convention in June, 1862, the problem was the establishment of a loyal and effective State government, one means being the promulgation of test oaths. In the third, which ended with the so-called Drake



Convention of 1865, the paramount issue was emancipation. The fourth, which occupied the latter half of the decade, was filled with the echoes of civil strife, which centered about the question of disfranchisement of Southern sympathizers and enfranchisement of negroes. With this last division, however, this dissertation will be very superficially, if at all, concerned. In defining the above divisions it is not intended to leave the impression that they were always separated by clear-cut lines of demarcation; for such was not the case. For example, the question of emancipation had begun to be discussed long before the adjournment of the Convention in June, 1862.<sup>1</sup>

A consideration of the popular vote of the State for President in 1860 will be useful in presenting a summary of the first division. Of the 165,000 votes cast, the greater number were almost equally divided between the Douglas Democrats and the Constitutional Unionists:- 58, 801 and 58, 372 respectively,- while Breckenridge received 31, 317, and Lincoln only 17, 028.<sup>2</sup> This vote shows conclusively that as matters then stood Missouri was strongly opposed to either the extreme Northern or extreme Southern position. As the plot thickened, however, those who desired peace at great cost, though they were ardent friends of the Union, gave

<sup>1</sup> As early as 1856 F. P. Blair had begin to agitate the question in Missouri. (Peckham's Nathaniel Lyon, Introduction, p IX) Also in 1857, P. Gratz Brown prophesied abolition in the General Assembly. (See Harding: Missouri party Struggles, in Am. Hist. Assn. Rept., Vol. I, p. 97.

<sup>2</sup> Switzler's History of Missouri, p. 297.



full and even exaggerated recognition to the complaints of Southern wrongs in the hope that , by thus showing a broad sympathy and at the same time suggesting remedies, they might be able to check the very noticeable Southernward drift. This spirit of peace and compromise was also apparent among the members of the General Assembly, the later acts of a majority<sup>1</sup> of whom showed they favored secession. Various considerations doubtless contributed to the passage of the Convention bill and the insertion of the clause providing for the submission of any secession ordinance to a vote of the people, chief among which were: first, this spirit of vacillation and indisposition to take the irrevocable step so long as there remained any hope of a peaceable settlement of grievances; and second, a mistaken notion that the people were willing to support the State administration in whatever steps it might deem necessary to take. When the Convention, contrary to the evident expectations of many members of the Legislature, had decided in its first session, against secession; and in its second, had instituted a loyal government secession as a political issue was a thing of the past.

The political problem- for there can hardly be said to have been a political issue- of the next few months was to provide governments, both State and local, which could be depended upon to support the Federal Government. Manifestly, an effective loyal government would have been impossible in a State, a large percent of

<sup>1</sup> Snead: Fight for Mo. pp. 53 and 54.





whose officers were at heart secessionists. On such grounds, the oaths to test the loyalty of all civil officers of the State may be justified.

It is interesting as well as instructive to notice the effect produced on local government throughout the State by these oaths; and also the influence on popular sentiment excited by other acts of the new government.

The first oath, prescribed in October, 1861, for civil officers, State and county, - produced a very considerable number of vacancies especially in the different county offices. The material on this subject is not as plentiful as might be desired, but it is hoped that enough has been obtained to give a fairly clear idea of the conditions. The following communication to the St. Louis Republican dated at Jefferson City, December 17, 1861 indicates the number of vacancies among the State offices.<sup>1</sup> "The following officers are among the number of those who have failed to file their oaths in the Secretary of the State's office and who will be ousted from their respective offices. Some of them are, or have been, good and substantial men, and many citizens of the State who are yet loyal men, will grieve to give them up, but all personal consideration must be laid aside in one great effort to save the Republic:

<sup>1</sup> Quoted in Statesman, Jan. 3, 1862. The facts are also found in the Mo. Civil Register, in office of Sec. of State.



William B. Napton, Judge Supreme Court;  
 William Scott, " " "  
 E. B. Ewing, " " "  
 A. H. Buckner, Judge Third Judicial Circuit;  
 George W. Drense, " Fifth " "  
 Robert G. Smart, " Sixth " "  
 F. P. Wright, " Seventh " "  
 Harrison Hough, " Tenth " "  
 James A. Clark, " Eleventh " "  
 John R. Chenault, " Thirteenth " "  
 P. H. Edwards, " Fourteenth " "  
 John T. Redd, " Sixteenth " "  
 James H. McBride " Eighteenth " "

Circuit Attorneys.

William D. Muir, First Judicial Circuit;  
 H. M. Porter, Second " "  
 John C. Anderson, Fourth " "  
 D. C. Allen, Fifth " "  
 J. C. Reyle, Sixth " "  
 Alexis Wamsley, Seventh " "  
 C. D. Cook, Tenth " "  
 Thomas Thoronghman, Twelfth " "  
 William M. Cravens, Thirteenth " "  
 Julian L. Frazier, Fourteenth " "  
 H. H. Bedford, Fifteenth, " "



A. W. Morrison, Treasurer of State;  
John F. Houston, Register of Lands;  
J. Proctor Knott, Attorney General;  
William E. Dunscombe, Commissioner of Seat of  
Government.

