JOHN QUINCY ADAMS AND SLAVERY

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The purpose of this thesis is to provide for the reader an isolated study based on a thorough research of the Adams Papers, Congressional Globe, and American Foreign Relations Papers, of Adams' views on slavery, both legal and moral. Numerous biographies have been written on Adams' life by noted historians. Only one biography (Samuel Flagg Bemis, John Quincy Adams and the Foundations of American Foreign Policy, 1949; John Quincy Adams and the Union, 1956) has had the use of the complete Adams Papers. Up until that time, all research has relied on the very thoroughly edited edition of the Adams Memoirs by Charles Francis Adams. Other than a less scholarly work by Leonard Feinber, The President Who Wouldn't Retire (1967), and Bemis' two-volume biography, the Adams Papers, which include the diary, letters sent and received, speeches, etc., have not been used in their entirety by an historian. Two theses have been written on Adams' career in the House of Representatives, neither of which had access to the Adams Papers in their entirety.
The basis for research has been what Adams said and did in relation to slavery, not the evaluation by his contemporaries of the sincerity of his motives. Thus, the major sources used throughout have been only those which involved Adams' written words.

Chapter One covers Adams' early impressions of Negroes, his career in the Senate (1803-1808), and his reactions to the Missouri Compromises (1820-1821). It is early established that while Adams was racially prejudiced, he also recognized the immorality of slavery. Likewise, even though he believed slavery was wrong, he was willing, out of respect for stability, to support a constitution which protected that institution. Thus from the beginning, Adams faced a dilemma between the morality of slavery under God's laws and the legality of slavery under the Constitution.

Chapter Two deals with Adams' negotiations for the return of slaves taken during the War of 1812 and the establishment of an anti-slave-trade convention. Once more Adams was faced by a dichotomy, which he resolved legally. He insisted that all slave property must be returned because of the stipulations of the Treaty of Ghent. Although he considered the slave trade to be morally wrong, he refused to give up the right of search until he could protect it under the international law of piracy.
Adams' position on the right of petition is divided into two chapters because of the immensity of the subject. The division is made between the passage of the gag rule, along with his opinions on the constitutionality and morality of slavery and his successful attempt to restore the right of petition. Here the intricacies of his legal mind become most apparent. While he truly abhorred slavery, he was driven by an overweening desire to re-establish the constitutional and legal right of the people to petition their government.

The issue of Texas annexation is the subject of the concluding chapter. Although Adams was confronted with Texas annexation primarily as a result of the gag rule, a division was made in order to better delineate his position. Adams, heretofore an expansionist, opposed expansion in the case of Texas because of its acceptance of slavery. He supported his opposition to annexation by the legal assertion that Congress did not have the power to annex a foreign territory. His position on Texas was probably his hardest to defend, since, as a Senator, he had voted in 1803 to accept the purchase of the Louisiana territory. He could, however, easily defend charges of apostasy from his attempt as President to purchase Texas, since slavery had not been firmly established at that time.
From this research the conclusion is reached that Adams was, above all, a constitutional lawyer. Aware of the immorality of slavery, his respect for the Constitution was greater than his distaste for the peculiar institution. He publicly defended the rights of freedom for all men only when the constitutional right to petition was attacked.
JOHN QUINCY ADAMS AND SLAVERY

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CHAPTER I

RACIST BUT ANTISLAVERY

John Quincy Adams was born July 11, 1767, in Quincy, Massachusetts, the son of John and Abigail Adams. Born nine years before the Revolutionary War, Adams began his life amidst political controversy that eventually evolved into the creation of an independent nation. Only thirteen years before another war designed to destroy that nation, he died at the age of eighty-one. Devoted to principles of honesty and truth, he served his country in a myriad of ways. Beginning his public service in 1794, he was appointed Minister Resident to the Hague, followed by positions as Minister to Prussia, Russia, and England. He became Secretary of State under James Monroe in 1817, wrote the Trans-continental Treaty, and played an important role in writing the Monroe Doctrine. In 1825 he became President, only to suffer defeat in 1828 by Andrew Jackson. Then at a time when most men think of retiring, Adams, who was sixty-four, embarked on the most successful career of his life, member of the House of Representatives from Massachusetts. He spent the remaining seventeen years of his life working to defeat the "gag rule" and the annexation of Texas.
Never knowing what it was to be a child, Adams lived a life surrounded by history. As the son of John Adams, he was associated with the great men of early United States' history: Thomas Jefferson, George Washington, and Benjamin Franklin. Indeed, his earliest memories included watching the Battle of Bunker Hill with his mother. Before he was twelve years old he journeyed to Europe twice with his father, the second of these missions being to negotiate the Treaty of Paris. It was during this time that he began his diary which he was to keep faithfully for the remainder of his life.

Educated in schools in Paris and Amsterdam, Adams became involved early in his life with governmental affairs. In July, 1781, at the age of fourteen, he was associated with Francis Dana, American representative to Russia, as a private secretary. In 1782, he left Russia to tour Sweden and Denmark, meeting his father at the Hague and going to Paris to witness the signing of the Treaty of Paris. Studying in Paris until May, 1785, he returned to the United States, while his family traveled to London, where John Adams was to serve as the head of the American delegation. After being privately tutored, Adams entered Harvard as a junior in March, 1786. From 1787-1790, he studied law in Newburyport.
under Theophilus Parsons. During this time he suffered moments of despair and melancholy. He spent much of his time visiting with friends and courting young ladies whom he regularly criticized in the daily musings of his diary.

After Adams was admitted to the bar in 1790, he began to practice law in Boston. Never very enthusiastic about law, when his practice failed to build, he found himself with plenty of time to contemplate the possibility of public service. He devoted much of his time to writing polemical essays on various issues of the day, which brought him to the attention of the public. Between 1794 and 1801, he served as Minister Resident to the Netherlands and Minister Plenipotentiary to Prussia. Shortly after he returned to Massachusetts in 1801, he was elected to the state senate where he became known for his political independence, a course which he was to follow the rest of his public career. In February, 1803, he was elected by the Federalists of the Massachusetts state senate to serve as the state's Senator in Washington. It was here that Adams was first faced with the issue of slavery in connection with the Louisiana Treaty. Prior to this time, he wrote very little about slavery. Living in New England, his actual contact with the institution of slavery was negligible. Thus, when looking
through his diary and correspondence, it is hard to pinpoint any conclusions that he might have had as a young man concerning slavery.

Although Adams made no record of his feelings about slavery, he did write several poems while studying law in Newburyport which attest to racial prejudice. One poem, "Scipio Africanus," published anonymously in the Boston Herald on February 27, 1789, dealt satirically with the physical attractiveness of Negro women. Although Adams did not openly admit authorship of the poem, its similarity with the "Clara" position of his long poem "The Vision" clearly identified him as the author.¹ Other indications of racial prejudice apparent in his essay concerning the character of Desdemona, in which he wrote,

I must believe that in exhibiting a daughter of a Venetan nobleman of the highest rank eloping in the dead of night to marry a thick-lipped, wool-headed Moor, opening a train of consequences which lead to her own destruction by her husband's hands, and to that of her father by a broken heart, he did not intend to present her as an example of the perfection of female virtue.


That Adams was racially prejudiced can not be denied. His prejudice was one which would not have granted the Negroes social equality, while his religious beliefs forced him to respect their rights as children of God.

Adams did not arrive in Washington to take his seat in the Senate until October 21, 1803. The day before in a special session called by President Thomas Jefferson, the Louisiana treaties had been ratified in the Senate by a vote of 24-7. While in Europe Adams' sentiments were those of a Federalist. Indeed, looking upon the victory of the Republicans in 1800 as the end of the Federalist party and a triumph for the South and West, he wrote from Berlin that with the election of Jefferson it did not really matter if Napoleon took Louisiana. Yet after some second thoughts, his nationalism overcame his sectional loyalty, and he saw French possession of Louisiana as a threat to the United States. From then on he was a nationalist and a continentalist, and he became the only Federalist

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5 Ibid., II, 531.

Senator from New England to support the Louisiana Purchase. 7

Although Adams voted for various bills connected with the Louisiana bargain, such as the bonds for the purchase and providing payment for the government assumption of spoliation claims of American citizens, he joined with other Federalists in voting against subsequent measures connected with the Louisiana territory. 8 On February 18, 1804, he voted against the Louisiana territorial bill dividing Louisiana into two territories. 9 His objections to the bill were based on his belief that such a bill was a violation of Article III of the Louisiana Treaty and of the Constitution. 10 To meet the latter objection he introduced an amendment to the Constitution which would make it possible for Congress to make laws for ceded territory. 11

The amendment failed with Timothy Pickering of Massachusetts,

7John Quincy Adams to Charles Francis Adams, April 30, 1829, Adams Papers, on Microfilm in the North Texas State University Library, Denton, Texas.


9Ibid., p. 256.

10Ford, Writings of John Quincy Adams, III, 30.

11Ibid., pp. 20-21.
James Hillhouse of Connecticut, and Adams being the only ones to vote for it.  

Included with the Louisiana territorial bill was an amendment prohibiting the importation of slaves into the territory from another state except by a citizen of the United States, and also prohibiting the importation of slaves into the territory from any port in the territory or through any state allowing importation.  

Although he believed slavery was morally wrong, it did have its uses in connection with commerce. He believed that the amendment's provisions for the prevention of importation of slaves were insufficient, and he refused to accept the constitutional right of Congress to legislate for the territory.  

Later on, when another bill was placed before the Senate to prohibit the slave-trade as soon as constitutionally possible, Adams objected once more on constitutional grounds, contending that such a law could not be passed until after

12 Pickering to Rufus King, March 3, 1804, Life and Correspondence of Rufus King, IV, 361, as cited by Ford, Writings of John Quincy Adams, III, 21, fn.

13 Annals of Congress, 8th Congress, 1st Session, pp. 242, 244.

Adams' refusal to accept the Louisiana territorial bill and the prohibition of the slave-trade before 1808 were predictable for he was a strict constructionist of the Constitution and remained so all of his life. In later life he was to once more come upon the slavery problem in relation to the right of petition. Even then, while believing that slavery was wrong, he denied the right of Congress to abolish slavery, believing that it was not part of its constitutional powers.

During Adams' days in the Senate, he did not make any statements against slavery, except in an indirect sense in relation to the three-fifths compromise of the Constitution which allowed Southerners to count five slaves as three whites in determining representation in the House of Representatives. Representation based on slaves was morally and politically objectionable. He was alarmed at the growth in the number of slaves, stating that, "Instead of strength they are distemper, deadly distemper, which if it cannot be eradicated ought at least not to be fostered and stimulated." He believed that allowing representation based on slaves

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16 Ford, Writings of John Quincy Adams, III, 71.
encouraged the slave-trade. His solution to the problem was an amendment to the Constitution repealing the three-fifths compromise, despite the fact that many of his constituents in Massachusetts objected on the basis that such an amendment would arouse Southern states and endanger the Union. 17

From 1808 until 1820, Adams' involvement with the slavery question was more on an international basis, mainly in the area of property rights; protecting Southerners whose slaves had been taken by the British after the Treaty of Ghent, the recovery of refugee slaves from Canada, and the negotiation of slave-trade agreements. Not until the emergence of the Missouri question in 1820 did Adams begin to be disturbed about the existence of slavery within the United States. On January 10, 1820, he recorded in his diary his concern with the Missouri question. Although he had come to no definite conclusions, he was fearful that "... the present question was a mere preamble--a title-page to a great tragic volume." 18 He did not feel the time was

17 Ibid., pp. 71-75.

right for him to state his opinion, but he was aware that the time might come when it would be necessary. Unlike President James Monroe, he did not think that an easy compromise would be reached. Indeed, he believed that the slave question in the Louisiana territory would continue to be a problem even after his own death.\textsuperscript{19}

Nevertheless, Adams believed that the immediate Missouri question could only be settled by a compromise. The regulation, exclusion, and abolition of slavery in a state was reserved to the people of the state, even though Congress had the constitutional powers to prohibit any internal traffic in slaves between states. In states, however, in which slavery did not exist, neither Congress, the state legislature nor the people had the power to establish it. Consequently, in territories where there was no slavery, Congress could stipulate as a condition for statehood the exclusion of slaves. But when there were slaves in great numbers as there were in Arkansas and Missouri, Congress did not have any power to restrict slavery. Thus Adams believed that to proscribe slavery in Missouri and Arkansas was impracticable.\textsuperscript{20}

\textsuperscript{19} Ibid., p. 503.

\textsuperscript{20} Ibid., pp. 529-530. Writing to the Governor of Indiana in 1820 concerning the efforts in the state to lift the
During this crisis period Adams' position as Secretary of State in James Monroe's cabinet gave him access to prominent Southerners such as William H. Crawford of Georgia, Secretary of the Treasury, John C. Calhoun of South Carolina, Secretary of War, and William Wirt of Maryland, Attorney General. He often conversed privately with Calhoun about the question of slavery and its implications for the future if the Missouri question was not satisfactorily resolved. It was out of these conversations with cabinet members, and Calhoun, in particular, that he first began to reflect on the possibility of the dissolution of the Union as a result of the failure to compromise on the Missouri question. He also began to contemplate the practicality of abolition in relation to what it would cost the Union. He concluded that a dissolution of the Union based solely on the question of slavery might be necessary for a short time in order that the Union might be reorganized on the principle of emancipation.  

prohibition against slavery, he commented, "In this Union I consider slavery as the misfortune but not the fault of the states where it exists, and exemption from it is the happiness but not the merit of those where it does not exist. The abolition of slavery where it is established must be left entirely to the people of the state itself. The healthy have no right to reproach or to prescribe for the diseased but that slavery should dare to claim legislative sanction in an American state where it has once been prohibited passes my comprehension." John Quincy Adams to Jonathan Jennings, July 17, 1820, Adams Papers.

21 Adams Memoirs, IV, 530-531.
When the Missouri Compromise was consummated on March 2, 1820, Adams viewed it as a perpetuation of slavery in the United States. However, he saw it as the only alternative because of the Constitution's sanction of slavery. Thus ultimately nothing but a reorganization of a Union of all white states could possibly end the slavery controversy forever. He viewed the compromise as the result of action by deserters from the nonslave states, the Speaker of the House's abuse of the House rules, and the coupling of the compromise with the admission of Maine.\(^{22}\) Adams saw the cause for the reorganization of the Union as one "... vast in its compass, awful in its prospects, sublime and beautiful in its issue. A life devoted to it would be nobly spent or sacrificed."\(^{23}\) Adams, however, was not yet ready to begin any crusades for abolition.

Now that the Missouri question was seemingly settled, Adams discussed with the cabinet the question of the constitutionality of prohibiting slavery in the territories, and whether this prohibition could be extended to states carved out of these territories. While the cabinet was unanimous in its agreement that Congress could prohibit

\(^{22}\)Ibid., V, 4.

\(^{23}\)Ibid., IV, 531.
slavery in the territories, Crawford, Calhoun, and Wirt could not find any expressed power to that effect in the Constitution. He marveled at their inability to see the inconsistency, for in order to give sanction to the Missouri Compromise's division of the Louisiana Territory into slave and nonslave territory, Southerners had admitted, inadvertently, the constitutionality of the prohibition of slavery in the territories and ultimately in the states which would evolve out of these territories. Adams had no doubt of the right of Congress to interdict slavery in the territories and in newly formed states "... because by its interdiction in the Territory, the people, when they come to form a Constitution, would have no right to sanction slavery." Crawford disagreed; he believed that state legislatures could sanction slavery. Adams retorted with a reference to the Declaration of Independence which asserted the equality of men and their right to liberty; "A power for one part of the people to make slaves of the other can never be derived from the consent, and is, therefore, not a just power." Adams then asked why the question of slavery had not arisen over the admission of Illinois. Crawford's

\[24\] Ibid., V, 6.

\[25\] Ibid.
reply was that Illinois was admitted in conformity to the Ordinance of 1787, which he personally believed to be null and void and not binding on any state legislature. Adams did not reply to this use of the word nullity, a word he abhorred, but stated instead that the Ordinance of 1787 was tacitly approved by the adoption of the Constitution. He argued that the power to establish slavery was not a sovereign power, and that Congress had the power to say that no state could establish it "de novo" and be admitted into the Union; and if that state did establish slavery then that state would be out of the Union. Wirt agreed with Adams.

After the cabinet meeting, Adams and Calhoun walked home together. Calhoun commended him for his just and noble principles concerning slavery, yet Calhoun could not agree on their practicality; domestic labor was for blacks, and besides, white servants would not be allowed in his district in South Carolina. Adams replied that this was

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26 Ibid., V, 8. Adams thought that this cabinet conversation showed Crawford's political ambition. He referred to the Governor of Indiana's accusation that Crawford supported introduction of slavery into Indiana; Adams added that there was a possibility that the same project existed in Ohio and Illinois. Ibid., V, 9.

27 Ibid., V, 8.
confusing servitude with labor which was one of the bad effects of slavery. Calhoun justified his stand by saying that this was only in reference to manual labor, and ultimately, such a standard helped guarantee equality among the whites. Adams could not agree; "It is, in truth, all perverted sentiment--mistaking labor for slavery, and dominion for freedom."  

The conversation in the cabinet meeting and that privately with Calhoun caused Adams to continue to mull over slavery and the South. He believed that the Missouri question betrayed Southern feelings; they said they were against slavery and disclaimed having established it, yet at the bottom of their thought was pride and vain glory in their masterdom. They saw themselves as more generous than freemen, and they looked down on Yankees as simplistic because the latter did not know how to treat Negroes as inferiors. To Adams, slavery tainted the sources of moral principle and established a false estimate of virtue and vice "... for what can be more false and heartless than this doctrine which makes the first and holiest rights of humanity to depend upon the color of the skin?"  

28 Ibid., p. 10.  
29 Ibid., V, 11.
of slavery caused man to say that it was sanctioned by religion, that slaves were happy, and that slave and master have ties of mutual affection. Paradoxically, these Southerners cursed the slave trade and Great Britain for introducing slavery while at the same time they cringed at the mention of human rights as applicable to any color. Adams concluded that the bargain between freedom and slavery in the Constitution was politically and morally vicious and incompatible with the principles of the American Revolution. As a consequence, the slave representatives of the South governed the Union. According to Adams, a review of the history of the Union under the Constitution would be illustrative of the fact that everything good established had either been accomplished despite the South or had been forced upon them.  