Out of some 350 or 400 Notaries Public in St. Louis county, only some one hundred have filed their oaths. Not more than half, if that, of county clerks have filed."

The indications are that these vacancies were filled as soon as possible by the Governor, who had been given that power, but a complete list of appointments has not been found. Some appointments were made immediately, however, as is shown by this item:- "Captain George C. Bingham, of Jackson County, the 'State Artist,' has been appointed by Governor Gamble, State Treasurer, in place of A. W. Morrison. - - - - Honorable Gilchrist Porter of Hannibal has been appointed to the Judgeship of the Sixteenth Judicial Circuit, in the place of exJudge Redd, and Jacob Smith, of Linn, in place of James A. Clark."<sup>1</sup>

The large central group of counties, and the southern and south-eastern group suffered the greatest number of vacancies among their different offices.<sup>2</sup> Vacancies, however, were very general in most all of the counties, though many of them are recorded as

<sup>1</sup> Statesman, Jan. 10, 1862. Sec. II  
<sup>2</sup> The Civil Register, See Appendix for list of vacancies there recorded.



being the results of resignations, and no reasons for the resignations are given. Considering the Southern antecedents of many of Missouri's citizens, their political affiliations, and the following extract from a letter from the Clerk of the Macon County Court, it seems to be a safe conjecture that the majority of these resignations resulted from unwillingness to subscribe to the test oath. "I --- find that the Clerk of the County Court, Judge of the Probate Court and nine Justices of the Peace resigned their offices because of the oath required, and their successors were appointed in a short time."<sup>1</sup> No record has been found showing the number of justices of the peace who were forced to surrender their offices, hence no generalization can be made; though the above letter indicates that in one county at least there was a considerable number.

Notwithstanding the large number of these vacancies, and the wide area over which they were scattered, the energy and efficiency of the Provisional administration prevented any extraordinary disturbance of local government as a result. It is certainly true that great difficulty was experienced in assessing and collecting the revenue during the years 1861 and 1862,<sup>2</sup> but the same difficulty was experienced in the two or three years following; and it is hardly justifiable to suppose this difficulty in the two former years was entirely traceable to the operation of the test to the writer

<sup>1</sup> This letter is dated at Macon, March 19, 1910.

<sup>2</sup> As indicated by the large number of acts passed for the relief of assessors, collectors and taxpayers, at the regular and adjourned sessions of the 22nd Gen'l Assembly (1862- '63) and the session of the 23rd Gen'l Asem. (1864) See Laws of these sessions.





oath. In assigning a cause for this difficulty it must be remembered that Missouri was the victim of all the crimes and disturbances that could be expected to fall to the lot of a border state in civil war.

Other acts of the Provisional Government during its first two years were, however, more disturbing in their effects. The very considerable following which Jackson and Price obtained in the summer of 1861 can be explained by considering the political affiliation and ties of blood which bound many Missourians to the South; but it is necessary to seek further for the influences that lay back of the outbreaks which took place in the summer of 1862 and in the fall of 1864.<sup>1</sup> A large number of people believed that the government, by prescribing the oath for voters in June, 1862, bound itself to consider them peaceable citizens and non-combatants. When Governor Gamble, then, began the organization of the entire fighting population of the State in the Enrolled Militia, these people believed that, in a measure, the State government had broken faith with them; and resolved that if they must fight, they would exercise their rights as free-born citizens and choose their side. Consequently every rebel who could possess himself of a weapon hastened to the defense of the cause which had his sympathies, "whilst", to use the words of General Schofield, "thousands of others ran to the brush to avoid the required enrollment."<sup>2</sup>

<sup>1</sup> Carr's: Missouri pp. 343 et seq.

<sup>2</sup> Quoted by Carr, p. 344.



Another cause of discontent was the practice inaugurated, in the summer of 1862, of taxing Southern sympathizers to pay for damages done by bushwhackers and Confederate raids; and to raise a fund for the relief of Union refugees. The amount of each assessment was apportioned according to the individual's Southern sympathies.<sup>1</sup> It is but fair to say, however, that this practice was started and carried on by the Federal military officers; and by December, 1862, it had become so serious that Governor Gamble forbade the militia of the State to assist in carrying out such assessments. While the State government cannot be held responsible for these abuses, they nevertheless produced great discontent, and, in the confusion of the time, doubtless tended to disparage the Provisional Government in the minds of many people, which disparagement rendered them all the more willing to join the Southern armies at the first opportunity.

After the elimination politically of the disunionists, and the establishment of an efficient Provisional Government, a new and stirring scene was opened in the political arena of the State, the final act of which was the adoption of emancipation in 1865. The materials for this scene had been taking shape for some years, but the recent and all-absorbing question of secession had somewhat obscured them and the processes of their formation. The heat and glare of war, however, seem to have provided conditions very

<sup>1</sup> Carr:Mo. pp. 352 and 352.



conducive to the rapid growth of abolitionist sentiments; and when Fremont, on August 31, 1861, issued his proclamation declaring free the slaves of Missourians who were in arms against the United States, the issue was fairly joined, and the hitherto united Unionists were divided into two very hostile factions,- the Radicals and Conservatives. The former demanded that Fremont's policy, which had been overruled by the President, be carried out, holding that emancipation was the sine qua non of any future peaceful Union.<sup>1</sup> The latter tenaciously held that the Union ought to be preserved as the fathers made it, with slavery as one of the necessary evils, if it were evil at all; and that the emancipationist propaganda boded nothing but ill.

Events and circumstances of the following year, however, operated to modify, in some measure, the differences between the parties. The slow progress of the war; the Congressional offer of financial aid to any loyal state which would adopt a policy of compensated emancipation; and the abolition of slavery in the District of Columbia (April 16, 1862), caused many of the broader-minded leaders of the Conservatives to see that the days of slavery were indeed numbered. It will be remembered that Governor Gamble embodied this view in his message to the General Assembly in December, 1862; but recommended a scheme of gradual emancipation. Thereby hung the issue; for the extreme Radical program included nothing but immediate and unconditional emancipation. Though

<sup>1</sup> See Harding: Mo. Party Struggles in Civil War. (In Am. Hist. Rept. Vol. I., p. 98.)



the emancipationists were in the majority in the Legislature<sup>1</sup> they were not of the most extreme type, and if all were not Conservatives they were at least very respectable Radicals. The most extreme members of the latter party made strenuous efforts to pass a bill authorizing a new emancipation convention, but without success; and because of constitutional inhibitions, as has been shown in a former chapter, nothing at all was done,— except to reveal the importance of the issue and show the necessity of action thereon.

The action was taken by the Convention in June. It seems hardly fair, however, to accept without question the view of its ordinance and the popular reception thereof which is presented by some writers. To brand it as a "dilatatory and half-hearted measure"<sup>2</sup> is, patently, to take the extreme Radical view-point. Also, the assertion that "the measure did not prove generally acceptable"<sup>3</sup> would seem very difficult of proof, if not altogether unwarranted by facts. In the preceding chapter a list of nineteen newspapers of the State was given, as supporters of the ordinance, as against eight opposing it.<sup>4</sup> This evidence of itself, in the absence of any evidence to the contrary— which Professor Harding does not give, beyond the statement that Radical agitation went on

<sup>1</sup> See Statesman, Jan. 8, 1863 and Richmond Conservator Jan. 8, 1863.

<sup>2</sup> Nicolay and Hay; Abraham Lincoln, Vol. VIII, p. 209.

<sup>3</sup> Harding, Mo. Party Struggles. (Am. Hist. Ass'n Rept. Vol. I, p, 99)

<sup>4</sup> List was compiled by the St. Louis Union and is quoted by the Statesman for Aug. 14, 1863.





more vigorously than ever,- would render the careful student wary of accepting his assertion.

It is unquestionably true that the Radicals redoubled their exertions,- and that henceforth the dividing line between Radicals and Conservatives was more clearly defined.<sup>1</sup> Two years were to elapse, however, before this party achieved its hard-worn success,- during which time, by various means, it very materially increased its strength.

The increased activity of the Radicals took the immediate form of opposition to the military authorities of the State, and the State government; and of protest against the Federal policy which supported them. In order to give a positive content to their efforts the party convention was held at Jefferson City on September 2, 1863. The resolutions adopted by this convention showed that the Provisional Government, which at the time of its inauguration was radical enough to suit the most fastidious, had failed to keep pace with the development of radicalism. Yet, in order not to leave the impression that the movement was at this time general throughout the State,<sup>2</sup> it is necessary to notice briefly the distribution of delegates, as to counties; "Of the one hundred and thirteen counties in the State, forty-four were unrepresented. Fifteen counties were represented by but one per-

<sup>1</sup> On the struggles between Radicals and Conservatives, and Pres. Lincoln's attitude, see Nicolay and Hay; Vol. VIII, Chapter VIII, *passim*.

<sup>2</sup> It seems very probable that such an impression would be acquired by the general reader from a perusal of Prof. Harding's article.



son each; six by two; eight by three; nine by four, etc. St. Louis county furnished one hundred and seven; Franklin county, forty-nine; Moniteau, forty-four; Cole, thirty-seven; St. Charles, thirty-one; Pettis, twenty-eight; Miller and Johnson, twenty-four each. The Germans were largely represented in the body, there being present two hundred and forty-three German delegates."<sup>1</sup>

The resolutions<sup>2</sup> adopted by this body denounced the military policy pursued in the state, and the course of the Federal government in delegating military authority to a provisional State government which, they claimed, was openly reactionary. The principles enunciated by Fremont in his proclamation were heartily endorsed. A long arraignment of Governor Gamble and the Provisional Government as untrue to the loyal people, with numerous corollary counts, was followed by resolutions requesting the Governor and Lieutenant Governor to vacate their offices; and urging the President to remove General Schofield. Of special significance is the latter part of the eighth resolution which, after urging the Legislature to call a new convention, declared that, should it fail to do so, such action should be taken as would call forth the action of the people. No better example of the boldness, not to say revolutionary tendencies, of this body can be found than the following resolution:<sup>3</sup> "Resolved, That in view of the serious

<sup>1</sup> Switzler's Hist. of Mo. p. 447.