Adams concluded his musings for the day by saying that he had always favored the Missouri Compromise, believing that it was all that was possible under the Constitution,

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30 Ibid., V, 10-11. Another characterization of the South was made by Adams in reference to Thomas Jefferson and the Declaration of Independence which had created a precipice for Jefferson's slaveholders to fall into: "With the Declaration of Independence in their hands, a more flagrant image of human inconsistency can scarcely be conceived than one of our Southern slaveholding republicans." Ibid., IV, 492.
and fearing that its rejection would put the Union in jeopardy. But again, perhaps it would be better to insist on restrictions on slavery until the controversy ended in a convention to revise the Constitution to produce a union of thirteen or fourteen states unpolluted with slavery, with the object in mind of persuading the other states to free their slaves. Prophetically he wrote, "If the Union must be dissolved, slavery is precisely the question upon which it ought to break." 31

Regardless, the Missouri Compromise had already been approved by Congress on March 2, 1820. 32 Missouri was to be admitted into the Union without any restriction on slavery, while slavery would be prohibited north of the 36° 30' line. The Missouri territorial legislature was also authorized to draw up a constitution for admission as a state. The constitution which was effected contained two controversial clauses; free Negroes and mulattoes could not enter the state, and the state legislature was not allowed to emancipate slaves without the consent of their owners. During the period between the adjournment of the Missouri constitutional convention and the convening of the second session

31 Ibid., V, 11-12.

of the Sixteenth Congress on November 13, 1820, it became apparent that there would be a reopening of the Missouri conflict.  

On November 24, 1820, Dr. William Eustis, a representative from Adams' district in Massachusetts and a long time friend, visited Adams to consult with him on the constitutionality of the Missouri constitution. They agreed that the restriction of immigration was not commensurate with the federal Constitution. Adams' solution was to "Pass a resolution declaring the State to be admitted from and after the time when they shall have expunged from their Constitution the article repugnant to the Constitution of the United States." Eustis agreed.

Several days later, on November 29, Adams continued his musing about the second Missouri controversy with Judge Henry Baldwin, Representative from Pennsylvania. Baldwin stated that some members of the House of Representatives were so upset by the restrictions of the Missouri constitution that they wanted to reopen the question of the entire

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34 *Adams Memoirs*, V, 205.

35 Ibid.
Missouri Compromise. Adams thought this unjustifiable, but, if Congress should approve the admission of Missouri with this clause in its constitution, then other states had the right of retaliation to vindicate the rights of their citizens.  

He continued,

And if I were a member of the Legislature of one of those States, I would move for a declaratory act, that so long as the article in the Constitution of Missouri depriving the colored citizens of the State, say of Massachusetts, of their rights as citizens of the United States within the State of Missouri, should subsist, so long the white citizens of the State of Missouri should be held as aliens within the Commonwealth of Massachusetts, not entitled to claim or enjoy within the same any right or privilege of a citizen of the United States.

Adams' proposal went even farther. He would declare that so long as Missouri was allowed in the Union with such a restriction, no clause or article of the United States Constitution could be so construed as to guarantee slavery. Therefore, he would prohibit the delivery of any fugitive slave from Massachusetts to his owner; "All which I would do, not to violate, but to redeem from violation, the Constitution of the United States." The consequence of all this would probably be the dissolution of the Union as a

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36 Ibid., V, 211.
37 Ibid.
38 Ibid., V, 208.
result of the clause in the Missouri constitution, for to accept this constitution would change the terms of the Federal compact by robbing thousands of citizens of their rights. These citizens would not be the wealthy, but, the poor, the unfortunate, the helpless. Already cursed by the mere color of their skin, already doomed by their complexion to drudge in the lowest offices of society, excluded by their color from all the refined enjoyments of life accessible to others, excluded from the benefits of a liberal education, from the bed, from the table, and from all the social comforts of domestic life, this barbarous article deprives them of the little remnant of right yet left them—their rights as citizens and as men. Weak and defenseless as they are, so much the more sacred if the obligation of the Legislature of the States to which they belong to defend their lawful rights; and I would defend them should the dissolution of the Union be the consequence.

Adams saw the dissolution of the Union as resulting in a war between the states and a servile war in the slaveholding states which would result in the end of slavery, an end to be desired. Baldwin, however, did not agree with Adams, for he believed that most crimes were committed by the free Negro, and therefore, any state had the right to prohibit anyone whose presence would be a nuisance. He would admit Missouri regardless of the conditions involved.

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40 Ibid.
41 Ibid., V, 210-211.
On February 28, 1821, the Senate by a vote of 28-14 adopted a resolution for the conditional admission of Missouri. Adams alleged that Southerners, in order to get their way, had

... threatened and entreated, bullied and wheedled, until their most simple adversaries have been half coaxed, half frightened into a surrender of their principles for a bauble of insignificant promises .... There must be at some time a conflict upon this very question between slave and free representation; but this is not the time, nor was this the proper occasion for contesting it.\(^4^2\)

Adams' distaste for slavery was so great that he was even willing to extend a restriction against slavery to the territory acquired from Spain under the Adams-Onis Treaty. In a conversation with Ninian Edwards of Illinois on March 31, 1820, he stated that he had been the last in the Administration to agree to the Sabine River as a western boundary line. If a sufficient portion of Congress so desired, he would give up the entire treaty, for he considered himself a servant of all the people. As an Eastern man, however, he would be forced, if he were a member of Congress, to offer resolutions prohibiting acceptance of the Florida territory without restrictions against slavery. And he would apply this same restriction to Texas if it had been part of the acquisition.\(^4^3\)

\(^4^2\) Ibid., V, 307-308.

\(^4^3\) Ibid., V, 306-307.
As a result of the Missouri compromises, Adams had established in his mind the basis for what later became a second career in the House of Representatives as a crusader against the expansion of slavery. While it can not be denied that Adams was a racist, just as many of the most ardent abolitionists were, he did believe in the natural God given rights of all peoples. His dedication to the Constitution was based on practicality and a desire for stability. When he became aware of the inconsistency of the Constitution with God's laws he sought, while upholding the Constitution to the letter, to prevent further inconsistencies in statutory laws and treaties. He was initially willing to accept the admission of slavery in areas such as Missouri and Arkansas, where slavery was already evident, in order to preserve the Union. Then with the Missouri constitution's prohibition against the admittance of any free Negroes, Adams realized that slavery not only enslaved the slaves but freemen as well. As a consequence, he could see no other course for the protection of human rights but to end the acquisition of any territory or state which allowed slavery. From then on, he never deviated from this reasoning.
CHAPTER II

DIPLOMACY AND DILEMMA

The nineteenth century slave trade and its intensity has been a matter of controversy among many historians. With public and political agitation to stop the slave trade, those involved kept their dealings generally to themselves. On the other hand, those interested in abolishing the trade gave it as much publicity as possible. Legal abolition began in 1805 with the Dutch\(^1\) and continued with Great Britain's and the United States' acts prohibiting the slave trade which took effect in 1808. After the Peace of Vienna, numerous types of abolition acts were passed by all the European maritime powers. But usually only under pressure from Great Britain.\(^2\)

The major source of information about the slave trade in the nineteenth century is from materials of the anti-slavery groups in Great Britain, the British Foreign Office, and the Royal Navy. Just like the anti-slavery societies,


the Foreign Office often found it helpful to make the slave trade appear to be larger than it was. Estimates shown to Parliament in 1848 indicate that for the period from 1810-1839 an average of 100,000 slaves were exported from Africa, with an annual average of 135,000 for the period 1835-1839, and an average mortality rate of twenty-five per cent.

These estimates were undoubtedly high, and a similar exaggeration characterized other estimates presented to Parliament in 1845 by the Foreign Office. These 1845 estimates are, however, the most complete and largest sampling of the slave trade compiled at any time in its history.

Between 1811-1879, the United States was receiving 2.7 per cent of the slave imports, as compared with Brazil's 60.3 per cent, and the Spanish Carribbean's 31.9 per cent.

From 1817-1820, according to the British Foreign Office, no slaves were imported into the United States, and from 1821-1830 only one hundred slaves were imported, less than 0.05 per cent as compared with 79.2 per cent for Brazil. Thus

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3 Ibid., p. 233.
4 Ibid.
5 Ibid., p. 235.
during the period in which British agitation for slave trade agreements was at its greatest, United States' involvement in the trade was less than one per cent.

Long before the British began to push for abolition of the slave trade, the United States had passed certain regulatory laws to help quell the trade before 1808, the date established by the Constitution as the time when the slave trade could be officially ended. Prior to the writing of the Constitution, the Northwest Ordinance of 1787 had prohibited the introduction of slavery into the Northwest Territory. In the Act of March 22, 1794, Americans were prohibited from building, fitting, equipping, or preparing any vessel to sail from the United States for the purpose of carrying on the slave trade, as well as for taking slaves into any foreign country. The penalty for violation was forfeiture of the ship and a large fine. By an Act of May 10, 1800, American citizens were prohibited from holding any property in vessels that carried on the slave trade, with commissioned vessels of the United States authorized to seize those domestic vessels employed in the slave trade. In 1803, Congress prohibited importation of any Negro, mulatto, or other person of color who was not a native citizen or registered citizen. Finally on March 2,
1807, as allowed by the Constitution, the slave trade was prohibited in the United States after January 1, 1808. The President was also given power to employ armed vessels to cruise any coastal areas where he thought the slave trade might be going on. Thus the United States had passed a law which not only prohibited the slave trade, beginning in 1808, but had long before that time taken legal steps to eliminate the trade.

As Minister to Great Britain and as Secretary of State, John Quincy Adams was faced with two issues related to slavery--two issues which were almost diametrically opposed to one another. He found himself trying to return slaves taken from the South during the War of 1812 and working to end the world slave trade. Ironically, he became involved in both of these problems as a result of Articles I and X of the Treaty of Ghent. Article I specified that all slaves along with private and public property in all occupied areas were to be returned to the rightful owner, while Article X laid the basis for the future abolition of the world slave trade through the combined efforts of the United States and Great Britain.

8American State Papers, Foreign Relations (Washington, 1858), V, 91.
On May 7, 1815, Adams received formal notice of his appointment as Minister Plenipotentiary to Great Britain. One of the questions he was to face, in an otherwise uneventful two years in England, was the indemnification of Southern slaveowners for slaves taken by the British Royal Navy during the War of 1812 and after the signing of the Treaty of Ghent. The reason for controversy lay in the interpretation of Article I of the treaty which stated that,

> All territory, places, and possessions whatsoever taken by either party from the other during the war, or which may be taken after the signing of this Treaty, excepting the Islands hereinafter mentioned, shall be restored without delay and without causing any destruction or carrying away any of the Artillery or other public property originally captured in the said forts or places, and which shall remain therein upon the Exchange of Ratifications of this Treaty, or any Slaves or other private property.

According to official American claims the British had carried away over 3,600 slaves, and now Southerners wanted either the slaves or indemnities.

The British had a different idea as to the interpretation of the article; they considered the slaves subject to

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9 Bemis, John Quincy Adams and the Foundations of American Foreign Policy, p. 223.

10 Hunter Miller, editor, Treaties and other International Acts of the United States of America (Washington, 1931), II,

return to be those captured within forts or occupied areas and not the hundreds of Negroes found on British ships in American territorial waters. In a conversation during the late summer of 1815 with the British Prime Minister, Lord Liverpool, the question of the classification of slaves was considered. Liverpool did not think that slaves could be considered synonymous with private property because of the human element involved; an inanimate object could be taken and returned without damage to its being, but a person could not be. Adams readily admitted the validity of his distinction:

Most certainly a living, sentient being, and still more a human being, was to be regarded in a different light from the inanimate matter of which other private property might consist, and if on the ground of that difference the British Plenipotentiaries had objected to restore the one, while they agreed to restore the other, we should have readily discussed the subject.

The intention of Article I, according to Adams, was to restore all public and private property, and this included slaves. The British had placed restrictions on public and private property that could be returned, but it was agreed

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14 Adams Memoirs, III, 257.
by all that this would not include slaves. He believed that to limit the private property restoration to those restrictions placed on public property would mean that few slaves would be returned, for there were few slaves in forts or occupied areas. The phrase "... or any slaves or other private property ...," according to Adams, had been placed at the end of the sentence in order that it not be interpreted as being part of that property in occupied areas. The major intention of the American negotiators at Ghent was to make sure that all slaves were restored, since under international law they should never have been taken. British naval officers had issued proclamations inviting slaves to desert their masters; however, such pronouncements were considered by the United States as contrary to international law. Adams thought


17 According to Adams, the British in their interpretation of Article I were asserting the right of emancipation of slaves as part of the legitimate right of war. To him it was incomprehensible that the British, who had millions of slaves within their dominion, could make such a claim. He definitely did not see the right of emancipation during war as part of international law. Later he was to change his mind. Ford, Writings of John Quincy Adams, VII, 85.
that after the war the British should agree either to return the slaves or indemnify the owners. If the British wanted to make good the promises of their officers, all they had to do was repay the slaveholders for the slaves that had been irregularly taken. 18

In Adams' conversation with Liverpool, he pointed out that captured slaves had been sold by British officers in the British West Indies. Since these officers denied the charge, their government was not anxious to continue communications on the subject. Adams privately agreed with Liverpool not to reopen the question of these irregular sales, for such talks were not conducive to the conciliatory atmosphere which was part of the new policy of the United States toward England. The subject, however, had already become part of Parliamentary debate. 19

Adams continued to push unrelentingly for repayment to slaveowners despite his belief that the British might never agree. 20 On into the fall, he continued to present claims of Southerners, one of which involved a case in


20 Ford, Writings of John Quincy Adams, V, 366-369.
which a British ship carried away slaves while under a flag of truce, an act which Adams believed to be not only a violation of the right of parole but of Article I as well.²¹

In a conference with Lord Castlereagh in February, 1816, Adams again agreed that the subject of British naval officers’ irregularities in selling fugitive slaves would not be brought up again. The British, however, did want to use American evidence as a basis to investigate the accused British officers.²²

Yet the subject of the Royal Navy’s involvement in the slave trade was not forgotten by Adams. On April 27, 1816, he received copies of the Parliamentary Acts for abolition of the slave trade and the Order of Council of March 16, 1808. In his acknowledgement to Castlereagh that he had received the documents he reopened the subject of the irregularities of the British navy. He was convinced by available testimony that British naval officers had been involved in the slave trade of captured southern slaves.²³

He continued to supply Castlereagh with information to support his belief. According to his information, British

²²Ibid., pp. 506-508.
²³Ibid., VI, 26-34.
officers had been able to get around slave trade laws by placing the vessels in which the captured slaves were held under the control of the British Admiralty Court in the West Indies. Slaves were then delivered upon bail-bond to persons who presented themselves as claimants. Basically, the slaves were being sold, and thus a slave trade did exist. Castlereagh still refused to accept these accusations, believing that if it were true the British philanthropists would have exposed the violation. Adams reminded him that philanthropists had inquired as to why the black population in Jamaica had increased, and that perhaps the slave trade was the reason for the population growth.24

Adams continued his support of southern claims while he was Secretary of State and President. While he was Secretary of State, Russia agreed to act as arbiter in the controversy over slave indemnities. To Adams,

... there was something whimsical in the idea that the United States and Great Britain, both speaking English, should go to the Slavonian Czar of Muscovy to find out their meaning, in a sentence written by themselves, in the language common to both.25

Adams believed that the British at Ghent had agreed to Article I without reflecting on its meaning in relation to

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25 Ibid., V, 160.
the subsequent action of British officers in luring away slaves with promises of freedom.26

Finally on April 22, 1822, Count Nesselrode presented the Czar's opinion, which was in favor of indemnities for the United States. As a consequence, in June, 1823, mixed commissions were established in Washington to determine the number and value of slaves taken. In 1826, Great Britain and the United States signed a convention in which the former agreed to pay $1,204,906 in indemnities.27

It was while Adams was Minister to Great Britain that he was first approached by Lord Castlereagh in August, 1816, on the matter of ending the slave trade in reference to problems which the British were having with the Dey of Algiers who was enslaving Christian prisoners of war. The British were in the process of making various demands through Lord Exmouth for the liberation of these slaves and were determined that if these demands were fulfilled, they would still be willing to supply the necessary naval forces to persuade the Barbary states to observe the principles of civilized nations. According to Castlereagh, it was the British intention,

26 Ibid.
... to combine this purpose with that of completing the abolition of the African slave-trade, and to obtain the assent of the nations which will contribute to the joint armament to put down forever the Barbary piracies, to allow the same joint application of power to arrest every ship pursuing the traffic in black slaves.

Adams considered this proposition reasonable and stated that,

The instructions to Lord Exmouth were such as must give satisfaction to every power annoyed by the Barbarian piracies, and if Spain and Portugal were so anxious for the abolition of one slavery, it could not consistently be refused by them to lend a hand for the abandonment of another. As to the United States, they, as well as Great Britian, had totally prohibited the slave-trade by their citizens, and could have no objection to measures which may serve to put down these odious practices, the one by the other.

Obviously, Adams had not considered the possibility of the right of visit and search and its implications in the elimination of the slave trade.  

Castlereagh did not relate to Adams the British plan for stopping the slave trade until December, 1816. Telling Adams of the adroitness of slave traders under Spanish and Portuguese flags, his suggestion was that those nations who had abolished the slave trade should authorize the capture of all slave trading vessels, which would then be

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29 Ibid., p. 428.

30 Bemis, John Quincy Adams and the Foundations of American Foreign Policy, p. 233.
tried by commissioners not exclusively from the country of the capturing vessel. Adams made no statement concerning the proposal since Castlereagh did not indicate that the United States would be asked to participate. 31

Later, in the summer of 1817, Adams talked with William Wilberforce, leader of the "Saints" in the House of Commons. Wilberforce was also the brother-in-law of James Stephen, author of War in Disguise, or the Frauds of Neutral Flags, a pamphlet which defended the "Rule of 1756." 32 A resolution of the American Congress had been published in the London newspapers on June 4 which requested the President to enter into negotiations with Great Britain and other European nations for the suppression of the slave trade and in favor of sending free colored persons of the United States to Sierra Leone and other African nations. Possibly as a response to this resolution Wilberforce came to talk with Adams about the United States giving its consent to British cruisers searching and capturing ships using the American flag while carrying on the slave trade. He even went so far as to suggest that the United States agree to the searching by the ships of any other nation of any vessel

31 Adams Memoirs, III, 454-455.

32 Ibid., p. 557; Bemis, John Quincy Adams and the Foundations of American Foreign Policy, pp. 233-234.
which was suspected of carrying on the slave trade. Of course, similar propositions had been mentioned before by Castlereagh, but Adams had never voiced any opinions. Concerning Wilberforce's proposal, he privately confided in his Diary: "In substance, it is a barefaced and impudent attempt of the British to obtain in time of peace that right of searching and seizing the ships of other nations which they have so outrageously abused during war." His reply, however, to Wilberforce was less blunt and was to the point that there would definitely be objections. First, American ships engaged in the slave trade were prohibited from using the American flag. Thus any such vessel would not receive protection from the United States. Second, the commander of the capturing vessel would have to act at his own risk, for if he seized a ship not engaged in the slave trade, he would have to indemnify the sufferer. Last of all, the proposal, while reciprocal in nature, would be one-sided, because cruisers against the slave trade were kept only by Great Britain. Consequently, British ships would be subject to search and capture only by naval officers of their own government, while other ships would be subject to the power

\[^{33}\text{Adams Memoirs}, \text{III, 557.}\]
of foreigners not liable to their own sovereign. Wilberforce could not see much validity in Adams' objections.\(^{34}\)

Before Wilberforce left, Adams mentioned the fact that British naval officers had been accused of taking slaves from the United States during the War of 1812 only to sell many of them later, information which Adams did not feel was known to Wilberforce. Needless to say, he left rather disappointed in the interview with Adams.\(^{35}\) This was the last that Adams would have to do with the slave trade issue as the American Minister to Great Britain. On June 15, 1817, he left London to return to the United States and serve as James Monroe's Secretary of State.\(^{36}\)

In February, 1818, Richard Rush, American Minister in London, wrote Adams informing him that Great Britain had concluded treaties with Portugal\(^{37}\) and Spain ending the slave trade, and that Castlereagh in a speech before the House of Commons had made the statement that the United

\(^{34}\)Ibid., p. 558.

\(^{35}\)Ibid., pp. 558-559.

\(^{36}\)Bemis, John Quincy Adams and the Foundations of American Foreign Policy, pp. 246-247.

\(^{37}\)Portuguese slave traders were allowed immunity from search south of the equator until 1839. Curtin, The Atlantic Slave Trade, pp. 231-232.
States would be the determinant as to whether the slave trade would be ended. Castlereagh did not present Rush with a slave trade convention until June 20, 1818, and then it had already been signed by Portugal, Spain, and the Netherlands. The convention was accompanied with a request that Rush present the convention to the President. Castlereagh did not believe that the slave trade could be ended without granting the right of search which he felt the British had limited in order to keep it from perversion. He also stated that the British would be willing to listen to any additional proposals which the United States might suggest.

The cabinet assembled on October 30, 1818, to consider the British Slave Trade Convention. The opinion was unanimous that the proposal should be turned down. William Wirt, Attorney General, objected to the convention on the basis that the United States did not have the constitutional authority to establish a court consisting of foreigners who would not be subject to impeachment. Adams, however, saw no constitutional reason why the United States could not

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38 American State Papers, Foreign Relations, V, 70.

39 Ibid., p. 112; In the meantime, Congress had passed another anti-slave trade act on April 20, 1818 which put the burden of proof on the defendant, who must prove that Negroes brought into the United States were not in violation of the law. Ibid., p. 91.
participate in such courts, pointing out the similarity to the joint commissions established by treaty with Great Britain and Spain. He contended that since the Constitution placed no limitation on the power to make treaties, there was subsequently no constitutional reason against the United States joining such a court. Other objections were proposed by the cabinet members. First, the United States did not have any possessions on the coast of Africa, and therefore could not establish any courts with reciprocity. Secondly, and probably most important, the United States had suffered from the searching of vessels during war, particularly under the British doctrine which allowed an officer who boarded a ship with the declared intention of searching for one thing to extend the search to other items if he so desired. The entire cabinet agreed that the United States needed to be especially careful not to allow the right of search during peacetime. Lastly, they objected to the provision within the Netherlands treaty that subjected ships under convoy to search. Adams was instructed to relate these ideas to the British along with the fact that the President would order

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all United States armed vessels to bring in any American ship suspected of being involved in the slave trade. 41

Adams' instructions to Albert Gallatin and Rush were a reiteration of the sentiments expressed by cabinet members. An additional objection to the convention mentioned in the instructions was that it would be impossible for the United States to accept slaves found on condemned vessels as freemen because of the peculiar conditions in the individual states. According to Adams,

The condition of the blacks being in this Union regulated by the municipal laws of the separate states, the Government of the United States can neither guarantee their liberty in the states where they could only be received as slaves, nor control them in states where they would be recognized as free. 42

He stated that the United States was willing to co-operate, but only within the limitations of its institutions. 43 Meanwhile as an indication of its desire to further curtail the slave trade, Congress authorized the President to use armed vessels to seize any United States ship involved in the slave trade and gave him the right to negotiate and make

41 Ibid., pp. 151-152.

42 American State Papers, Foreign Relations, V, 73; Ford, Writings of John Quincy Adams, VI, 471.

43 American State Papers, Foreign Relations, V, 72-73; Ford, Writings of John Quincy Adams, VI, 464-472.
arrangements for the return to Africa of those Negroes involved. 44

In instructions to Rush dated May 2, 1819, Adams was quite clear as to how he felt about the British proposal of visit and search as a means to end the slave trade. His suggestion was,

. . . that if the British Government will begin by stipulating, never, from this day forth to the end of time, to take by force a white man from an American merchant vessel in the high seas (unless as a prisoner of war) we will listen to proposals to let them search American vessels for black men in time of peace. And that so long as their humanity for white freemen stops short of such an engagement, for fear it should unman their navy, they may spare themselves the trouble of applying to us to unman our Independence by trusting them to search our ships for black slaves to emancipate. I am not partial to empires whose infallible remedies are always worse than the disease. 45

Throughout the remainder of the year the British continued to push the United States to reach an agreement on the abolition of the slave trade. With the replacement of Sir Charles Bagot by Stratford Canning as the British Minister, Washington became the seat of future negotiations, and with the appointment of Canning, there was more communication

44 American State Papers, Foreign Relations, V, 91.
46 American State Papers, Foreign Relations, V, 75, 80.
with Adams concerning the slave trade. Throughout October of 1820, the two men discussed the problems involved in reaching an agreement. Adams added some additional objections against the British convention. First, the United States had an extra-European policy, a policy which the British had also used in relation to the rest of the world. A European alliance of five countries ran European affairs without ever calling on the United States for advice. Secondly, the United States had had one war with Great Britain over the searching of neutral ships during war, a matter which still had not been satisfactorily solved. 47

On December 4, 1820, the House of Representatives passed a resolution asking for all correspondence with foreign powers on the slave trade. Canning reacted to the resolution by reopening his talks with Adams, who had told Canning that the matter would be considered only after Congress had reconvened. Adams' advice was that although the President had not changed his mind concerning British proposals, Castlereagh could present an inquiry into the matter in writing, and thus have it included with other communications to the House of Representatives. 48 Canning accepted his

47 Memoirs, V, 183.
48 Ibid., p. 214.
advice and wrote a letter to Adams to be included with material sent to Congress, a letter in which he expressed the sincere desire of his government to come to terms with the United States in the suppression of the slave trade.\(^49\)

Despite the apparent desire of the House of Representatives to come to some sort of agreement with the British, the Administration could not accept the British Slave Trade Convention. Once more the cabinet rejected the convention unanimously. Calhoun refused to believe in the sincerity of British motives, seeing nothing but national ambition in their proposal. He thought that Great Britain could not stand to see others take part in a profitable trade which was not open to their shops. He contended that to accept the British proposal would give the United States the appearance of being a satellite, even though the example of prohibiting the slave trade had been set by the United States. Adams agreed generally with Calhoun's statement, but he was a little more charitable toward British motives, believing that its government was sincerely against the slave trade. He felt that the existence of a powerful party in Parliament which had its heart set on abolition of the slave trade had forced the British Ministers to conciliate them.\(^50\)

\(^49\) American State Papers, Foreign Relations, V, 75.

In turning down the convention, the Administration had to give an alternate suggestion. Therefore, it was proposed that since the United States had ships cruising off the African coast, that the British give their ships orders to cooperate with American ships when convenient.\textsuperscript{51} This invitation was issued to Stratford Canning on December 30, 1820.\textsuperscript{52}

Adams was somewhat perturbed about the persistence of Canning on the subject of the slave trade. He did not think that the British realized how much the American government was against neutral search, believing that British insistence was not commensurate with American opposition. He believed that the efforts of the American cruisers off the coast of Africa, who had captured four vessels in the last year, would be successful in stopping the abuse of the United States' flag. He thought that cooperation of British and American ships off the coast of Africa might solve the problem without signing any convention.\textsuperscript{53} Adams' patience finally gave out, and he

\textsuperscript{51}Ibid.

\textsuperscript{52}Ford,\textit{ Writings of John Quincy Adams, VII, 84-87};\textit{ American State Papers, Foreign Relations, V, 76}.

\textsuperscript{53}Ford,\textit{ Writings of John Quincy Adams, VII, 92-94}. 
told Canning, who had dropped by to deliver an invective against the slave trade, as well as to see if there were any more suggestions in relation to cooperation on the matter, to drop the subject. 54

Adams' replies to Canning were sometimes a little too harsh for Monroe who would make various changes to tone down the content. 55 Adams' justification for the severity of his notes was as follows:

I believe it to be important to hold up constantly in our part of the correspondence, the Nature of our objections to the proposals of Great Britain; and there is so much of a scolding in the remarks upon our declining their proposals, and upon our offered substitute, that I thought a spirited notice of them due in justice to ourselves. 56

He was especially upset about the recent debate in Parliament and the Marquis of Londonderry's attempt to fasten the blame on the United States for "... defeating the common object of the league of abolition ... " something which he considered "... was one of those good offices which we may always expect from the ruling statesmen of that country when they are in their most friendly mood." 57

54 Adams Memoirs, V, 321.
55 John Quincy Adams to President Monroe, August 3, 1821, Adams Papers.
56 Ibid.
57 John Quincy Adams to Robert Walsh, August 4, 1821, Adams Papers.
The British considered the American suggestion of cooperation between British and American cruisers off the coast of Africa insufficient for the purpose of stopping the slave trade. Adams, however, was still emphatic in his refusal to accept the right of search during peacetime. He pointed out to Canning that it was not under the American flag that the slave trade was being perpetuated. He contended that the only way to stop the slave trade was for each country to pursue its own means of control. Adams firmly believed that according to international law no nation had the right to board another nation's ships without consent. He stated that even the United States' own public vessels could not board American merchant vessels without authorization by Congress. The right to board another ship came only during war; in peacetime there was no such right according to international law. In Adams' words, "With regard to the slave trade there can be none such, because all Acts prohibiting it, as well our own as those of other nations, are new." There was no right

58 During this period from 1817-1820 the British Foreign Office reported that no slaves were being imported into the United States. Curtin, Atlantic Slave Trade, p. 237.

59 Ford, Writings of John Quincy Adams, VII, 172-176.

60 Adams Memoirs, V, 388.
under international law to board another nation's ship to ascertain if it was involved in the slave trade or to even find out if the flag was being falsely used. 61

In December, 1821, Adams once more stated to Canning that the United States would never accept British proposals unless the,

... British would bind herself by an article, as strong and explicit as language can make it, never again in time of war to take a man from an American vessel, we never for a moment could listen to a proposal for allowing a right of search in time of peace. 62

He told Canning that any proposal would have to come from the British for the United States would not retreat on this position. 63 To Adams, "The practice of search in war, has been rendered too odious to make its exercise tolerable in time of peace." 64

Canning continued to present proposals to abolish the slave trade in his long conversations with Adams. In June, 1822, Canning was ready again to present official British slave trade proposals. This time he was a little

61 Ibid., p. 391.

62 Ibid., p. 448.

63 Ibid., p. 449.

64 John Quincy Adams to Ward Boylston, January 24, 1822, Adams Papers.
more confident of his chances for success. He reminded Adams that a committee from the House of Representatives had reported a resolution in favor of search. He also intimated that there were members of the Administration who were not as adverse as Adams to the relinquishing of such a privilege. He stated that as of yet he had not reported to Parliament Adams' avowal that he would never sign a treaty agreeing to mutual right of search. Adams replied that such a statement to Parliament would not matter because in three years there would be a change of Administration at which time his opinion would be his own and not important. Besides, he did not think that there was one member of the Administration that was any more willing than he to give up the right of search.\(^{65}\)

Later in the month, Canning revisited Adams to discuss the slave trade. Canning stated that he was now led to believe that the major difficulty was the question of trial by mixed courts, and he stated that he also expected a new proposal from the United States. This irritated Adams, particularly in view of the fact that in London Lord Londonderry had presented a new proposal to Rush, a circumstance that Canning ignored in asking the United States for a new proposal.

\(^{65}\)Adams Memoirs, VI, 13-14.
proposition. Adams refused to even discuss the matter and instead said that he would be willing only to listen to British proposals which he would report to the President. When Canning brought out documents with lists of incidents where French and Portuguese flags were used to protect the slave trade, Adams pointed out that not one was a case in which American flags had been used. To Adams, this was evidence that the United States could use their own methods to stop the use of the American flag as cover for the slave trade. He further stated, "Search and the mixed Courts, therefore, would have effected nothing for the suppression of the trade, which has not been effected without them." When Canning suggested that the United States should comply if only in order to get the French to join, Adams' reply was that France should adhere to its own principles. When Canning asked him if he could conceive of a worse evil than the slave trade, Adams replied, "... Yes; admitting the right of search by foreign officers of our vessels upon the seas in time of peace; for that would be making slaves of ourselves." Canning mentioned the opposition of certain people in the United States to the slave trade, and in

\[66\] Ibid., p. 36.

\[67\] Ibid., p. 37.
addition called attention to two successive reports from committees of the House of Representatives. Adams, however, thought that these reports were based on other views than the desire to end the slave trade. Canning left the documents relating to the use of the French and Portuguese flags in protecting those involved in the slave trade in order that Adams could show them to the President. 68

In January, 1823, Canning renewed his overtures, suggesting again that the United States and Great Britain work together to impress the French with the urgency of coming to some agreement. 69 Adams' reply to Canning's request was late because it had been hoped that the House of Representatives might come up with an alternate plan which would prove more acceptable than the relinquishing of the right of search. Since the House did not act until the end of the session, the Senate did not get a chance to pass on the new plan. The President, however, felt that the Senate would accept the plan, especially since the House had acted almost unanimously. Thus it had been decided to act on the basis of the House's action by declaring that the United States was willing to join in a concerted action

68 Ibid.
69 American State Papers, Foreign Relations, V, 327.
against the slave trade by getting all nations to declare the slave trade piracy. In his reply to the British invitation, Adams called attention to the Act of May 15, 1820, which made American participation in the slave trade piracy. Thus the President's suggestion was that Great Britain adopt the same principle by making the slave trade piracy and punishable by death. This would replace the proposal of mutual right of search and mixed commissions. If the British accepted the proposal, then it would be suggested to France and all other nations. 70

Canning's reply was an expression of regret that the United States still refused to accept the British proposal. He emphasized that the proposal of the British was one of limited right of search. He felt that they had removed all objections, especially since the House of Representatives had suggested that the Act of March 3, 1819, be used to dispose of vessels and liberated slaves. Canning felt that the only objection left was the issue of the right of search, even if the United States had stopped the use of the American flag to protect the slave trade, he felt that it was still necessary to accept the British proposal as an example to the French, because only the right of search

70 Ibid., p. 328.
could provide the substantial body of proof needed for conviction. In order to eliminate objections to the British proposal, the right of search had been limited to certain parts of the ocean, and a suggestion had been made that there be a limitation on the period of the agreement to indicate that it was experimental in purpose. Canning was hopeful that with this suggestion some sort of agreement could be reached. 71

On June 19, 1823, Adams' convention to suppress the slave trade, his answer to Canning, and the instructions to Rush were considered by the cabinet. William Crawford, Secretary of the Treasury, objected to Adams' argument to Canning against the right of search for he felt that it had been given up in the British convention, and as a consequence such an argument might be seen by the British as a declamation against something that had already been relinquished. Adams admitted that he had been aware of this factor, but that his argument had two objectives. First, it justified the repugnance which the United States had toward the right of search as practiced by the British during the War of 1812. Secondly, it carried into effect the resolution of the House of Representatives to negotiate

71 Ibid., pp. 328-330.
to end the slave trade by getting it recognized as piracy, and in the case of piracy the right of search went with the right of capture. He continued,

The end desired by the resolution of the House of Representatives cannot be obtained without conceding the right so far of search, and all that is left us is to keep it still inflexibly within the class of belligerent rights, as exercised only against pirates, the enemies of all mankind. It was therefore that in my project of Convention the first article assumes as a fact that both parties have declared the slave-trade piracy, and my instructions to Rush are not to offer it but after an Act of Parliament declaring the slave-trade to be piracy.\(^1\)

Adams agreed with Calhoun that the United States should not concede the right of search for slaves until the British agreed to give up the same for seamen during war. The project was approved by the cabinet, but it was decided to modify Adams' letter to Canning.\(^2\)

The following day Monroe talked with Adams about his reply to Canning. Adams repeated his justification for the letter, stating that it was his desire to show the world the United States' objections to the right of search. He reminded Monroe that there were some members of Congress who were trying to turn the entire issue into a party question. It appeared to Adams,

\(^1\)Adams Memoirs, VI, 148-149.

\(^2\)Ibid., p. 149.
... that an exhibition of the grounds upon which the aversion of this Government to conceding the right of search was founded would at once serve for its justification, and guard against the prevalence of a disposition in Congress to counteract the views of the Executive.\textsuperscript{74}

Monroe agreed; however, he still wanted to leave out the objectional part of Adams' note to Canning. He suggested instead that it might be included with Rush's instructions, thus getting it before Congress without unduly angering the British. He wanted to be sure that nothing was included that the British Minister might use to indicate insincerity on the United States' part. Adams replied that he had merely formed his convention to carry out the intent of the House of Representatives' resolution. He felt that omission of his remarks in Canning's letter and inclusion of them in Rush's instructions was too circuitious a route for getting the message to Congress.\textsuperscript{75}

Later in the day Adams talked with Canning about the alleged aloofness of the United States toward Great Britain, a policy which he contended the British had also pursued toward the United States, especially in regard to the slave trade. For five years the British had negotiated with Europe

\textsuperscript{74} Ibid., p. 150.
\textsuperscript{75} Ibid., pp. 150-151.
and the United States on the abolition of the slave trade, but only after the European treaties had been completed had the British asked the United States to join. Canning, according to Adams, had no reply to this statement except to say that he thought that Adams was implying that negotiations could have brought a change in principle on Great Britain's part. He thought, however, that a great nation could not be expected to change its principles. Besides, the basis of all negotiations was concession and compromise. Adams agreed. All he wanted was a definite statement from the British of their policy on impressment; "For if impressment of our men was to continue, my belief was that we should meet it by war so long as this country could be kept afloat above the sea."  