<sup>2</sup> Ibid. pp. 447 and 448. Also full text in the Statesman for Sept. 11, 1863.

<sup>3</sup> Quoted by Nicolay and Hay; VIII, 213.



complications that are arising out of hostilities on the part of the Provisional State Government to the National authority and the National policies, and the absence of protection from inroads from guerilla bands, we hereby instruct the President of this convention to appoint a general committee of Public Safety, composed of one from each Congressional District, whose duty it shall be to confer with the loyal men of this State to organize and arm them for the protection of their homes, and in the event of no relief being obtained from our present troubles, to call upon the people of this State to act in their sovereign capacity, and take such measures of redress as shall be found necessary for their welfare."

The mingled wisdom, tact and firmness with which President Lincoln met the demands of this Committee of Seventy is worthy of notice. He received the Missouri delegation and also a few Radicals from Kansas in an interview of over two hours duration on September 30th. Charles D. Drake, chairman of the Missouri committee read a carefully prepared address, the rest of the time being spent in talk. It may not be out of place to present a brief summary of the President's reply, though be it remembered that his formal reply was not written and sent out until the first week in October.

He assured them that his final answer would not be hasty, and would be influenced by no prejudice or fear of consequences. He reminded them that his characterization of the troubles in Missouri as a "pestilent factional quarrel" was no more agreeable to



Governor Gamble than to them; that Gamble had been chosen Governor seemingly with the consent of a majority of the Union men; and that while he, the President, had taken from the State executive the exclusive control of the State Militia, yet he had no right to interfere with the organization and management of the enrolled Militia. He assured them that he was sorry they had not been more specific in their charges against General Schofield; and made it plain that he could not act on vague impressions. In answering some of their arguments against General Schofield he said; "You object to his muzzling the press; as to that, I think when an officer in any department finds that a newspaper is pursuing a course calculated to embarrass his operations and stir up sedition and tumult, he has a right to lay hands upon it and suppress it, but in no other case. I approved the order in question after the Missouri Democrat had also approved it."

Here an unwary delegate replied: "We thought then it was to be used against the other side."

Lincoln; "Certainly you did. Your ideas of justice seem to depend on the application of it."<sup>1</sup> He, moreover, declared that in his opinion it was "ungenerous, unjust, and impolitic" to make any man's views on abstract political questions a test of his loyalty.

In his formal reply to the committee<sup>2</sup> the President said

<sup>1</sup> Whole quotation taken from Nicolay and Hay; VIII, 217.

<sup>2</sup> Ibid. pp. 220 et. seq.





that in the existing case of civil war the main questions of Union and Slavery had become fearfully complex- ranging all the way from immediate abolition to no abolition; and that any of the different shades of opinion might be held by honest and loyal men. For this reason he was obliged to refuse their most important demand. That his sympathies, however, were with the Radicals appears from the following remark to his secretary, Mr. Hay: "I believe, after all, those Missouri Radicals will carry their State, and I do not object to it. They are nearer to me than the other side in thought and sentiment, though bitterly hostile personally. They are the unhandiest fellows in the world to deal with; but, after all, their faces are set Zionwards."

Governor Gamble had become alarmed at the activity of the Radicals, and especially the violent speech of some of their members, and issued a proclamation<sup>1</sup> to the people of the State, vindicating his loyalty; and assuring them that he would in no way oppose a change of government, if effected in a constitutional manner, but would oppose, to the full extent of his power, any attempt at sedition. He also addressed a letter<sup>2</sup> to the President asking support in his position; to which Lincoln replied, in part, as follows: "I have seen no occasion to make a distinction against the provisional government because of its not having been chosen and inaugurated in the usual way. Nor have I seen any cause to suspect it of

<sup>1</sup> Found in the Statesman for Oct. 16, 1863.

<sup>2</sup> Nicolay and Hay; VIII, 226.



unfaithfulness to the Union! So far as I have yet considered, I am as ready, on a proper case made, to give the State the Constitutional protection against invasion and domestic violence, under the provisional government, as I would be if it were under a government installed in the ordinary manner. I have not thought of making a distinction"<sup>1</sup>

The President's prediction of Radical success proved eventually to be correct. As was shown in the preceding chapter, they polled a very considerable vote in the November elections, though they failed to elect their candidates to the Supreme Bench. Their rapid growth was doubtless due, in considerable degree, to the comparative inactivity of the Conservatives. The latter's own organs admitted this inactivity. Another occurrence tending to weaken materially the Conservatives was the death of their most prominent and trusted leader, Governor Gamble. During the first half of the year 1864 those of Whig and "American" antecedents— that is, those of the rank and file— rapidly but quietly fused with the Radicals; the result of which was a popular majority in the State of 40,000<sup>2</sup> for Lincoln in November, and the election of the entire Radical State ticket, headed by Governor Fletcher.

1

2 Nicolay and Hay, VIII, 228.

The Statesman of Dec. 30, 1864 gives Lincoln's majority in Mo. as 38,630.



It is eminently fitting that a study of this period of Missouri's history should be concluded with a brief biography, and appreciation of the services of the man who was unquestionably its moving spirit,- a man to whom the State owes a debt, the magnitude of which she seems slow to recognize.

Hamilton Rowan Gamble was born of Irish parents,- his father and mother having immigrated from Ireland in 1784,- in Winchester, Virginia, on the twenty-ninth of November, 1798.<sup>1</sup> He was the youngest of seven children, all of whom were reared under the strictest religious influences; for their father, Joseph Gamble, was an Elder in the Presbyterian Church.

Concerning his early life very little information has been attainable. It is certain, however, that he obtained the greater part of his education at Hampden Sidney College, Prince Edward county, Virginia; and that he was admitted to the practice of law at a very early age,- about his eighteenth or nineteenth year. He practiced his profession a few months in Tennessee and then, in 1818, came to Missouri, where for a time he acted as Deputy for his brother Archibald, who was Clerk of the Circuit Court in St. Louis. Not many months later he removed, for the practice of his profession, to Old Franklin, then the county seat of Howard county, and a very important point, as Howard county at that time was one of the two counties which covered all of the Territory of Missouri north of the river. He was subsequently chosen Prosecuting Attorney of that county; but upon receiving the appoint-

1 This sketch is based mainly on the account of his life given in the funeral sermon by Rev. Brookes, found in Memoir, p. 80.



ment to the Secretaryship of State from Governor Bates, in 1824, he removed to St. Charles which was then the seat of Government. On the death of Governor Bates, Mr. Gamble returned to St. Louis, and made that city his permanent residence. He was married in 1827, in Columbia, South Carolina, to Miss Coalter, one of whose sisters was the wife of Attorney General Bates.

Besides the public offices noticed above Mr. Gamble, at various times, was Presiding Judge of the Supreme Court<sup>1</sup> of the State; member of the General Assembly; member of the State Convention; and finally ended his labors for his State in the governors office.

His contemporaries of the St. Louis Bar<sup>2</sup> united in according him the highest place as attorney, jurist and judge. His eminent success as a lawyer dates from the time of his return to St. Louis from Franklin and St. Charles. There by the assiduous application of his superior talents he soon became the peer of such men as Thomas H. Benton, Senator Geyer, the Bartons, the McGirks, Edward Bates, Robert Wash, and others.

Personally, Governor Gamble is described as being a man of strong temper and sympathies, but possessing a reticent and dignified manner which caused those not intimate with him to regard him as cold and hard hearted. He lead a life, both in private and

<sup>1</sup> He was elected to Supreme Court in Aug. 1851 and resigned Nov. 1854. Was elected to Legislature in 1846. (Bench and Bar of Missouri, p. 113.)

<sup>2</sup> See resolutions and speeches in the Memoir published by the members of his staff.





in public, that was blameless-- the life of a sincere Christian who avoided all ostentation and show.

It is not, however, because of his ability and services as a lawyer and judge, nor yet because of his sincere Christian character that the State of Missouri is so largely indebted to him. It is Hamilton R. Gamble the statesman who challenged the respect, and deserves the truest gratitude of all Missourians; "for, he was not a politician-- not in the way of any public man, of his own motion-- but he took upon himself the cares of State, and the drudgery of office, at a time when he might well be excused from it, and devoted all his energies, his life, to the redemption of the State from the troubles which encompassed it."<sup>1</sup>

That he was sincere in his reluctance to accept the Provisional Governorship no one, who reads his address<sup>2</sup> of acceptance and his message to the Convention containing his resignation, can have any reason to doubt. In his address, after assuring the Convention that he had never coveted public office and had hoped to spend the evening of his life in retirement; and that men of all parties had besought him to accept the office, he says: "I resisted, God knows there is nothing now that I would not give, within the limits of anything reasonable, in order to escape being appointed. But when it was said to me, by those representing the people of the State that I could contribute, by assuming this public trust,

<sup>1</sup> From the St. Louis Republican. Quoted in the Statesman of Feb. 5, 1864.

<sup>2</sup> Found in the Memorial, p. 10; and in Proceedings of Convention July, 1861, p. 134



to secure the peace of Missouri, in which I have lived for more than forty years; that I might secure the peace of those who are the children of fathers with whom I was intimate, I thought it my duty to serve."