On June 24, 1823, Adams sent his official reply to Canning and his instructions to Rush. Canning had acknowledged Adams' letter of March 31, which had suggested the alternative of declaring the slave trade piracy. But in Canning's acknowledgement, he had continued to state that the concession of mutual and limited right of search was necessary to end the slave trade. He had made some

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76 Ibid., pp. 149-154.
77 Ibid., p. 154.
modifications in the British proposal which, according to Adams, had removed several of the objections. However, the right of search was a right to be used only in wartime, and even then to Adams, "It has in short all the features of unbridled power stimulated by hostile, selfish and unsocial passions."  

The remainder of Adams' letter was cut out because it was believed to be too strong. However, it was a good example of how Adams felt about the right of search. Adams stated that British impressment during the War of 1812 could not be forgotten. He acknowledged that the British motives to end the slave trade were sincere. However, the United States refused to put chains upon themselves in order to end the slave trade. Adams believed that the best solution would be for the slave trade to be declared piracy under the law of nations, then treaties could not be broken during wartime, and the right of search would be merged with the right of capture with responsibility going to the captured party.

Adams informed Rush that only if the British agreed to a declaration of the slave trade as piracy could the United

78 The word "selfish" was taken out of the final copy. Ford, Writings of John Quincy Adams, VII, 505; see also American State Papers, Foreign Relations, V, 330-332.

79 Ford, Writings of John Quincy Adams, VII, 500-516.
States agree to mutual search. If the British could not agree, then Rush was to forget about the convention. Only after the House of Commons passed the necessary statute making the slave trade piracy would the United States be willing to sign a convention and unite naval forces to enforce the provisions. Adams had already instructed American Ministers in Columbia, Buenos Ayres, and Spain to begin negotiations on his new convention. After having begun negotiations with the British, he sent similar instructions to American Ministers in Russia, the Netherlands, Portugal, and France. Reports from the American Chargé d'Affaires in France were still not favorable to an agreement. Although the French backed down somewhat by agreeing to pass new provisions to enforce the prohibition of the slave trade, they were still afraid to advance too suddenly for fear that such actions might be interpreted as bowing before British power.

On January 23, 1824, negotiations in Great Britain formally began on the slave trade convention, and on

81 American State Papers, Foreign Relations, V, 332-333.
82 Ibid., pp. 337-339.
83 Ibid., pp. 339-340.
84 Ibid., p. 316.
March 15, 1824, Rush could announce that the British had agreed to the convention. On March 31, 1824, the House of Commons passed a statute making all persons involved in the slave trade pirates effective after January 1, 1825. The slave trade convention was communicated to the Senate on May 8, 1824, along with all previous documents relating to the suppression of the slave trade.

Despite these propitious moves Adams feared that internal disagreements might yet destroy the convention. As a result of an appearance before a Senate committee meeting, he was convinced that Crawfordism had taken over for fear that if the convention between the United States and Great Britain was signed, it would be turned into a concert for the abolition of slavery. On May 12, 1824, Adams wrote an editorial for the *National Intelligencer* on the slave trade convention, replying to charges that its objective was the concession of the right of search. According to Adams, international law made the right of search a right of war. If the United States and Great Britain declared the slave trade piracy, they were declaring war against all slave

\[85\] Ibid., pp. 317-319.

\[86\] Ibid., pp. 342-343.

\[87\] Adams *Memoirs*, VI, 328.
traders. By declaring the slave trade under international law, there would be no need for a convention or treaty to allow search:

The right of visitation and search is conceded only as incidental to that of seizure and delivery for adjudication and considering the slave trade as Piracy, the object of the Convention is rather to restrict the right of search already given by the character of the crime than to concede it.

The British were also getting impatient because of the failure of the Senate to ratify the convention. Finally, on May 21, 1824, President Monroe requested the Senate to agree to the slave trade convention, pointing out that to do otherwise would show a great deal of insincerity on the part of the United States, as well as create suspicion among all countries to which overtures had been made. Monroe's appeal brought quick action; on May 22, 1824, the Senate approved the convention, with modifications, by a vote of 23-13. On May 29, 1824, Adams sent the convention to Rush along with the modifications made by the Senate which exempted from the right of search the American coast except

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88 Editorial article for the National Intelligencer, May 12, 1824, Adams Papers.

89 American State Papers, Foreign Relations, V, 347.

90 Ibid., pp. 344-346.

91 Ibid., pp. 361-362.
for an area of the Gulf of Mexico. At the same time, Adams pointed out the fact that the President had wanted the convention ratified as approved by the British. Two days before Adams sent the convention to the British, he had a long talk with Representative Charles F. Mercer of Virginia about the convention and the Senate proceedings. Adams thought that as a result of Senate actions and efforts to make the convention unpopular, the President would have to have further opinions from Congress before he could continue any action on the House resolution. Mercer doubted if there would be any action by Congress during its next session. He thought that it was generally known that much of the opposition to the convention was personal and directed against Adams with reference to the forthcoming Presidential election. Consequently, excitement would be too high because of the impending election. Adams thought that this might be true at the beginning of the session, but if the British government ratified the convention as modified, the President could mention it in his annual message along with any pertinent documents. This part of the message would be referred to a select committee where it could be kept until the Presidential election had

Ibid., pp. 362-363.
been decided. Then there would be no motive for continuing the opposition designed to benefit Crawford. Adams told Mercer that Crawford had favored the concession of search even while Adams had opposed it. Crawford had been present at the cabinet meeting when the convention had been presented, and according to Adams, he had agreed to the measure even though he subsequently denied it. Adams said that this had been confirmed by the President. Mercer, however, claimed that the President had never mentioned this fact to him.  

In a letter to Joseph Blunt of June 6, 1824, Adams revealed his feelings about the outcome of the slave trade convention. He stated that his opposition to the right of search had been unconnected with piracy and had been counteracted by two successive reports of committees of the House of Representatives. He had been accused of being for the slave trade by the same group that was blasting the convention. He felt that by making the slave trade piracy, it naturally resulted that search was allowed as a right of capture. He stated,

I was glad of such an opportunity to save us from the right of search, as it had been upon us, and should have been surprised at the resistance started against

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93 Adams Memoirs, VI, 361-363.
it in the Senate if I could have been surprised at anything in the tangle of electioneering inconsistencies.

In August, 1824, Adams received formal notification that the British government had been unable to agree to the convention with the modifications as proposed by the United States, in particular, that which had excluded the American coast from the area of mutual search. The British, however, continued to try to resolve the differences involved in the modification, but they were unsuccessful in reaching a final understanding.

The United States and Great Britain had been engaged in negotiations to end the slave trade for six long years. When an acceptable agreement was reached, political forces antagonistic to Adams were rallied to block an arrangement which might have ended the slave trade in 1824. His political rivals easily attacked him by using numerous statements which he had made against the relinquishing of the right of search. They accused him of giving up the right of search in peacetime in order to win support for his election to

94 John Quincy Adams to Joseph Blunt, June 6, 1824, Adams Papers.
95 American State Papers, Foreign Relations, V, 364.
96 Ibid., pp. 364, 367.
President in 1824. They refused to listen to his argument that the right of search under the law of piracy was not a peacetime right, but a belligerent right. Although Adams' convention may have been a circuitous route for giving up the right of search, it illustrated his ability to view issues in legalistic rather than moralistic terms. If he had not been able to justify the right of search under piracy, it is most likely that he would have never written a slave trade convention to uphold a Congressional resolution.
CHAPTER III

EFFECT OF GAG RULE ON ADAMS

At a time when most men retire, John Quincy Adams began a new career in the House of Representatives as freshman representative from the Twelfth Congressional District of Massachusetts. For seventeen turbulent years until his death in 1848, he represented his constituents, becoming involved in the most controversial issues of the day. During these years in the House, he led three major struggles: first, against the movement to destroy the Second National Bank; second, against the annexation of Texas as a slave state; and last of all, against the curtailment of the right of petition by the gag rule. The last two questions were interconnected, since many of the petitions coming under the gag rule asked that Texas not be admitted into the Union as a slave state. His fight against the gag rule was dramatic and colorful; the old statesman was involved in eight years of invective and two near censures by the House of Representatives.

When Adams took his seat in Congress in 1831, his views on slavery were not completely formed. As he became aware
of the portent of the gag rule, which was inextricably connected with the slavery issue, he also became more reluctant to become involved. This was partially explained by his ever present disbelief in his own capabilities. Upon entering the House, he confided in his Diary that he had no prospect for any future success in Congress. He saw nothing but failure in his past. Everything he had been involved in—Freemasonry, internal improvements, domestic industry—had resulted in turning factions against him.

"Nothing but an overruling sense of duty..." could justify his giving any opinions to the people. He would refuse to volunteer any advice in the future. Even more reminiscent of his propensity for self-pity was the following statement:

I have done nothing, I have no ability to do anything, that will live in the memory of mankind. My life has been spent in vain and idle aspirations, and in ceaseless rejected prayers that something should be the result of my existence beneficial to my own species. It is time for me to abandon all such imaginations and to close my accounts with this world.

Little did he know that the greatest accomplishments of his life lay ahead of him.

Ironically, Adams was involved in the abolition petition controversy from his very first day as a representative. On

1Adams Memoirs, IX, 248-249.

2Ibid., p. 245.
December 7, 1831, his first act was to present fifteen petitions from Pennsylvania Quakers, praying for the abolition of slavery and the slave trade in the District of Columbia. Although they were not his constituents, he felt obligated to present the petitions. He requested the petitions be referred to appropriate committees; however, he would not give his support to those petitions asking for abolition of slavery in the District of Columbia. Refusing to give his reasons for this position, he expressed his desire that the matter never be discussed in the House. If such were to happen, then and only then, would he state his position "At present he would only say to the House, and to the worthy citizens who had committed their petitions to his charge, that the most salutary medicines unduly administered, were the most deadly of poisons."\(^3\) There were no objections to Adams' motion. The petitions were referred to the Committee on the District of Columbia, and when the committee report was given, it was against the prayers of the petitioners.\(^4\)

As of yet, Adams was neither willing to make commitments nor deliver sermons concerning slavery. This would

\(^3\)Register of Debates in Congress, 22th Congress, 1st Session, VIII, 1426.

\(^4\)Ibid., p. 1442.
come only when he had clarified his views and when he realized the full implications of the threat to basic civil liberties brought about by the South's efforts to protect the institution of slavery by curbing the right of petition.

During the next couple of years Adams presented very few abolition petitions. He did, however, note in his Diary various petitions presented by other representatives, and he recorded the reaction to such petitions by House members as "sub silento." He also noted that abolition petitions referred to committees probably would never be heard from again.

In 1834, the American Anti-Slavery Society began a program of distributing pamphlet propaganda in the South. The purpose of the propaganda was to arouse the consciences of Southerners to the point they would free the slaves. Southern slaveholders were infuriated by the anti-slavery propaganda, believing its purpose was to instigate a slave insurrection. In order to stop the flood of propaganda the Southerners tried to get the federal government to pass a

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5 Adams Memoirs, IX, 206.
6 Ibid., p. 80.
7 Ibid., p. 124.
bill to exclude "incendiary" publications from the mails. When the bill failed to pass, the Southerners were able to establish laws within their various states excluding the anti-slavery literature.

The anti-slavery forces, however, did not give up. They turned to the use of petitions praying for the abolition of slavery in the District of Columbia and territories of the United States. Adams was the recipient of many of these petitions, most of which did not come from his own constituents. The number of petitions became so enormous as to threaten to upset the entire order of business in the House. Indeed, Southern representatives were determined to stop the anti-slavery petitions by insisting that the petitions were a threat to the Union.  

The impending controversy over the reception of abolition petitions began December 21, 1835, when the House resumed consideration of a petition from Wrentham, Massachusetts, asking for abolition of slavery and the slave trade in the District of Columbia. George W. Owens, of Georgia, immediately rose to present two resolutions: the question of slavery should not be entertained in Congress, and all such slavery

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petitions would thereafter be laid on the table without being read. The House, however, refused to suspend the rules for immediate consideration. Then John Patton, of Virginia, asked the House to reconsider the vote to refer an abolition petition presented by George N. Briggs of Massachusetts, a petition which was already being considered by the Committee on the District of Columbia. He too wanted a declaration from the House that it could not and would not interfere with slavery.

Adams decided to speak. He definitely did not think the petition should be reconsidered. There was only one way to end the controversy: dispose of all abolition petitions by referring them to an appropriate committee. He was convinced the proper course to take was simply to present, refer, and report with unanimous acceptance of the report: "This does equal justice to all parties in the country; it avoids the discussion of this agitating question on the one hand, and, on the other it pays a due respect to the right of petition." He aptly reminded the House that the Committee on the District of Columbia was not an abolition committee; you will have a fit, proper, and able report from them; the House, sub silentia, will adopt it, and you will

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hear no more about it. But if you are to reconsider the vote, and to lay these petitions on the table; if you come to the resolution that this House will not receive any more petitions, what will be the consequence? In a large portion of this country every individual member who votes with you will be left at home at the next election, and someone will be sent who is not prepared to lay these petitions on the table.  

The result of a refusal to receive petitions would be extensive discussion which would amount to many incendiary pamphlets. He warned the House: "The speeches of my colleagues, probably of myself, will be incendiary; because, if discussion is thrust upon us, I doubt not I might make a speech as incendiary as any pamphlet upon which such torrents of denunciation have been poured upon us."

Furthermore, these incendiary speeches would be circulated by the press. Then if a resolution was passed against incendiary statements, what would determine a violation of such a resolution? Consequently, to suppress the right of petition would be tantamount to suppressing right of speech, press, and religion.  

Despite this cogent plea by Adams, the House voted to reconsider the petition, which was laid on the table.

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11 Ibid.
12 Ibid.
13 Ibid., p. 2078.
On January 4, 1836, Adams presented a memorial from various Massachusetts citizens asking for abolition of slavery and the slave trade in the District of Columbia. He asked that it be received and laid on the table. Instantly there followed a controversy initiated by Thomas Glascock, of Georgia, over whether a memorial or petition could be debated on the day it was presented. The Speaker ruled that petitions could be debated on the day presented. Adams appealed.\textsuperscript{14}

Several days later, with the question of the appeal and the memorial still unresolved, Leonard Jarvis, of Maine, presented a resolution, similar to an earlier resolution presented by Owens, asking that abolition of slavery not be discussed in Congress and that all petitions praying for abolition and the slave trade in the District of Columbia be laid on the table. He had presented the resolution on Owens' request, but he did so with the desire it would be accepted. Believing a stronger statement was needed, Glascock and Henry Wise, of Virginia, presented amendments to Jarvis' resolution specifying that Congress did not have the constitutional right to abolish slavery in the District

\textsuperscript{14}Adams Memoirs, IX, 266; Register of Debates in Congress, 24th Congress, 1st Session, XII, 2129.
of Columbia. The House adjourned before reaching a decision. Meanwhile, a new device was used to stop the reception of abolition petitions: a motion was made to lay the motion not to receive on the table.

The question of Adams' appeal was still pending after having been postponed three times. Before each postponement, he had asked for some kind of decision. If the Speaker's decision was affirmed by the House, and a petition was not to be considered subject to the forty-fifth rule, then a member could immediately upon presentation move that a petition not be received and proceed to spend the whole day in discussion. Despite Adams' urging, the House refused to take a vote on the appeal.

Finally Adams devised a way to force a decision. He presented a petition from one hundred and seven females from his congressional district asking for the abolition of slavery and the slave trade in the District of Columbia. He moved that it be received and referred to a select committee.

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15 Adams Memoirs, IX, 267; Register of Debates in Congress, 24th Congress, 1st Session, XII, 2135-2138.

16 Adams Memoirs, IX, 275; Register of Debates in Congress, 24th Congress, 1st Session, XII, 2220.

17 Register of Debates in Congress, 24th Congress, 1st Session, XII, 2168-2169, 2219-2221; 2240-2241.
committee with instructions to report. Objections were made. Benjamin Hardin, of Kentucky, remarked that the order of business seemed to automatically include a speech for Adams. The Speaker, however, upheld Adams' right to the floor. Adams had presented a petition and was in the process of discussing it. Still, objections were made. Adams informed the protesters that the situation seemed to involve his appeal of a ruling of the Speaker allowing discussion of a petition on the day it was presented. Consequently, the House decided to make a decision on Adams' appeal. The Speaker's ruling was reaffirmed; therefore petitions could be debated on the day of presentation.

Even though Adams would have liked to keep the discussion of slavery out of the House, he was glad a decision had been reached. He would continue with an explanation of why he wanted the petition sent to a select committee. He wanted a report from the committee showing the petitioners why their request could not be granted;

He begged of those who could command a majority in the House, and who were as unwilling as he was to make the abolition question a stumbling block, to take a course which would treat the petitions with respect; to examine and present, with the utmost force, the reasons which should justify the House in not granting the prayer of the petitioners.  

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18 Ibid., p. 2316.
Adams thought a committee could easily devise reasons soothing to the minds of the people. Any committee selected would be sure to report against the petitions. The Committee on the District of Columbia was composed of a majority of Southerners and had a Southerner as chairman. The Speaker was James K. Polk, a slaveholder from Tennessee; he was opposed to abolition, so any committee he appointed would be unfavorable to abolition. If petitions were received and reported, even abolitionists could not claim the right of petition had been denied. Adams saw this as the way to maintain peace and harmony. His plea went unheeded. Jesse Miller, of Pennsylvania, moved that the preliminary question of reception be laid on the table, and the motion passed.

Adams proceeded by presenting another abolition petition from one hundred and sixty citizens of Wester, Pennsylvania. Glascock moved to lay the preliminary question of reception on the table, and the motion carried. This did not stop Adams. He presented another abolition petition from Indiana and Pennsylvania. He explained to the House that he was not aware of why the petition had been sent to him, unless it was because he had stated he would present any respectable petition sent to him. He asked why these petitions were not being received. If the reason was because they were
not respectful, he thought this should be stated in the journal so the people could be made aware of the problem. He admitted, however, the probable impossibility of using language on the subject of slavery respectful enough for slaveholders. He warned the House he would present every abolition petition sent to him regardless of what future resolutions might be passed. He did not think Congress had the constitutional power to abridge the right of petition. The House was deaf to his logic. The preliminary question of reception was laid on the table.¹⁹

Adams had tried unsuccessfully to convince the House to support probably the only means of avoiding the discussion of slavery. Unfortunately, the South and its Northern supporters refused to listen.