How successful he was in securing peace- in maintaining a loyal and effective government in a State where conditions were perhaps more chaotic than in any of the border states- the preceding chapters have been intended to show. Although he acquired the governorship in an extra-constitutional manner, it must be remembered that the times were revolutionary- that Missouri as a member of the Union was without a recognized State government; and putting such a man as Gamble in the governor's chair, even in an extra-legal manner, was a much wiser and more desirable course than to wait for the appointment of a military governor by the Federal government. While he was recognized, in the latter part of his administration, as the leader of the Conservative party, he was not a partisan. Now that the heat of conflict has subsided, and men are able to view his actions in their proper perspective, it seems no violence to truth to say that, so far as in him lay, his conduct was at all times squared by his own self-imposed rule:- "I shall try to do what it is right and proper to do, and shall prevent anything from being done which it is wrong to do."

The End.



APPENDIX.

(1)

Members of the Convention which saved Missouri to the Union.<sup>1</sup>

<u>Names</u>	<u>Nativity</u>	<u>Age</u>	<u>Profession</u>	<u>County</u>
Sterling Price, Pres.	Virginia	51	Bank Com'r.	Chariton.
Sam A. Lowe, Sec.	Maryland	41	Clk. of Court	Pettis
R. A. Campbell, Ass't	Missouri	26	Lawyer	Pike
C.P. Anderson, D'r Kpr.	Tennessee	42	Editor	California, Mo
B. W. Grover, Ser't at A.	Ohio	49	Farmer	Warrensburg
And. Monroe, Chaplain	Virginia	68	Minister	Fayette
Allen, J. S.	Tennessee	46	Merchant	Harrison
Bartlett, Orison	Virginia	51	Merchant	Stoddard
Bass, Eli E.	Tennessee	54	Farmer	Boone
Bast, Geo. Y.	Kentucky	58	Farmer	Montgomery
Birch, Jas. H.	Virginia	57	Lawyer	Clinton
Bogy, Joseph	Missouri	54	Farmer	Ste. Genevieve
Breckinridge, S. M.	Kentucky	32	Judge Cir C'r't	St. Louis
Broadhead, J. O.	Virginia	41	Lawyer	St. Louis
Bridge, H. E.	New Hampshire	50	Merchant	St. Louis
Brown, R. A.	Tennessee	51	Farmer	Cass
Bush, Isidor	Austria	39	Merchant	St. Louis
Calhoun, Robert	Ireland	57	Farmer	Callaway
Cayce, Milton P.	Virginia	56	Merchant	St. Francis
Chenault, J. R.	Kentucky	51	Judge C. C.	Jasper
Collier, Sam C.	Missouri	35	Lawyer	Madison
Comingo, A.	Kentucky	41	Lawyer	Independence
Crawford, R. W.	Virginia	49	Lawyer	Lawrence
Doniphan, A. W.	Kentucky	52	Lawyer	Clay
Donnell, R. W.	N. Carolina	42	Banker	St. Joseph
Douglass, Wm.	Virginia	32	Lawyer	Cooper
Drake, Charles	Kentucky	32	Lawyer	Moniteau
Dunn, Geo. W.	Kentucky	45	Judge C. C.	Richmond
Eitzen, Chas. D.	Bremen	41	Merchant	Hermann
Frayser, R. B.	Virginia	55	Farmer	St. Charles
Flood, Joseph	Kentucky	48	Farmer	Callaway
Foster, John D.	Kentucky	40	Lawyer	Adair
Gamble, H. R.	Virginia	62	Lawyer	St. Louis
Gantt, Thos. T.	D. C.	46	Lawyer	St. Louis
Givens, N. F.	Kentucky	52	Lawyer	Clark
Gorin, H. M.	Kentucky	48	Merchant	Scotland
Gravelly, J. J.	Virginia	32	Farmer	Cedar
Hall, Willard P.	Virginia	40	Lawyer	St. Joseph
Hall, Wm. A.	Maine	45	Judge C. C.	Randolph

<sup>1</sup> Journal of Convention, March, 1861.



APPENDIX (2)

(1) cont..