On February 8, Henry Pinckney, of South Carolina, asked for unanimous consent of the House to present a resolution requesting that all memorials, petitions, and resolutions praying for the abolition of slavery and the slave trade be referred to a select committee with instructions to report that Congress had no constitutional right to interfere with slavery in any state of the Union or in the District of Columbia. The committee was instructed to give enlightening

¹⁹Ibid., pp. 2321-2322.
reasons for its conclusions. Pinckney gave three purposes for presenting the resolution. He wanted to stop the useless discussion of slavery in the House and throughout the country. He also wanted a solution satisfactory to both North and South, and he wanted to harmonize the Union. Adams voted in favor of creating a select committee, but he voted against that part of the resolution asking the select committee report Congress' lack of constitutional power to interfere with slavery. Of course, Adams was in favor of the committee giving enlightening reasons for their conclusions. The resolution passed, and a committee of nine men, with Pinckney as chairman, was appointed.  

Pinckney's select committee report was presented May 25. An appeal was made to all who truly loved their country to show their patriotism by avoiding the issue of slavery. The report presented three resolutions geared to make this possible:

Resolved, That the Congress possesses no constitutional authority to interfere in any way with the institution of slavery in any of the States of this confederacy.

Resolved, That Congress ought not interfere in any way with slavery in the District of Columbia.

Resolved, That all petitions, memorials, resolutions, propositions, or papers, relating in any extent whatever,

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to the subject of slavery, or the abolition of slavery, shall, without being either printed or referred, be laid upon the table, and that no further action whatever shall be had thereon."

Owens moved the previous question. Adams wanted to speak on the report and the resolutions. He asked Owens to withdraw his motion in order to give everyone an opportunity for debate, but Owens refused, and the Speaker refused to allow Adams the right to speak since the question was not debatable. Consequently, Adams appealed the decision of the Speaker on the basis that Owens was not competent to make such a motion. The Speaker asked him to reduce his appeal to writing. Since Adams was convinced that a majority of the House was determined to stop any discussion, he withdrew his appeal and consented to a vote. Even Patton asked Owens to withdraw his motion, but Owens still refused.

The Speaker announced that the previous question would be on concurring with the resolution. Adams appealed; he wanted the Speaker to state what the main question would be. The Speaker replied; he would do so if it were decided that the main question would be ordered. Adams replied, "Then I will appeal when the decision is made. I am aware that there is a slaveholder in the chair."22

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21 Register of Debates in Congress, 24th Congress, 1st Session, XII, 4031.

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declared that the motion was not debatable, "Adams asked if he was gaged [sic] or not." Adams still tried to speak, but was interrupted by loud shouts of calls to order. He wanted the decision of the Speaker to be put in the journal. The Speaker stated that an appeal was out of order. Debate was cut off. The question was put as to the matter of the main question, and the decision was in the affirmative with both Adams and Patton voting no.

When the first resolution was read, Adams asked for just five minutes to prove the resolution false. He was called to order and forced to take his seat. The vote for the resolution was 182-9 in favor, with Adams voting no. Adams insisted those who had failed to vote enter their reasons for not voting into the journal so the nation might know why. The Speaker, however, ruled it was unnecessary.

Before voting on the last two resolutions, the House returned to the regular order of the day. The debate on a Senate joint resolution authorizing the President to give rations to fugitives from Indian hostilities in Georgia

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23 Ibid., p. 4030.
24 Ibid., pp. 4030-4031.
25 Ibid., p. 4031.
26 Ibid., p. 4032.
and Alabama was resumed. Adams took the floor and cunningly turned the subject to the constitutionality of Pinckney's first resolution. He agreed to vote for the Senate resolution, but he thought some source of power must be established for granting relief. He found this authority in the war powers granted under the Constitution, a broad power limited only by the laws and usages of nations. He had voted against Pinckney's first resolution because of this same reason. Beginning at this point and throughout the remainder of his speech, he was interrupted by calls to order. Nevertheless, he continued with his discussion of war powers. During war there were many ways by which Congress could interfere with the institution of slavery in the states. For instance, during the war with Great Britain, the United States pressed for and obtained indemnities for slaves taken by the British navy. This was interference with the institution of slavery. The war power of Congress over slavery, however, went even farther:

Suppose the case of a servile war, complicated, as to some extent it is even now with an Indian war; suppose Congress were called to raise armies, to supply money from the whole Union to suppress a servile insurrection: would they have no authority to interfere with the institution of slavery? The issue of a servile war may be disastrous. By war the slave may emancipate himself; it may become necessary for the master to recognise his emancipation by a treaty of peace; can it for an instant be pretended that Congress, in such
a contingency, would have no authority [sic] to interfere with the institution of slavery, in any way, in the States? Why, it would be equivalent to saying that Congress have no constitutional authority to make peace.

Adams had amply demonstrated to the House the falsity of declaring that Congress did not have the constitutional power to interfere with slavery in the states. Congress through its war powers, had the right to put down a slave insurrection in a state and through its peace power, the right to emancipate slaves by treaty.

The following day the remaining Pinckney resolutions were put to a vote. The second resolution was adopted by a vote of 135-45. Adams, Wise, and Francis Granger of New York asked to be excused from voting. After the third resolution was read, Adams rose when his name was called and said, "I hold the resolution to be a direct violation of the constitution of the United States, the rules of this House, and the rights of my constituents." Upon finishing his statement, he took his seat amid loud cries of order coming from throughout the House. The final vote on the

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27 Appendix to the Congressional Globe, 24th Congress, 1st Session, III, 434.

28 Register of Debates in Congress, 24th Congress, 1st Session, XII, 4053.
resolution was 117-68 with Adams abstaining. On that day Adams began his eight year fight against the gag rule.

Adams was devoted to the right of petition as guaranteed by the Constitution. Now Congress had set out to abridge this right by refusing to receive a specific category of petitions. This, he saw as merely the beginning of an extensive campaign by slaveholders to exclude everything relating to slavery and abolition from the House. He was determined to undo what had been done. If it had not been for the gag rule and its violation of the right of petition, Adams probably never would have entered into the discussion of slavery in the House.

Adams believed the presenting of petitions was one of the most sacred duties of a congressman. To neglect this duty would be a violation of one's oath to the Constitution of the United States. This duty ceased only if the petition's prayer was disrespectful to the House or its members, or if it was immoral, unjust, or unlawful and was to be accomplished by the intent of violence on the part of the petitioners. Then the duty ceased because the petition struck at the freedom of speech and action as well as the

29Ibid., pp. 4053-4054.
House and its members. Adams did not believe Congress could set one group of petitions aside and refuse to receive them without this practice being extended to all types of petitions. The right of petition included the duty "To receive, and hear, and consider, when presented decently . . . ." Even the greatest despot on earth was bound to receive petitions from the meanest of his subjects.

Adams was against slavery and looked forward to the day when slavery would be banished from the earth. He was convinced domestic slavery was not only a great calamity of the Union but the source of all problems with which the nation was faced. He believed that slavery was "... in all probability, the wedge which will ultimately split up this country . . . ." It was the disease of the nation,


31 The Congressional Globe, 26th Congress, 1st Session, VI, 134.

32 Ibid.

33 Adams to Sampson, May 21, 1836, Adams Papers; Adams to Thomas Custis, July 1, 1844, Adams Papers.

34 Adams to Winfield Scott, November 28, 1842, Adams Papers.

35 Adams Memoirs, IX, 23.
and the struggle over abolition petitions was a symptom of the disease. He thought the ultimate goal of slavery was to control the internal improvements of the nation and the freedom of all.

Christianity was founded on the brotherhood of men and equal rights for all. Therefore he believed "... that the ultimate extinguishment of Slavery throughout the earth was the great and transcendent earthly object of the Mission of the Redeemer." Thus anyone who believed in two races of men, one to follow and one to rule, did not believe in God. Adams was afraid if something was not done soon the country would turn from a nation of Christians and freemen into a land of atheists and slaves, for Abolitionists

36 Adams to J.G. Whittier, January 26, 1837, Adams Papers.
37 Adams to the Inhabitants of the Twelfth Congressional District of Massachusetts, March 20, 1837, Adams Papers.
38 Address of John Quincy Adams to His Constituents of the Twelfth Congressional District at Braintree, September 17, 1842, Adams Papers.
40 To the Inhabitants of the late Twelfth Congressional District and of the present Eighth Congressional District in Massachusetts, April 28, 1843, Adams Papers.
were assuming their first principle was that slavery was a sin, while the ministry was trying to prove that the Bible sanctioned slavery. 41

Religion taught him that man's purpose was to rid the world of slavery and war; however, man had to continue to have good will toward all men. Therefore, he refused to judge others by his own religious and political principles. He could appreciate the qualities of many individuals with whom he had no sympathy, even the slaveholder. Yet on the other hand, he could not help but think if it had not been for slavery, he could have been friends with many Southerners. 42 He could accept anyone but the double dealer. 43 Yet he could not help but reflect, "Is not the brand of double dealer stamped on the forehead of every democratic slave-holder? Are not fraud and hypocrisy the religion of the man who calls himself a democrat and holds his fellow-man in bondage?" 44

41 Adams Memoirs, IX, 544.
42 Address of John Quincy Adams to His Constituents of the Twelfth Congressional District at Braintree, September 17, 1842; Adams to Winfield Scott, November 28, 1842, Adams Papers; Address to Constituents, October 30-November 6, 1844, Adams Papers.
43 Adams to Winfield Scott, November 28, 1842, Adams Papers.
44 Address of John Quincy Adams to His Constituents of the Twelfth Congressional District at Braintree, September 17, 1842, (on microfiche).
Although Adams was against slavery, he never joined or supported any abolition organization.\(^{45}\) In fact he considered all associations of men in the United States to be just mere associations of power, power which might be exercised for good or evil, with political groups in particular being subject to so many sinister influences that the rights of others were often forgotten.\(^{46}\) He did realize such societies in a democracy were inevitable and did have a self-correcting effect. He had neither resisted or discouraged such organizations. He wrote,

> I have never been a member of any Society formed for purposes of political action or the exercise of political influence. I have never attended otherwise than as a spectator or auditor any of their meetings, not taken part in any of their proceedings. At the same time I have held in high respect the characters of individuals belonging to them, and to all their laudable pursuits I have always been willing to yield any assistance and cooperation in my power.\(^{47}\)

Adams was an abolitionist only in the sense that Jefferson was: He knew abolition would come sooner or later.\(^{48}\)


\(^{46}\) Adams to Rowland Johnson, January 19, 1837, Adams Papers.


\(^{48}\) The Congressional Globe, 28th Congress, 1st Session, XIII, 65.
In 1843, he told House members he thought both the abolition and anti-slavery organizations

. . . were composed, the great mass of them, of men of as much virtue and as much intelligence, and as much rectitude of principle, and as much patriotism, warm and ardent patriotism, as any members on this floor; but as to the measures which they had pursued, and intended to pursue, their object, he . . . believed them to be greatly mistaken.

He believed the aims of the Anti-Slavery Society were noble and their declaration against force was sincere, however, there were several things within the Society's constitution which he could not accept as being consistent with the avowed disclaimer against force. Their constitution said anyone who retained a human being under involuntary bondage was a man-stealer, an interpretation taken from the Bible. He asked if it was necessary to call slaveholding, man-stealing, when it was allowed by law. The crime referred to in the Bible was the stealing, selling, or hiding of freemen, or Israelites; Levitical law even authorized the holding of men in bondage. So the society's interpretation was very far from the truth. He thought such an accusation was unjust to the free population of the slaveholding states: "It charges every Slaveholder with a capital crime of which

49 Ibid.
he is not guilty-- Slaveholding is not man stealing."\(^{50}\)

A charge of man-stealing would not convince the slaveholder that slavery was wrong. To tell them they had committed a crime for which they deserved to be stoned would not convert them. \(^{51}\)

Adams also objected to the Anti-Slavery Society's demand for immediate abolition of slavery without compensation in the District of Columbia. He believed abolition of slavery by law was equivalent to emancipation by force. To emancipate by law in the Capitol would require troops to protect the emancipated and would be the same as legalized insurrection. \(^{52}\) It was impractical, as impractical and visionary as emancipation of all slaves by colonization. \(^{53}\)

Another major objection to the abolitionists was that they questioned all candidates for general and state legislatures, and if their answers did not meet with approval, they voted against the candidate or scattered the vote enough

\(^{50}\) Adams to Rev. Joshua Leavitt and H.B. Stanton, July 11, 1839, Adams Papers.

\(^{51}\) Ibid.

\(^{52}\) Ibid.; Adams to Thomas Custis, July 1, 1844, Adams Papers.

to defeat him. All of this had resulted in nothing but mischief and had been harmful to the cause:

The moral interference to defeat elections when they cannot carry them appears to me to be vicious; and I think the first result of their movement will be to bring the two parties together against them. As yet, their political action had tended to break down the barriers between the parties, the natural consequence of which is to strengthen the Administration which they abhor. 54

Adams could also see reasons why slaveholders feared the use of force by abolitionists, as well as why they feared a slave insurrection. 55 The great expansion of the Anti-Slavery Society with their ideas about government and rights of women and their exaggerated representation of slave conditions were making them odious to the South and to the whole Union. 56 He saw the best way to deal with abolitionists as being,

... calm and candid reason in discussion with them ... than stuffing the American ear with cotton to deafen it against the voice of abolition, or sending an African ear to Lewis Tappan for refutation of the errors of the American Anti-Slavery Society. 57

54 Adams Memoirs, X, 44-45.
56 National Intelligencer, May 28, 1839.
57 Adams Memoirs, IX, 302.
Because of his efforts against the gag rule, he was asked on many occasions to speak before anti-slavery groups. He told one group of abolitionists the cause could be better benefited by his merely continuing his work in Congress "... than by giving notoriety to any action on my part in support of the societies or in connection with them." He was even asked by Benjamin Lundy, editor of the *Genius of Universal Emancipation*, to cooperate in the publication of another journal devoted to slavery. Eventually, Adams began to believe that his opinions could have absolutely no influence on abolitionists, who repeatedly told him that if he did not join them on the matter of immediate abolition, they would desert him and even oppose him.

While he did not officially join the abolitionists and did not support their methods for emancipation, he did carry on correspondence with several prominent abolitionists. With the murder of Reverend E.P. Lovejoy, a native of

58 Ibid.
59 Ibid.
60 Ibid., X, 39.
Massachusetts and a leader of the abolitionists, Adams agreed to write the preface for his memoirs. His feeling for emancipation and the baseness of slavery were quite evident in what he wrote. Adams believed that Lovejoy was doing his duty to God and while doing so, "... he there fell a victim to the fury of a band of ruffians stung to madness, and driven to despair for the fate of their darling Slavery, by the terrors of a printing press."  

"... first American martyr to the Freedom of the Press and the Freedom of the Slave."  

While Adams could find certain basic premises in common with abolitionists, he could find little right with the concept of colonization. Even though emancipation might possibly be the daydream of some of its members, he did not think it was the object of the Colonization Society. The society showed duplicity in its hypothesis. In the North, it was said to be strictly an abolition society working for humanitarian reasons; while Southern members proclaimed its purpose was removing the influence of the free black from the plantation slave. He would not deny the possibility

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63 Ibid.
that colonies of civilized black men could be established in Africa nor the influence of such colonies in civilizing Africa. However, to undertake such a project was not rational. He thought the Colonization Society's action of granting Liberia such sovereign rights as the power to declare war, over which the society would have complete control, was an arbitrary power denying all American principles. From the society's very beginning, he had believed its purpose to be visionary and impractical, though benevolent.65 In regard to both the Colonization Society and the Abolition Society he wrote,

I believe that plans hither to proposed by them all, so far as regards the abolition of slavery, utterly impracticable; and I believe them all equally liable, at this time, to the charge of pertinaciously persisting in the pursuit of objects obviously and notoriously impracticable.66

Adams was against immediate emancipation in the District of Columbia, believing it to be impractical for various reasons.67 Public opinion throughout the Union was against

64 Adams Memoirs, IX, 23.
65 National Intelligencer, May 28, 1839; Adams Memoirs, IX, 428.
66 National Intelligencer, May 28, 1839.
67 Adams to Gerrit Smith, April 5, 1837, Adams Papers.
it, and no Southern congressman could ever vote for it and expect to be returned to Congress by his constituents. The South was unanimous enough on the subject that no one dare speak for it. The Administration and public opinion in the non-slaveholding states, except for possibly Vermont, were against it. If such a bill for emancipation were introduced into the House, "...I should vote against it so long as I should know it to be not only unwelcome but odious, to at least four-fifths of the People throughout the Union." Secondly, petitions had to come from those within the District of Columbia, and at present he thought it obvious that a majority of the people in the Capitol were adverse to the idea. It was true that a person had the right to say slavery was wrong. He had the right to petition for abolition of slavery in the District of Columbia, but the privilege to exercise the right of petition did not mean it was expedient. Adams realized the right to abolish slavery was included in Congress' exclusive jurisdiction over the Capitol. The idea that Congress had control over an area which had no representatives was contrary to Adams'

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68 National Intelligencer, May 28, 1839.

69 Adams to Hamilton Hayward Jr., October 2, 1835, Adams Papers; Adams to Rev. J. Edwards, July 13, 1838, Adams Papers; Adams to Gerrit Smith, April 5, 1837, Adams Papers.
Furthermore, laws should not be enacted on a community as the result of petitions from another; "Laws not to touch the petitioners themselves, but deeply to oppress those upon whom they are imposed, are contrary to the vital principle of representative government and would be tyranny under the name of Freedom." Thus Congress should not exercise this exclusive power on the basis of petitions from outside the District of Columbia, because the effect of the petitions would not affect the petitioners. Debate on the question of abolition in the District of Columbia would have to be based on the petitions of its inhabitants.

If slavery were to be abolished in the Union, it would have to be by an amendment to the Constitution. In 1839, Adams presented a resolution recommending three amendments prepared at the suggestion of petitioners from New York. The suggested amendments provided for total abolition of

70 Address to Constituents, October 30-November 6, 1844, Adams Papers.

71 Adams to Thomas Custis, July 1, 1844, Adams Papers.

72 Adams to Sanborn, October 2, 1835; Adams to Gerrit Smith, April 5, 1837; Adams to Rev. J. Edwards, July 13, 1837; Adams to Thomas Custis, July 1, 1844; Address to Constituents, October 30-November 6, 1844, Adams Papers.

73 Adams to James G. Doane, January 8, 1836, Adams Papers.
slavery carried out gradually, with all children born in the United States being declared free beginning July 4, 1842; there would be neither slavery nor slave trade in the District of Columbia beginning July 4, 1845; with the exception of Florida, no new slave state would be admitted.74

These amendments, according to Adams met with little favor from abolitionists within and without the House;

That this mode of abolition will ever be found practicable I am not sanguine in the belief; but that it is the only mode in which it could be affected peaceably and without great injustice I do firmly believe; and that all attempts to the immediate abolition of Slavery by law without compensation to the master will not only prove utterly abortive but have a direct tendency to the dissolution of the Union, and to a combined civil, servile and savage war, I see as clearly in the prospect of futurity as I can see any event already consummated in the retrospect of the past.75

74 Congressional Globe, 25th Congress, 3rd Session, VII, 218; On June 8, 1836, A bill was introduced for the admission of Arkansas as a slave state. Previous to this date Adams had presented twenty-two memorials against the admission of Arkansas as a slave state. Adams did not agree with the memorialists on the basis that Arkansas was entitled under the treaty for acquisition of Louisiana to all the privileges of the thirteen original states. He could not, however, accept that part of the Arkansas constitution stating that the Arkansas legislature did not have the power to pass laws emancipating slaves. Therefore he presented an amendment to the Arkansas Bill stating that Congress did not assent to that section of the Arkansas constitution. Such an amendment placed no restrictions on Arkansas. The amendment was defeated. Register of Debates in Congress, 24th Congress, 1st Session, XII, 4260, 4277.

To continue the petitions for abolition of slavery in the District of Columbia would be the best way to hasten this war. 76

Adams further contended that if Congress did act to abolish slavery, all slaves would be removed from the Capitol into adjoining states before the act could pass either House. There would not be one slave left to emancipate. 77 If the slaves were not removed, there would be a lawless population, and eventually a civil war would erupt. He still had hope slavery would eventually be abolished in the District of Columbia, but willingly by the slaveholders. Emancipation would come through the free will of the citizens without despotic legislation or force. The slaveholder would learn that free labor was cheaper. 78 Because of the Constitution Adams refused to take part in any "... project for the abolition in these United States without the consent of their masters." 79

76 Ibid.
77 Address to Constituents, October 30-November 6, 1844; Adams to Thomas Custis, July 1, 1844, Adams Papers.
78 Address to Constituents, October 30-November 6, 1844, Adams Papers.
79 National Intelligencer, May 28, 1839.
While not completely supporting the right of Congress to abolish slavery in the Capitol, Adams did believe prohibition of the exportation of slaves from the District of Columbia was within the jurisdiction of Congress, especially since the Supreme Court of Massachusetts had deemed any man who brought a slave voluntarily into the bounds of the state freed the slave de facto. If the African slave trade was piracy, then the ocean, the common jurisdiction of all nations, possessed the same charm as Massachusetts soil and thereby emancipated every slave carried upon it. He sincerely hoped this subject would be brought up before the Supreme Court. He had no doubt about the right of Congress to prohibit internal slave trade, and he would vote for it even though it would be impossible to get the House to receive such a bill.

Adams was fanatical about the connection of politics with the institution of slavery. He conceived of this relationship as one being based on a political coalition of the South, the West, and the Northern Democracy, with the South having bribed the West into agreement by sacrificing its claim to

80 Adams to Petitioners, January 31, 1837, Adams Papers.
81 Address to Constituents, October 30-November 6, 1844, Adams Papers; Adams Memoirs, XII, 80.
Western lands. It was a coalition whereby the manufacturing interests of the North and East were sacrificed to enhance the slaveholding interests of the South. Slavery and democracy, truly a paradox, had been linked together:

There is something extraordinary in the present condition of parties throughout the Union. Slavery and democracy, especially the democracy founded, as ours is, upon the rights of man, would seem to be incompatible with each other. And yet at this time the democracy of the country is supported chiefly, if not entirely, by slavery. There is a small, shallow, and enthusiastic party preaching the abolition of slavery upon the principles of extreme democracy; but the democratic spirit and the popular feeling is everywhere against them.

This same coalition had accomplished the election of Andrew Jackson. From then on he could not conceive of a slaveholder voting for anyone but a slaveholding President, and through the next presidential elections of 1836, 1840, and 1844, Adams continued to associate slavery with presidential politics. He believed Martin Van Buren could not have won in 1836 without a promise never to sanction any act of Congress to abolish slavery, and he could not hope to be re-elected without the same promise. Adams thought John Tyler was

82 Adams Memoirs, IX, 235, 247.
83 Ibid., p. 255.
84 Ibid., p. 259.
85 Ibid., p. 255.
... a political sectarian, of the slave-driving, Virginian, Jeffersonian school, principled against all improvement, with all the interests and passions and vices of slavery rooted in his moral and political constitution--with talents not above mediocrity, and a spirit incapable of expansion to the dimensions of the station upon which he has been cast by the hand of providence, unseen through the apparent agency of chance.

Tyler was a slave-monger and his cabinet was made up of slave-drivers. He was not only a slaveholder but had based his whole presidential policy on strengthening and insuring the ascendancy of slave power, and the demise of manufacturing and free labor. He saw Polk's election in 1844 as being accomplished by fraud through slave representation. Polk was "... sold soul and body to that grim idol, half albino, half negro, the compound of Democrat and Slavery, by the slave representation in Congress ... ."

Adams was especially adamant about the sanction of double representation for the South by the Constitution. In two letters to his constituents he dealt specifically with the inequities of double representation and the protection

87 Adams Memoirs, X, 457.
88 Ibid., XI, 383-384.
89 Address to Constituents, October 30-November 6, 1844, Adams Papers; Adams Memoirs, XI, 117.
90 Adams Memoirs, XII, 168.
to slavery guaranteed under the Constitution. He reviewed for them the history of the writing of the Constitution. He pointed out the reluctance of the men who wrote the Constitution to agree on the requests of the South for twenty year immunity to pursue the slave trade, the surrender of fugitive slaves, and the representation of slaves. This reluctance was very aptly demonstrated by the awkward and ambiguous language used in the Constitution, for the word slave or slavery was never mentioned. The immediate result of this compromise Constitution was minority Southern rule. He calculated that, out of fifty-six years, forty-four years had been with a slaveholder as President as well as Vice-President. In 1842, the President, Vice-President, Speaker of the House, the Chief Justice, four of nine Associate Justices, three of six Executive Department heads, and a majority of all Naval officers were slaveholders. The last six Speakers of the House of Representatives had been slaveholders. For forty years the Chief Justice of the Supreme Court had been a slaveholder. Thus the

91 Adams to the Inhabitants of the late Twelfth Congressional District and of the present Eighth Congressional District of Massachusetts, April 28, 1843; Address to Constituents, October 30-November 6, 1844, Adams Papers.

92 Address to Constituents, October 30-November 6, 1844; Adams to Gerrit Smith, April 5, 1837, Adams Papers.

93 Address of John Quincy Adams to His Constituents of the Twelfth Congressional District at Braintree, September 17, 1842.
government was "... tainted at its source by the gangrene of slavery." 94

Further evidence of Southern duplicity was shown in the failure to abide by the decision of William Johnson, a South Carolina slaveholding judge of the Supreme Court, declaring unconstitutional the South Carolina law prohibiting colored seamen from leaving ship while in port. Consequently, for years, an unconstitutional act of South Carolina had been imprisoning Massachusetts citizens for no offense, "... so that the blessings of slavery can be maintained by the same sacrifice of human rights to stay the spreading of contagion of free colored skin." 95

Convinced of a Southern conspiracy to impose their principles upon the nation, politically and economically, abhorring slavery as a denial of Christian principles, yet refusing to join with abolitionists, Adams set out in his own way in 1836 to reinstate peace, harmony, freedom, and the Constitution for the American people.

94 Address to Constituents, October 30-November 6, 1844, Adams Papers.

95 To the Inhabitants of the late Twelfth Congressional District and of the present Eighth Congressional District in Massachusetts, April 28, 1843, Adams Papers.
CHAPTER IV

VICTORY OVER THE GAG RULE

The first gag rule was a fact. What lay ahead of Adams was eight years of struggle, a period during which he used every method available to prove the ridiculous nature of the rule. Each session of Congress from 1836 to 1844, he offered an endless barrage of abolition petitions.

The gag rule was not firmly accepted as a necessity. When the second session of the twenty-fourth Congress began, the House refused to suspend the rules in order for a new gag rule to be presented. Consequently, Adams continued to present abolition petitions, and in each case the House decided to lay the question of reception on the table. His acumen for agitation was endless. He presented a petition from various women and pleaded for reception on the basis of motherly love. He tried to read an abolition petition which was only five lines. He was called to order repeatedly and asked to take his seat by the Speaker, but nevertheless, he continued to read with his voice loud and his enunciation rapid. As a result, the Speaker decided members could not

1Register of Debates in Congress, 24th Congress, 2d Session, XIII, 1157; Adams Memoirs, IX, 334-335.
reached petitions regardless of the length. Adams was furious: "If the reading of a paper was to be suppressed in his own person, so help him God, he would only consent to it as a matter of record."  He would appeal the decision; he would appeal any decision which deprived a member from reading anything he wanted. The petition was received and laid on the table. Immediately, Adams presented another abolition petition, whereupon the rest of the day was consumed in debate on the general question of the reception of all abolition petitions.

When the question of Adams' petition was renewed the following week, commotion returned to the House. In response, Benjamin Howard, of Maryland, presented a resolution: now petitions would be called for in reverse order beginning with the youngest territory, a move obviously calculated to delay Adams' perpetual onslaught of petitions. Finally, on January 18, 1837, the gag rule was renewed for the second time.

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2 Register of Debates in Congress, 24th Congress, 2d Session, XIII, 1318.
3 Ibid.
4 Ibid., pp. 1319-1339.
5 Ibid., pp. 1396-1397.
session by a vote of 129-69 on a resolution from Albert G. Hawes, of Kentucky.\(^6\)

The fate of Adams' petition still had not been decided. When he brought this to the attention of the Speaker, the Speaker decided that the petition had been laid on the table as a result of the Hawes resolution. Adams refused to agree; a resolution could not cut off a pending debate, a debate during which only one side, the anti-slavery representation, had been allowed to speak. The next step would be for slave-holders to refuse to even receive petitions,

\[\ldots\text{since it was no better than mockery to receive petitions, and then refuse to have them read;}\text{and, for aught he knew, ere long, any member who should dare to raise his voice on the subject of abolition of slavery would be expelled from this House. Sir, said Mr. A., I am ready to be that member, when ever the House shall come to that decision.}\]

The noise throughout his speech was so great that his voice was barely audible. Despite his desperate plea, the House upheld the Speaker's decision, and debate on the petition had been cut off; the petition was laid on the table.\(^8\)

Adams rose and continued to present more petitions, all of which were laid on the table.\(^9\) One petition was from

\(^6\)Ibid., pp. 1411-1412.
\(^7\)Ibid., p. 1427.
\(^8\)Ibid.
\(^9\)Ibid., pp. 1430-1434.
fifty-five ministers of the New York Lutheran Church praying for equal protection of all laws and the rights of the Declaration of Independence for all citizens of the District of Columbia. Since the petition made no mention of slavery, he was sure it would be received. He asked that it be referred to the Committee for the District of Columbia. Several members, who were somewhat suspicious, asked for the petition to be read to determine if it did concern slavery. Adams quickly reminded them of the House decision that petitions could not be read. The Speaker thought Adams was admitting that the petition did relate to slavery. No, said Adams, he was merely following House rules by giving a brief statement of the petition's contents. After the Speaker looked at the petition, he decided it did come under the Hawes resolution since it referred to absolute control held over a portion of the Capitol's inhabitants. Adams appealed. He had followed House rules; the petition had not referred to slavery. He wanted the petition read. If the House decided a petition asking for equal protection to be given to all inhabitants of the District of Columbia was under the gag rule, he wanted such a decision on the record. Much confusion followed as to what to do, with the Speaker reluctant to either read the petition or have Adams'
verbal statement re-read. After a great deal of verbal exchange, the petition was finally read. The House decided by an overwhelming vote of 170-3 to uphold the Speaker's decision. 10

Thus a petition asking that all persons of the District of Columbia be given such fundamental rights as those prescribed in the Declaration of Independence was designated as an abolition petition. Adams had demonstrated how restrictions on one type of petition might be interpreted to a point as to exclude even the most fundamental request for equal protection of the laws.

Adams received many letters commending him for his conduct in the House. He appreciated the letters and gave notice that he intended to continue the same course as long as he remained in office. He saw the struggle in the House as a symptom of the disease of slavery: "The symptom of the Disease is an inflexible determination to say and hear nothing about it--To smother debate--The terror at the thought of hearing the truth smothers debate, and strangles the right of petition." 11 He reminded John Greenleaf Whittier that he

10 Ibid.
11 Adams to J.G. Whittier, January 26, 1837, Adams Papers.
was merely trying to uphold the right of petition for the people and freedom of speech in the House.\textsuperscript{12}

Adams refused to give up. On January 30, 1837, he announced to the House that he had numerous petitions relating to slavery. He wanted a chance to address the House on the people’s right to have petitions read. By a vote of 44-129, the House refused to suspend the rules. So Adams proceeded, with the support of his fellow Massachusetts colleagues, to present numerous abolition petitions. After each petition he moved for a reading, which was refused by the Speaker. Adams would appeal and lose. Then Samuel Cushman of New Hampshire would move to lay the whole subject on the table.\textsuperscript{13} After Adams’ petitions had been laid on the table because of reference to slavery, he presented another petition asking for aid to the Colonization Society. The petition was received and referred to the Committee on Foreign Affairs.\textsuperscript{14} Thus the House was willing to break with precedent and accept a petition dealing with slavery, i.e., the deportation of blacks.

\textsuperscript{12}Ibid.

\textsuperscript{13}Register of Debates in Congress, 24th Congress, 2d Session, XIII, 1513-1515; Adams to Petitioners, January 31, 1837, Adams Papers.

\textsuperscript{14}Register of Debates in Congress, 24th Congress, 2d Session, XIII, 1513-1515.
Between January 31 and February 6, 1837, Adams received thirty petitions. Two of these petitions came from Fredericksburg, Virginia. One petition was signed by nine women who asked for the end of slavery and the slave trade in the District of Columbia. The other petition purported to be from twenty-two slaves. Adams believed the petition from the women was real, however, he did not know if the women were free Negroes or mulattoes. He suspected that the petition from slaves actually came from a master who had prevailed upon his slaves to sign. He believed slaves had the right of petition. He was also sure both petitions came under the Hawes Resolution. Yet he knew presenting this particular petition from slaves would cause problems, since it would disclose all the slaveholding philosophy of the House. 15

On February 6, Adams began by presenting the petition from the nine women of Fredericksburg. He refused to name the ladies, because from the temper of the country he was not sure what would happen to them. He also stated that he was not sure if the women were free Negroes or mulattoes. The petition was ordered to lay on the table under the Hawes resolution. 16

15 Adams to the Inhabitants of the Twelfth Congressional District of Massachusetts, March 3, 1837, Adams Papers.

16 Ibid.
Adams proceeded. He presented the petition from twenty-two persons purporting to be slaves. He did not know if the petition was real, because it was signed by marks and signatures which only appeared to be from slaves. When the Speaker asked to examine the petition to ascertain if it was under the Hawes resolution, Adams refused. He was convinced the Speaker was aware the petition came under the resolution but at the same time was horrified at the thought of a petition from slaves actually being received and laid on the table. The Speaker stated the impossibility of being able to decide the acceptability of the petition without examining it.

There was no doubt in Adams' mind as to the fate of the petition. It referred to slavery and therefore must be received and laid on the table according to the resolution. If he had remained silent about who the petitioners were, the petition would have been laid on the table with a storm breaking loose when the discovery was made that it was from slaves. 17

Since this was the first time slaves had ever petitioned the House, the Speaker agreed to comply with whatever the members decided. Debate was begun on the question of whether

17 Ibid.
a slave petition came under the gag rule. Out of one hundred slave representatives, eighty were present. According to Adams, not one answered the question, yet none denied that the petition came under the resolution.\footnote{Adams to the Inhabitants of the Twelfth Congressional District of Massachusetts, March 8, 1837, Adams Papers.}

Charles Haynes, of Georgia, astonished at what Adams had done in the past, was especially shocked. He moved that the petition be rejected unless it was withdrawn. Dixon Lewis, of Alabama, objected to such a resolution, so Haynes withdrew the motion. What Lewis wanted was for the Southern states to come together and demand punishment. If Adams was not punished, then he thought the Southern representatives might as well go home: "If this is not done, and that promptly, every member from the slave States should immediately in a body quit this House, and go home to their constituents."\footnote{Congressional Globe, 24th Congress, 2d Session, IV, 162.}

Seaton Grantland, of Georgia, immediately seconded the motion for punishment, and Joseph B. Anthony, of Pennsylvania, moved for the previous question amid cries of "no" coming from throughout the House. Tempers rose. Various members were shouting "He ought to be expelled." Julius C. Alford, of Georgia, threatened that if Adams ever did present such a
petition, the petition should be taken outside and burned.\textsuperscript{20}

John Patton, a representative from the district of which Fredericksburg was a part, asked for the rules to be suspended so the petition from the nine ladies of Fredericksburg could be taken from the table. He could prove there were no respectable ladies' names on the petition. He recognized only one name, a terrible mullato woman. Adams considered Patton to be one of the most rational of the slavemen. Obviously, he was aware of the absurdity of the proceedings and was trying to divert the attention of the House to the first petition.\textsuperscript{21} Patton's tactic did not work.

Waddy Thompson, of South Carolina, presented the first of fifteen resolutions asking for censure, as an amendment to Patton's motion. Thompson charged that Adams should be censured for attempting to introduce a petition purporting to be from slaves.\textsuperscript{22} He was aware of Adams' high position, but he could not take his conduct any longer; "The sanctuary of age is not lightly to be violated; but when that sanctuary

\textsuperscript{20}Register of Debates in Congress, 24th Congress, 2d Session, XIII, 1588.

\textsuperscript{21}Adams to the Inhabitants of the Twelfth Congressional District of Massachusetts, March 8, 1837, Adams Papers.

\textsuperscript{22}Register of Debates in Congress, 24th Congress, 2d Session, XIII, 1591.
is used to throw poisoned arrows, it ceases to be sacred." 23

He even suggested Adams might be tried before a grand jury
on the charge of working to incite a rebellion.

Lewis introduced an even harsher amendment to Thompson's
resolution:

Resolved, That John Quincy Adams, a member from the
State of Massachusetts, by his attempt to introduce
into this House a petition from slaves, for the abolition
of slavery in the District of Columbia, committed an
outrage on the rights and feelings of a large portion
of the people of this Union; a flagrant contempt on
the dignity of this House, and, by extending to slaves
a privilege only belonging to freemen, directly invites
the slave population to insurrection; and that the said
member be forthwith called to the bar of the House, and
be censured by the Speaker. 24

Adams maintained that the resolution was not correct. The
Speaker knew Adams had made no attempt to introduce the
petition, and even if he had, it was his privilege. The
Speaker should have rejected the resolution, for his
obligation was to protect freedom of speech. "But the
Speaker was a Master." 25

Patton spoke again. Since he sat next to Adams, he
had gotten the idea the petition was not for abolition. 26

23 Ibid., pp. 1590-1591.
24 Ibid., p. 1593.
25 Adams to the Inhabitants of the Twelfth Congressional
District of Massachusetts, March 8, 1837, Adams Papers.
26 Ibid.
He thought the proceedings were too harsh. After all, no one actually knew anything about the character of the petition. Indeed, Adams had not even attempted to present the petition. Patton simply wanted to stop the discussion of slavery.