Harbin, A. S.	N. Carolina	60	Farmer	Barry
Hatcher, Robt. A.	Virginia	42	Lawyer	New Madrid
Henderson, J. B.	Virginia	34	Lawyer	Pike.
Hendrick, Littleberry	Virginia	61	Lawyer	Greene
Hill, V. B.	Kentucky	32	Lawyer	Pulaski
Hitchcock, Henry	Alabama	31	Lawyer	St. Louis
Holms, Robert	Pennsylvania	45	Lumbar Dealer	St. Louis
Holt, John	Kentucky	66	Farmer	Dent
Hough, Harrison	Kentucky	49	Judge C. C.	Mississippi
How, John	Pennsylvania	50	Tanner	St. Louis
Howell, Wm. J.	Kentucky	47	Lawyer	Monroe
Hudgins, Orince L.	Kentucky	49	Lawyer	Andrew
Irwin, J. M.	Virginia	42	Lawyer	Shelby
Isbell, Z.	Virginia	48	Farmer	Osage
Jackson, Wm.	Tennessee	38	Farmer	Putnam
Jamison, R. W.	Kentucky	49	Farmer	Webster
Johnson, J. W.	Virginia	49	Farmer	Boliver
Kidd, Chris. G.	Kentucky	40	Lawyer	Henry
Knott, J. Proctor	Kentucky	30	Lawyer	Cole
Leper, Wm. T.	Tennessee	38	Farmer	Wayne
Linton, M. L.	Kentucky	52	Physician	St. Louis
Long, John F.	Missouri	44	Civ. Eng.	St. Louis
Marmaduke, Vincent	Missouri	28	Farmer	Saline
Marvin, Asa C.	N. Hampshire		Farmer	Henry
Matson, J. T.	Missouri	39	Physician	Ralls
Maupin, A. W.	Missouri	33	Blacksmith	Franklin
McClurg, J. W.	Missouri	43	Merchant	Linn Creek
McCormack, Jas. R.	Missouri	36	Physician	Perry
McDowell, Nelson	Illinois	59	Farmer	Dade
McFarren, James	Maryland	41	Judge C. C.	Daviess
Meyer, Ferdinand	Prussia	34	Leather Dealer	St. Louis
Morrow, W. L.	Tennessee	43	Merchant	Dallas
Moss, Jas. H.	Missouri	35	Lawyer	Clay
Noell, Jas. C.	Virginia	29	Lawyer	Bollinger
Norton, E. H.	Kentucky	39	Lawyer	Platte
Orr, Sample	Tennessee	44	Lawyer	Green
Phillips, J. F.	Missouri	26	Lawyer	Pettis
Pipkin, Philip	Tennessee	46	Lawyer	Iron
Pomeroy, Wm. G.	New York	46	Lawyer	Crawford
Rankin, Chas. G.	Missouri	53	Merchant	Jefferson
Ray, Robert D.	Kentucky	44	Lawyer	Carrollton
Redd, John T.	Kentucky	44	Lawyer	Marion
Ritchey, M. H.	Tennessee	49	Farmer	Newton.





APPENDIX (3)

(1) cont.

Ross, Jas. P.	Maryland	48	Lawyer	Morgan
Rowland, Fred	N. Carolina	56	Farmer	Macon City.
Sawyer, Sam L.	N. Hampshire	46	Lawyer	Lafayette
Sayre, E. K.	N. Jersey	51	Farmer	Lewis
Scotg, Thos.	Kentucky	44	Farmer	Tuscumbia
Shackelford, Thos	Missouri	39	Lawyer	Howard
Shackelford, J. H.	Kentucky	57	Farmer	St. Louis
Sheeley, Jas. K.	Kentucky	46	Judge C. C.	Independence
Smith, Jacob	Kentucky	44	Lawyer	Linn
Smith, Sol.	New York	59	Lawyer	St. Louis
Stewart, R. M.	New York	43	Lawyer	Buchanan
Tindall, J. T.	Kentucky	34	Lawyer	Grundy
Turner, W. W.	Illinois	24	Lawyer	Laclede
Waller, J. G.	Virginia	58	Farmer	Warren
Watkins, N. M.	Kentucky	--	Lawyer	Cape Girardeau
Welch, Aikman	Missouri	33	Lawyer	Johnson
Wilson, Robert	Virginia	58	Lawyer	St. Joseph
Woodson, Warren	Virginia	64	Farmer	Boone
Woolfolk, A. M.	Kentucky	25	Lawyer	Livingston
Wright, Uriel	Virginia	55	Lawyer	St. Louis
Vanbuskirk, Ellzey	Ohio	39	Cir. Clerk	Holt
Zimmerman, Geo. W.	Virginia	67	Farmer	New Hope

(II)

VACANCIES AMONG COUNTY OFFICES CAUSED BY TEST OATH.<sup>1/</sup>

<u>County</u>	<u>Offices Vacated</u>	<u>Date Ap't.</u>
Andrew	Surveyor	1859
Audrain	Clk. Co. Crt., Sheriff, and Judge of County Ct.	1859-60
Barry	Three Judges of County Court	
Boone	Surveyor, Judge, and Sheriff	
Caldwell	Coroner	Successor ap't. April 1862
Callaway	Three Judges of County Court, Clk Cir Court	1856-58
Camden	Judge and Clerk of County Court	
Chariton	Judge, Clerk County and Clerk Circuit Court	1859-60
Christian	Three Judges and Clerk of County Court	1860
Clay	Judge of County Court and Sheriff	1860
Green	Two Judges and Clerk of Probate Court	1858-60
Green	Also Clerk County Court, and Circuit Judge	1858-60
Gundy	One Judge of County Court	1858
Harrison	Surveyor and one Judge	1859-60
Holt	One Judge	1860.

<sup>1</sup> Civil Register.



APPENDIX (4)..

(II) cont.