Adams decided the time had come for him to speak. He had been charged for a petition asking for emancipation, but the petition asked that slavery not be abolished. From the moment he had entered the House, he had declared himself against the prayers of abolition petitions. Regardless of his personal sentiments, however, he would always continue to present any petition from any United States citizen as long as respectful language was used. Even if he had known the Fredericksburg petition was from black women, he would not have taken into consideration their race, but rather, whether it was prudent to present such a petition considering the temper of the House.

Abijah Mann of New York interrupted. The House was incessantly discussing impossible things brought up by Adams. Could it be, he asked, that those who cannot rule want to ruin what they cannot control. Adams continuously resisted the rules with a violence matched, "... only by
revolutionary madness of desperation." He had used his age and past position as license to trifle with the House. Despite all this, Mann could not support an inaccurate resolution of censure.28

Thompson was not as understanding. Adams had led the House to believe the petition from slaves was for abolition. He must be punished. Consequently, he presented new resolutions: Adams by an effort to present a petition from slaves should be held in contempt of the House; creating the impression the petition was for abolition, he had trifled with the House and should be censured.29 The remainder of the day was consumed in debate on these resolutions.30 Adams was astonished by these proceedings; he believed that only among slave drivers and slaves could such a situation have arisen. Now Adams had an idea of what Southerners considered incendiary publications.31

27Register of Debates in Congress, 25th Congress, 2d Session, XII, 1597.

28Adams to the Inhabitants of the Twelfth Congressional District of Massachusetts, March 13, 1837; Register of Debates in Congress, 24th Congress, 2d Session, XIII, 1598.

29Register of Debates in Congress, 24th Congress, 2d Session, XII, 1599.

30Ibid., pp. 1596-1599.

31Adams to the Inhabitants of the Twelfth Congressional District of Massachusetts, March 13, 1837, Adams Papers.
The following day Adams was given another chance to speak. He admitted that if the petition had been for abolition, he would have at least paused before bringing the subject before the House in any form. He held the right of petition sacred, but he did believe in discretion in those petitions brought before the House. The mere fact of a petition being from slaves would not prevent him from presenting it. If this meant he would receive the censure of the House, he was ready. Referring to a statement of a member who had stated he would rather receive a petition from a horse or a dog as from slaves, Adams remarked,

... if a horse or a dog had the power of speech and of writing and he should send him a petition, he would present it to the House; ay, if it were from a famished horse or dog, he would present it. What was a petition? It was a prayer, a supplication to a superior being—that which we offer up to our God; and if the Creator of the universe did not deny to the lowest, the humbliest, and the meanest, the right of petition and supplication, were they to say they would not hear the prayer of these petitioners because they were slaves?

He would even present a petition from slaves asking representatives to cease presenting abolition petitions.

Resolutions for censure continued. George Dromgoole, of Virginia, offered two more resolutions which were substituted for Thompson's three resolutions. Adams by

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inquiring about a petition purporting to be from slaves, "... had given color to the idea that slaves had the right of petition..." and thus deserved the censure of the House and the Speaker. 33

On February 9, the debate on Adams' censure continued. Jesse Bynum, of North Carolina, began the proceedings by offering five more resolutions to be substituted for Dromgoole's resolutions. According to these resolutions, introduction of petitions from slaves and free Negroes would be considered in contempt of the House. Any member of the House presenting such a petition was subject to censure. A committee would be created to determine if anyone had already made such an attempt. Of course, Adams was against the resolutions; the Constitution prohibited any law abridging the right of petition. If these resolutions had passed, a law would have made a crime ex post facto and would have set up a committee to decide if anyone had broken a law before it had been made. 34

After considerable debate, a motion was made to lay the whole subject on the table. Adams, however, objected; he

33 Ibid., p. 1612.

34 Adams to the Inhabitants of the Twelfth Congressional District of Massachusetts, March 13, 1837, Adams Papers.
wanted the chance to be heard, and he was given the right. He told the House that if the Speaker had said no to the petition in the beginning, he would have accepted the decision. Now, he was desirous that every member record his vote on a question involving the power of the House and freedom of debate in Congress. If the House should not accept the petition, then the nation's name should be recorded with the worst. If the right of petition was limited, there would be no end to restrictions. Many had objected to a petition from the black women from Fredericksburg because they were prostitutes. He did not think virtue or non-virtue should figure in the right of petition. Patton interrupted to explain that he did not know the ladies personally. Adams indicated that he was glad, because he was getting ready to ask who had made them infamous. Their master and not their color was the reason for disgrace. Certainly, the title of infamous should be placed with those who produced the infamy. Needless to say, a great deal of turmoil followed this statement.

Adams reminded the House that if the right of petition was limited by excluding slaves, then would come free blacks, the character of the petitioner, and their political party. He then turned and asked Thompson what he meant in saying
one should be brought before a tribunal for presenting a petition from slaves. Thompson did not think there was anyone who would allow slaves the right of petition. Besides, he thought Adams was presenting an abolition petition, and according to South Carolina law, it was all the same. Adams replied that if a man by presenting a petition could be censured and brought before a grand jury, it should be brought to the attention of the nation. If this was the law of South Carolina, he added "... I thank God I am not a citizen of South Carolina!"

The final resolutions for Adams' censure were presented by Patton. According to Adams, Patton was a man devoted to principles as long as they were not connected with skin color. The resolutions were as follows:

Resolved, That any member who shall hereafter present any petition from the slaves of this Union ought to be considered as regardless of the House, the rights of the Southern States and unfriendly to the Union.

Resolved, That Hon. John Q. Adams having solemnly disclaimed all design of doing anything disrespectful to the House in the inquiry he made of the Speaker as to the petition purporting to be from slaves, and having avowed his intention not to offer to present


36 Adams to the Inhabitants of the Twelfth Congressional District of Massachusetts, March 13, 1837, Adams Papers.
the petition if the House was of the opinion that it ought not to be presented—therefore, all further proceedings in regard to his conduct do now cease.  

Patton agreed to leave out another resolution denying slaves the right of petition. These two resolutions were the result of three days of debate with nine-tenths of the time consumed by Southerners. Now, presenting a petition from slaves was not quite treason.  

Adams objected to Patton's resolutions because there was no statement on whether slave petitions would be received. Secondly, the censure concentrated on one man and not on the question. Thus, in the future when someone presented a petition from slaves, there would be punishment regardless of the petition's request. He asked the House not to pass the second resolution, because in substance it said he had pleaded guilty and was to be forgiven. Adams did not think he had done anything to be forgiven. A question had been put to the Speaker who in turn put the question to the House; therefore, if he was to be punished, so should the Speaker.  

37 Register of Debates in Congress, 24th Congress, 2d Session, XIII, 1684-1685.  

38 Adams to the Inhabitants of the Twelfth Congressional District of Massachusetts, March 13, 1837, Adams Papers.  

Both resolutions were rejected. The first resolution was the only one involving any principle. It not only applied to the right of slaves to petition but to the right of a member to present a petition from slaves. Adams felt the vote on this resolution clearly drew the line between slave and free representation. Out of ninety-two representatives voting for the first resolution, only thirteen came from free states. If this resolution had passed, there would have been nothing to stop such limitations from spreading to subjects other than slavery or anything else objectionable to the majority party.

The Southern representatives were dissatisfied with their failure to censure Adams. Adams heard Friday morning that a Southern caucus was held where the decision was made to secede. Evidently, a second meeting was held, and Southerners decided to return to force a reconsideration of Patton's resolutions. Instead, John W. Taylor, of New York, and Joseph R. Ingersoll, of Pennsylvania, asked to leave the House in order to write new resolutions to appease the South, as well as to prevent Adams from presenting another petition from slaves.

40 Ibid., pp. 1684-1685.
41 Adams to the Inhabitants of the Twelfth Congressional District of Massachusetts, March 13, 1837, Adams Papers.
Adams thought Ingersoll's resolution was an indication of anti-abolition sentiments in Philadelphia. The resolution stated that an inquiry had been made by the representative from Massachusetts as to whether a petition from slaves was under the gag rule. It stated that the House could not receive this petition without disregarding the Constitution, the dignity of the body, and the rights of a large class of Southerners and Westerners. Adams noted that a question was referred to in the resolution, but he protested that the resolution did not answer the question. Adams asked for a statement of the gag rule to be included in the resolution, so it could be concluded petitions from slaves were not in the rules of the House. Ingersoll refused. He did not give any reasons for his refusal, but the reasons were in his resolution. The reception of a slave petition would be disregarding the dignity of the House, the rights of certain citizens, and the Constitution. Adams could not understand how accepting a petition would be disregarding the dignity of the House; neither could he understand how the receiving and laying of a petition on the table could cause any problem. How could this be a violation of the Constitution, when the Constitution guaranteed the right of petition?  

Register of Debates in Congress, 24th Congress, 2d Session, XIII, 1708.

Adams to the Inhabitants of the Twelfth Congressional District of Massachusetts, March, 1837, Adams Papers.
Taylor's resolution stated that slaves did not possess the right of petition. The Constitution, however, did not limit the right of petition to freemen. Adams saw this resolution as setting a precedent for refusing to receive petitions. The South had been struggling through two sessions of Congress to pass a positive refusal to receive any petition for abolition in the District of Columbia. Not until a man from Pennsylvania and the city of William Penn had decided to help, had this been possible.

The resolutions were adopted. Taylor's resolution passed by a vote of 162-18, and Ingersoll's resolution passed by a vote of 160-35. Adams believed the vote was indicative of the feelings of the House, as well as the opinions of their constituents on the subject of slavery. His only consolation was that those who had passed these resolutions had the power to rescind them and to return to the Constitution. However, he did not foresee this happening in his day,

"... but if I have understood the oracles of Truth, the day cannot be far remote, when in our country at least, and I fervently pray throughout the habitable globe, the last fetter shall drop from the foot of the slave, the last manacle from his hand, the name of the

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45 Adams to the Inhabitants of the Twelfth Congressional District of Massachusetts, March, 1837, Adams Papers.
slave shall lose its meaning in human language, and all mankind shall repeat the Chorus of Angels with the multitude of the Heavenly host at the Birth of Jesus--Glory to God in the highest and on earth, Peace goodwill toward men.

For the remainder of the session, the House tried to avoid the subject of slavery by changing the order of roll call for petitions and by postponing the presentation of petitions in order to take care of other business. On February 13, the House reversed its procedure for calling the roll for petitions; the clerk began with the territories and then proceeded to call for petitions from the Southern states and then the Northern states. When petitions from Massachusetts were called for, the House adjourned. On February 20 and 27, petitions as the order of business were suspended in order to give preference to other business. The custom was established that members who had not presented their petition could leave them with the clerk to be entered into the journal. However, the Speaker refused to allow the petitions to be recorded with a special rule. Such a rule was presented, but the House refused to accept it. Consequently, there were several hundred petitions suppressed,

some of which did not pertain to slavery. By the end of the session, Adams had two hundred petitions to present. 47

By April, Adams could write in his Diary that the subject of slavery was absorbing all of his time. 48 He even wrote a poem which he intended to use as an impromptu autograph for the album of some slaveholding Democrat.

Iotham's Fable

Once the trees of the forest advised by a fool,
Went forth to anoint them a King.
To the Olive they said come and over us rule:
And he said . . . I will do no such thing.
What: my fat, and my oil, so delicious forego:
And to rule over you, dry my roots up:--No--No!

Then they said to the Pig--come rule over us thou.
And he said--No! that never will do!
I was made to bear grapes and the nectar to strain,
For libation to God--and Man too.
I need not your votes to exalt me to power . . . .
Man's brain is my realm and his heart is my tower.

Then they said to the Bramble--come--be thou our king:
And he answered them--well! be it so.
Come and see what a shadow to shield you, I fling!
Will you crown me your Monarch or no?
For if not, you shall know that at least I can burn . . . .
And to cinders, the cedars of Lebanon turn--

Now what think you my friends did old Iotham intend
By telling this tale to the Jew:
Twas to teach him, his freedom from kings to defend
And the moral will ever be true.
For who, good for any thing else, would desire
Over others to rule to consume them with fire--

47 Adams to the Inhabitants of the Twelfth Congressional District of Massachusetts, March, 1837, Adams Papers.

48 Adams Memoirs, IX, 344.
The fig, and the vine, and the olive refuse;
For they all have a worth of their own:
But the bramble is ready, his weapon to use,
And scratch himself up to the throne
And he talks of his shadow! the impudent knave!
As if he could cast one to shelter a slave!

He can burn; he can kindle a flame, it is true
And the pride of the forest consume
But the work of destruction is all he can do
And cast over creation a gloom--
Thus a man upon earth, fit for no other thing
Than lay waste and destroy is just fit for a King. 49

Adams was invited to attend the New England Anti-
Slavery Convention in Boston in May. At the time he neither
rejected nor accepted the invitation. He was certain public
opinion in Massachusetts had not fully crystallized on
the issue of abolition. He was also quite aware that both
Massachusetts political parties were distrustful of him. 50
He wrote in his Diary,

The most insignificant error of conduct in me at this
time would be my irredeemable ruin in this world,
and both the ruling political parties are watching
with intense anxiety for some overt act by me to
set the whole pack of their hireling presses upon
me. 51

Of course, he realized the most dangerous of all subjects
was the slavery question:

49 Adams to Nicholas Biddle, April 3, 1837, Adams Papers.
50 Adams to J.G. Whittier, April 19, 1837, Adams Papers.
51 Adams Memoirs, IX, 349.
In the South, it is a perpetual agony of conscious guilt and terror attempting to disquise itself under sophistical argumentation and braggart menaces. In the North, the people favor the whites and fear the blacks of the South. The politicians court the South because they want their votes. The abolitionists are gathering themselves into societies, increasing their numbers, and in zeal they kindle the opposition against themselves into a flame; and the passions of the populace are all enraged against them. The exposure through which I passed at the late session of Congress was greater than I could have imagined possible; and, having escaped from that fiery furnace, it behooves me well to consider my ways before I put myself in the way of being cast into it again.

With the parties being constituted as they were, he felt the less conspicuous he made himself in the cause of emancipation the more likely the cause would prosper.53

Much of his pessimism was unwarranted. A group of Massachusetts citizens came to his home and presented him with a cane made from the frigate Constitution, in appreciation of his conduct during the last session.54 On July 23, his constituents convened in a district meeting to pass resolutions approving his conduct in congressional debate on the right of petition and the annexation of Texas. They passed resolutions against the gag rule of January 18 and against the annexation of Texas.55

52 Ibid., pp. 349-350.
53 Adams to J.G. Whittier, April 19, 1837, Adams Papers.
54 Adams Memoirs, IX, 356-57.
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Adams was also being urged by Samuel Webb, Benjamin Lundy, and other abolitionists to take what Adams considered indiscreet actions, actions which he thought might ruin him as well as weaken the abolitionists' cause. At the same time his own family was doing all they could to divert him from any connection with the abolitionists. "Between these adverse impulses my mind is agitated almost to distraction. The public mind in my own district and State is convulsed between the slavery and abolition questions, and I walk on the edge of a precipice in every step that I take." ⁵⁶

Despite his doubts as to the course to take, he continued his fight against the gag rule. Various methods were used to curtail freedom of speech on the issue of the gag rule, but Adams was able to get his objections recorded in the journal. Such was the case when, on December 21, Patton offered a gag rule for the second session of the twenty-fifth Congress. It stated:

Resolved, That all petitions, memorials, and papers, touching the abolition of slavery, or the buying, selling, or transfering of slaves, in any State, District, or Territory, of the United States, be laid on the table, without being debated, printed, read, or referred, and that no further action whatever shall be had thereon. ³⁷

⁵⁶Ibid., p. 365.
⁵⁷Congressional Globe, 25th Congress, 2d Session, VI, 45.
After the resolution was read, Adams tried to speak amid a "perfect war whoop." When his name on the roll was called, Adams answered; he held the resolution in violation of the Constitution. Once more there were cries of "Order!"

When the clerk read the names, he omitted Adams' name. Adams objected, and he asked for his name to be called. When the clerk read his name, he did not answer. Instead, he asked that his previous answer be used. The Speaker declared that Adams' answer was out of order. Adams then asked that his answer be entered into the journal as being out of order. The next day Adams read the journal, and his answer had not been recorded. When his name was called, he repeated his answer in the form of a motion. Ratliff Boon, of Indiana, made a motion to lay Adams' motion on the table. Boon's motion passed. Thus Adams' answer was recorded in the journal as a motion that had been laid on the table.  

Patton was extremely upset, because he had come with a speech to prevent the entry of Adams' answer in the journal. Adams recalled in his Diary that he had bantered Patton around,

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58 Adams Memoirs, IX, 454.
59 Ibid.
... till he said that if the question ever came to the issue of war, the Southern people would march into New England and conquer it. I said I had no doubt they would if they could, and that it was what they were now struggling for with all their might. I told him that I entered my resolution on the journal because I meant his name would go down to posterity damned to everlasting fame. He forced a smile, and said we should then go down together. I replied, precisely: side by side: that was what I intended.

The gag grew tighter. On December 11, 1838, Charles G. Atherton, of New Hampshire, presented five resolutions, resolutions which had been agreed on by administration caucus. These five resolutions were as follows: Congress had no jurisdiction over slavery; petitions for abolition of slavery and the slave trade in the District of Columbia were part of a plan to overthrow slavery; agitation of the subject of slavery in the District of Columbia and the territories was unconstitutional; states were equal, and therefore Congress did not have the right to promote the institutions of one section and abolish the institutions of another. The fifth resolution was another gag rule. All petitions, memorials, and resolutions relating to slavery would be laid on the table without being presented, debated, or referred.

60 Ibid., p. 455.
61 Ibid., X, 60.
The following day all five resolutions passed. Of the five resolutions, the gag rule passed with the smallest vote. Adams thought that the resolutions were cunningly composed. The question of states rights was cleverly blended with congressional powers. They were, all in wretched grammar and worse logic, and yet puzzling enough to ensnare the Whigs, and some of the abolitionists, many of whom voted for parts of the resolutions, as if any of them were not null and void, or as if any resolution of the House could define or circumscribe the powers of Congress.