Howard	Three Judges of County Court	1858
Iron	Surveyor	1859
Jackson	Several resignations	
Johnson	Surveyor and Sheriff	
Lafayette	Three Judges of County Court	
Lewis	Three Judges of County Court	1858
Lincoln	Surveyor and one Judge of County Court	1860
Macon	Surveyor and one Judge of County Court	
Marion	Coroner	1860
Mississippi	Three Judges of County Court	1858
Miller	One Judge of County Court	1858
Montgomery	Two Judges of County Court and Sheriff	1858
Nodaway	Surveyor, Clerk of Cir? Crt. and three officers.	
Phelps	Clerk of Circuit Court	1860
Pike	Three Judges of County Court	1858-60
Pulaski	Several offices vacated by removals from county	
Putnam	Surveyor	1858
Ralls	Clerk County Court and Surveyor	1860
Randolph	County Clerk	
Ray	Two Judges of County Court	1858-60
St. Clair	Two Judges of County Court	
Schuyler	Clerk of County Court	1860
Scotland	Clerk of County Court	1859
Scott	Three Judges of County Court	
Shelby	Two Judges of County Court, Surveyor and Clk Ct.	1856
Stone	Several resignations from 1860 to 1864.	
Van Buren	Clerk of Circuit Court	1859
Webster	Clerk of Circuit Court	1857

(III)

RESOLUTIONS OF COMMITTEE ON FEDERAL RELATIONS. (March, 1861) <sup>1</sup>

Resolved, That at present there is no adequate cause to impel Missouri to dissolve her connection with the Federal Union, but on the contrary she will labor for such an adjustment of existing troubles as will secure the peace as well as the rights and equality of all the states.

Resolved, That the people of this State are devotedly attached to the institutions of our country and, earnestly desire that by a fair and amicable adjustment all the causes of disagreement that at present unfortunately distract us as a people may be removed, to the end that our Union may be preserved and perpetuated,

<sup>1</sup> Journal of Convention pp 34 - 37. This extract on p. 36.



APPENDIX (5)

and peace and harmony be restored between the North and the South.

Resolved, That the people of this State deem the amendments to the Constitution of the United States, proposed by the Honorable John J. Crittenden, of Kentucky, with the extension of the same to the Territory hereafter to be acquired by treaty or otherwise, a basis of adjustment which will successfully remove the causes of difference forever from the arena of national politics.

Resolved, That the people of Missouri believe the peace and quiet of the country will be promoted by a Convention to propose amendments to the Constitution of the United States, and this Convention therefore urges the Legislature of this State to take the proper steps for calling such a Convention in pursuance of the fifth article of the Constitution, and for providing by law for an election of one delegate to such Convention from each electoral district in this State.

Resolved, That, in the opinion of this Convention, the employment of military force by the Federal Government to coerce the submission of the seceding states, or the employment of military force by the seceding states to assail the Government of the United States, will inevitably plunge this country into civil war, and thereby entirely extinguish all hope of an amicable settlement of the fearful issues now pending before the country; we therefore earnestly entreat as well the Federal Government as the seceding states to withhold and stay the arm of military power, and on no pretense whatever bring upon the nation the horrors of civil war.

Resolved, That when this Convention adjourns its session in the City of St. Louis, it will adjourn to meet in the Hall of the House of Representatives at Jefferson City, on the third Monday of December, 1861

Resolved, That a Committee of ----- be elected by this Convention, a majority of which shall have power to call this Convention together at such time prior to the third Monday of December, and at such place as they may think the public exigencies require, and the survivors or the survivor of the said Committee shall have power to fill any vacancies that may happen in said Committee by death, resignation, or otherwise, during the recess of this Convention.

IV.

<u>County</u>	<u>Amount of Tax list receipted, 1861</u>	<u>Amount Paid</u> <sup>1</sup>
Adair	\$4,682.85	\$4,682.85
Boone	22,422.77	12,904.26
Grundy	3,725.47	2,745.17
Harrison	6,071.41	6,409.89
Jefferson	6,180.85	4,818.33

<sup>1</sup> Proceedings of Convention, p. 11, June, 1862.





APPENDIX (6).

(II) cont.

Maries	\$1,837.20	\$1,256.60
Mercer	3,549.61	2,625.28
Putnam	4,112.33	3,362.88
Ralls	8,062.87	1,123.34
St. Charles	14,662.83	8,995.36
Ste. Genevieve	5,607.45	4,147.77
St. Louis	275,549.04	195,393.98
Warren	5,590.99	4,921.25

It appears from this, the Audirot's report, that many counties paid nothing at all during this year.

V.

1

OATH FOR VOTERS AND CIVIL OFFICERS ADOPTED JUNE 10th, 1862.

"I, ————, do solemnly swear (or affirm as the case may be) that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Missouri, against all enemies or opposers, whether domestic or foreign; that I will bear true faith, loyalty and allegiance to the United States, and will not, directly or indirectly, give aid or comfort, or countenance, to the enemies or opposers thereof, or of the provisional Government of the State of Missouri, any ordinance, law or resolution of any State convention or Legislature, or of any other organization, secret or otherwise, to the contrary notwithstanding; and I do this with a full and honest determination, pledge and purpose, faithfully to keep and perform the same, without any mental reservation or evasion whatever. And I do solemnly swear (or affirm) that I have not, since the 17th day of December, A. D. 1861, wilfully taken up arms, or levied war, against the United States, or against the provisional Government of the State of Missouri, so help me God."

— — —

<sup>1</sup> Appendix to Jour. of Convention, p. 13., June, 1862.











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