In a letter to petitioners published in the National Intelligencer, Adams reviewed the numerous flaws and contradictions of the Atherton resolutions.

Adams refused to give up. On the following day he presented a resolution to the effect that Congress' powers could not be added to or deducted from by congressional resolutions. The House, however, refused to suspend the rules in order for the resolution to be considered.

Many of the petitions and resolutions he presented were only indirectly related to slavery, but the House showed

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63 Ibid., pp. 27-28.
64 Adams Memoirs, X, 62.
65 National Intelligencer, April 23, 1839.
its sensitivity to the subject by laying them on the table under the gag rule. Anything remotely connected with slavery or the gag rule was immediately laid on the table without discussion. One petition from Sherlock S. Gregory of New York prayed, for various reasons, that Congress make him an alien. Adams had decided to present the memorial because an important question of whether Congress had the power to make a citizen an alien was involved. The petition, of course, was laid on the table.\(^67\) Another petition asked that a wall similar to the Great Wall of China be built between the free states and the slave states.\(^68\) In order to demonstrate the amount of petitions being excluded, Adams presented a resolution asking the clerk to make out and report a list of all petitions and memorials presented during the twenty-fifth Congress that had been laid on the table under the gag rule.\(^69\)

On February 14, 1838, Adams presented three hundred and fifty petitions. Several of these petitions were of an unusual character. One petition prayed for Congress to

\(^{67}\) *Register of Debates in Congress*, 25th Congress, 1st Session, XIV, 614.

\(^{68}\) *Adams Memoirs*, IX, 496.

protect the lives of Northerners going South. Despite a motion to lay the petition on the table, Adams proceeded by saying, "... in another part of the capitol it had been threatened that if a Northern abolitionist should go to North Carolina and utter a principle of the Declaration of Independence. There were loud shouts of "order!" of which the Speaker was one of the loudest. Adams waited until the shouting subsided. He continued, "that if they could catch him they would hang him." Adams sat down and immediately rose to present another petition.

Another disturbing memorial for House members was one from William L. Garrison and various citizens from Boston asking for the government to be moved from the District of Columbia to some place north where the principles of the Declaration of Independence were not treated as "'mere rhetorical flourish.'" After the memorial was laid on the table, Adams presented another memorial asking for the appointment of a committee on color to which the names of all officeholders would be referred for the purpose of examining their pedigrees. When a party with colored blood was found,

70Adams Memoirs, IX, 479.
71Ibid.
he was to be expelled from office and replaced by members with pure Anglo-Saxon blood. Adams continued by presenting one hundred and ninety-two more petitions.\(^7\)

Southerners were not without their own humor. Wise presented a petition from thirty-seven men and women of Halifax County, Virginia praying for Congress to produce at public expense husbands for all female petitioners against slavery in order to get their minds off abolition.\(^8\)

Adams received numerous testimonials favoring his actions in Congress. Abolition newspapers and letters were filled with praise. Owing to his cautious nature, he continuously warned himself not to take all of this as being evidence of public opinion, for in the House he saw nothing but the growth of increasing contempt for every proposition he offered, especially in connection with the right of petition.\(^9\) Although he was convinced that the Massachusetts delegation in the House was adverse to any type of action giving approval to anti-abolition activities in Massachusetts, he was also sure they wanted to exert a policy of alliance


\(^8\)Ibid., IX, 393.

\(^9\)Ibid., pp. 463, 479.
with the South. He concluded that they did not care anything about the right of petition, but rather were merely concerned with satisfying their constituents. He was willing to stay with them as long as he possibly could, however, he was afraid he might be forced to separate from them before the close of the session. 75

Letters of praise and commendation continued. But, in 1839, despite requests for his opinions and invitations to speak before anti-slavery groups, he could see nothing but obloquy as the result of any advice he might give. This was especially true of the anti-slavery movement which asked for his opinions and wanted him to attend their meetings, yet in their newspapers spoke against his letters to petitioners. 76

Adams never gave up trying to impress upon House members his stand on abolition petitions. On January 21, 1839, he asked for an opportunity to explain his position. Recently he had been receiving many letters threatening to assassinate him. He thought this was probably the result of a misunderstanding. He repeated his past statements. He was in favor

75 Ibid., pp. 502-503.
76 Ibid., X, pp. 125-126.
of the right of petition and thought that citizens had the right to petition for the abolition of slavery and the slave trade in the District of Columbia, but he was not prepared to grant such a prayer. If the question was presented, he would vote against it. He did not know what his mind would be on the subject if a full discussion was allowed. When he finished, he presented one hundred and seventy-five abolition petitions. 77

During the third session of the twenty-fifth Congress, Adams presented eight hundred and forty-one petitions. Only sixteen were received. Five hundred of these petitions were presented to the clerk, rather than to the House. Any petitions which were so indirectly related to slavery that they could not be excluded were referred to committees who admitted they did not feel themselves bound to look into either the petitions or the state resolutions referred to them. Thus, by use of the gag rule to lay on the table petitions making an indirect reference to slavery, by committees not looking into petitions only remotely related to slavery, and by diminution of days on which petitions could be presented, the right of petition had been annihilated. 78


78 National Intelligencer, April 23, 1829
Despite all of Adams' activities in the House, his numerous letters to constituents and petitioners, he wrote as late as December 22, 1839 that he had not decided what course to take on the subject of slavery and the slave trade:

I see clearly that it is not for me to volunteer in bringing it forward, and as clearly that it will be impossible for me to steer clear of it altogether; it will be forced upon me. It will not be for me in walking to direct my steps; may they be directed from above!

One month later the gag rule would become a standing rule of the House.

On January 22, 1840, Thompson presented an amendment to the rules:

Resolved, That upon the presentation of any memorial or petition praying for the abolition of slavery or the slave trade in any District, Territory, or State of the Union, and upon the presentation of any resolution, or other paper touching that subject, the reception of such memorial, petition, resolution, or paper, shall be considered as objected to, and the question of its reception shall be laid on the table, without debate or further action thereon.

Adams had his own resolution to substitute for the above and to be added as the twenty-first standing rule:

Every petition presented by the Speaker, or by any member, with a brief verbal statement of its contents,

79Adams Memoirs, X, 173.

80Congressional Globe, 26th Congress, 1st Session, VIII, 133.
shall be received, unless objection be made to its reception for special reason; and whenever objection shall be made to the reception of a petition, the name of the member objecting, and the reason of the objection, shall be entered upon the journal. The question in every case shall be, shall the petition be rejected? and no petition shall be rejected but by a majority of the members present.

Adams reminded the House that the question of slavery could not be kept out by stopping petitions. Once more he stated that he would not vote in favor of the abolition of slavery, nor did he believe there were ten representatives that would. Thompson's gag rule was different from those in the past; now a permanent rule of the House would exclude abolition petitions from being received.

During the debate Bynum took up the task of reviewing votes in the House for the previous five years, in order to prove that Whigs and abolitionists were the same, while Democrats were anti-abolitionists. Unfortunately for his thesis, he found his name was recorded among the pretended abolitionists.

William Cost Johnson, of Maryland, presented an amendment to Adams' amendment by striking out all after the word resolved, and adding the following:

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81 Ibid.
82 Ibid.
83 Ibid., pp. 146-147; Adams Memoirs, X, 203.
That no petition, memorial, resolution or other paper praying the abolition of slavery in the District of Columbia, or any State or Territory, or the slave trade between the States or Territories of the United States in which it now exists, shall be received by this House, or entertained in any way whatever. 84

On January 28, 1840, Thompson's resolution, as amended by Johnson, passed by a vote of 114-108. 85 The tightest gag rule became the twenty-first rule of the House. Slavery petitions would not be received.

In the minds of some representatives, the gag rule was not limited to just petitions and memorials. On June 24, George W. Crabb, of Alabama, brought up the question of the placing in the Library of Congress, Raymond's Political Economy, a book which he believed came under the gag rule. Adams rose during cries of "order" to give some account of the book, but he was asked to take his seat by the Speaker. Several times he was forced to take his seat. Finally, he was able to speak: "The gentleman from Alabama has undertaken ('order,' 'order,' ) to be grand inquistor for this House; to speak ('order') its opinion on a certain book. (Here the cries of order were very loud, and the Chair ordered Mr. Adams to resume his seat.)" 86

84 Congressional Globe, 26th Congress, 1st Session, VIII, 150.
85 Ibid.
86 Ibid., p. 483.
Crabb, who was very much excited, asked for the reading of the chapter containing the libel on the South. The uproar in the House became greater. Crabb continued to speak with greater animation. The Speaker called for order. Shouts of order mixed with laughter came from throughout the House. During all this confusion, Crabb was able to state that the book was a base libel and had been smuggled into the House. Adams "... at the top of his voice cried good! good!" Much laughter followed with the discussion ending and order being restored. 87

Adams was quite adept in demonstrating through analogies the contempt he held for slavery. He introduced one resolution asking the Secretary of War to report the history of bloodhounds, showing their fitness to be members of the United States army and,

... specifying the nice discrimination of his scent between the blood of the freeman and the blood of the slave--between the blood of the armed warrior and that of women or children--between the blood of the black, white, and colored men--between the blood of savage Seminoles and that of the Anglo-Saxon pious Christian. 88

He wanted to know the number of bloodhounds imported and the cost. He also asked if the bloodhound was to be granted the benefits of the pension laws. 89

87 Ibid., pp. 483-484.
88 Ibid., 252.
89 Ibid.
Not even these opportunities to demonstrate the fallaciousness of slavery could placate him. This session of Congress had been very painful,

... beyond all former experience, by the demonstration which it has given of degenerating institutions. Parties are falling into profligate factions. I have seen this before; but the worst symptom now is the change in the manners of the people. The continuance of the present Administration will, if accomplished, open wide all the flood-gates of corruption.

He asked, "Will a change produce reform? pause and ponder! Slavery, the Indians, the public lands, the collection and disbursement of public money, the tariff, and foreign affairs: What is to become of them?" 91

Momentarily, it appeared that Adams had succeeded in rescinding the gag rule. On May 31, 1841, Wise presented the following resolution:

Resolved, That the standing rules and orders of the last House of Representatives be adopted as the rules and orders of this House for the next ensuing ten days, and that a committee of nine members be appointed to revise the said rules and order, and to report thereon, within ten days. 92

Adams moved to amend the resolution by inserting "except the 21st rule, which is hereby rescinded." 93

90 Adams Memoirs, X, 342.
91 Ibid.
92 Congressional Globe, 27th Congress, 1st Session, IX, 4.
93 Ibid.
House voted to accept the resolution as amended by Adams.\textsuperscript{94}

The gag rule had been temporarily rescinded.

The Southern representatives were greatly agitated by the change. On June 8 Joseph Fornance, of Pennsylvania, moved for reconsideration of the resolution which rescinded the gag rule.\textsuperscript{95} Each day Fornance's resolution was discussed until, on June 11, Wise gave such a vehement speech against Adams and abolition that he fainted. Wise's tone was "... loud, vociferous, declamatory, furibund; he raved about the hell-hound of abolition..." and at Adams, "... as the leader of the abolitionists throughout the Union, for a full hour--till his voice had broken into a childish treble two or three times."\textsuperscript{96} The following day, Wise returned to the House. The vote on Adams' amendment was postponed in order to give time for five representatives from Alabama to return. They were all "... slave-dealers."\textsuperscript{97} Petitions were called for, but Adams deliberately did not present any. However, one abolition petition was presented without an immediate explosion.\textsuperscript{98}

\textsuperscript{94}Ibid., pp. 27-28; Adams Memoirs, X, 474-475.

\textsuperscript{95}Adams Memoirs, X, 476.

\textsuperscript{96}Ibid., p. 478.

\textsuperscript{97}Ibid., pp. 478-479.

\textsuperscript{98}Ibid., p. 479.
On June 14 Wise made a six-hour speech in favor of Fornance's resolution and against that of Adams. Adams wrote the following account of Wise's performance:

He was apparently recovered from his fainting-fit of last Friday, and he had sufficient self-control to avoid the bawling, brawling tone with which he then broke down; but, beginning every successive sentence with a loud and vehement clatter, he immediately bowed down over his desk till his head and chest became horizontal, his mouth pouring out all the time his words in a whisper. Abolition, abolition, abolition, was the unvarying cry; and he represented me as fiend, the inspirer and leader of all abolition.

That night Adams prayed for control over his own temper. Evidently Wise's speech was successful, for on June 15 the resolution with Adams' amendment to rescind the 21st rule was reconsidered and lost by a vote of 106-110.

The failure of his amendment did not stop him from presenting petitions. He presented a petition from Wheeling, Virginia, Praying for Congress to enact a law for all free colored population to be sold as slaves or expelled from their country. He was hesitant about presenting the petition, but it did remain true to the right of petition. Another

99 Ibid.
100 Ibid., p. 480.
101 Congressional Globe, 27th Congress, 1st Session, IX, 56.
102 Adams Memoirs, X, 515.
petition asked that the naturalization laws be amended to allow persons of color from foreign countries to own real estate and become citizens of the United States. A petition from Massachusetts asked for each state to be provided with a republican government. He presented petitions to rescind the gag rule, and resolutions asking the House to list petitions suspended under the gag rule.

Adams even presented petitions against himself. On January 20, 1842, he presented a petition from various citizens of Georgia asking that he be removed as chairman of the Committee on Foreign Affairs because, "... he is possessed of a species of monomania on all subjects connected with people as dark as a Mexican; and therefore he is not fit to be entrusted with the business of our relations with Mexico." The petition was signed by James Playfair.

Adams wanted a chance to defend himself. Various members, however, thought it was not necessary. Adams had shown the petition to George Habersham, of Georgia, prior to presentation.

103 Congressional Globe, 27th Congress, 1st Session, IX, 158.
105 Congressional Globe, 27th Congress, 2d Session, X, 159.
106 Ibid., p. 163.
Habersham announced to the House that the petition was a hoax. There were persons living in that county with the same surname but not the same Christian names. If he had received the petition he would have burned it. Adams replied, "I know that gentleman's course in regard to petitions--I know he would put some petitions in his pocket--a vast number of petitions which I feel it my duty to present . . . ." Though some representatives might think this petition was trifling, he believed many members would agree with the charges. Wise concurred. Adams continued,

Though he knew that the whole slave trading representation of that House was against him, with but a single exception, and he was afraid to name him; though he knew that the Northern auxiliaries of the slave trading representation, which gave then [sic] the majority, were also against him, yet he hoped they would allow the petition to be referred to the Committee on Foreign Affairs; to choose another chairman should they think proper. Should the committee do this, he would consider it an endorsement of the charge, and would abide by the decision.

The question of the petition was ordered to lie over.

Adams rose and presented a petition from Benjamin Emerson and forty-five citizens of Haverhill, Massachusetts.

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107 Ibid.
108 Ibid.
109 Ibid., p. 168.
TO THE CONGRESS OF THE UNITED STATES

The undersigned, citizens of Haverhill, in the commonwealth of Massachusetts, pray that you will immediately adopt measures peaceable to dissolve the Union of these States—

First: Because no union can be agreeable or permanent which does not present prospects of reciprocal benefits.

Second: Because a vast proportion of the resources of one section of the Union is annually drained to sustain the views and course of another section without any adequate return.

Third: Because (judging from the history of past nations) that Union, if persisted in in the present course of things, will certainly overwhelm the whole nation in utter destruction.

Isaac Holmes, of South Carolina, asked if it was in order to burn the petition in the presence of the House. After a great deal of confusion, the question of reception was laid on the table. Wise asked if a resolution of censure was in order. The Speaker replied that this would be up to the House. Thomas W. Gilmer, of Virginia, rose and presented the following resolution:

Resolved, That, in presenting to the consideration of this House a petition for the dissolution of the Union, the member from Massachusetts (Mr. Adams) has justly incurred the censure of this House.

Adams hoped the resolution would be received and debated so that he might be given a chance to present his defense to the

\[110^{\text{Ibid.}}\]

\[111^{\text{Ibid.}}\]
House, especially since Gilmer chose to play second fiddle to his other colleague from Virginia. During shouts of "order!" Gilmer replied that he played second fiddle to no one. He wished only to stop the music of one,

Who, in the course of one revolving moon, was poet, fiddler, statesman, and buffon.  

The following day Thomas F. Marshall of Kentucky presented a substitute for Gilmer's resolution of censure. He continued by reviewing the previous history of Adams' activities in the House. In conclusion, he stated that he would ask for censure of even his father if he were to present such a petition. After the resolution was read, Adams had the clerk read the Declaration of Independence, and he rested his petition on this document. If the House should adopt such a resolution, he would defend himself:

When I come to make my defense before the House, I shall show other oppressions, not only actual, but intended. I shall show that the portion of the country from which that gentleman comes are endeavoring to destroy the right of habeas corpus, the right of trial by jury, and all the rights of which the liberty of the country consists.

The South was systematically working to push the United States into a war with England in order to protect the African

112 Ibid.
113 Ibid., p. 170.
slave trade. If civil liberties were to be taken away by a coalition of the Northern Democracy and slaveholders, then the time had come for the Northern people to do something. First, the right of petition must be restored, because,

If the doctrine of the gentleman from Kentucky is sanctioned, we shall next have a declaration that it is high treason to ask for the abolishment of slavery in the District of Columbia; that it is high treason to ask for the prohibition of the infamous slave trade; and if a repeal of the Bankrupt law, hurried through without the ordinary forms of legislation, is objected to, why make it high treason. If the gentleman declared all those to be high treason, he would not do worse than he has done.\(^\text{114}\)

The censure attempt continued for several days. Various speeches were given in Adams' defense by his colleagues. In answer to these speeches Marshall made a two-hour speech which was interrupted several times by Adams. After Marshall commented that Northern abolitionists knew nothing about the conditions of slaves, he invited Adams to visit the West. Adams replied, "To be lynched," and Marshall answered, "Very likely."\(^\text{115}\)

Theodore Weld and Joshua Leavitt offered Adams assistance in collecting papers and books for his defense. Various

\(^{114}\)Ibid., p. 179.

\(^{115}\)Adams Memoirs, XI, 76.
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colleagues assured him of their support.\textsuperscript{116} Evidently he was quite concerned about the course of events for in his Diary he wrote, "I am in the midst of that fiery ordeal, and day and night are \textit{sic} absorbed in the struggle to avert my ruin. God send me a good deliverance."\textsuperscript{117}

After days of preparation he presented his defense to the charge of treason. He based his defense on several grounds. First, the petitioners were guilty of no offense, and second, he was under no responsibility because he had declared in presenting the petition that he would vote against granting the prayers of the petition. He referred to his presentation of fifteen petitions ten years ago and his statement then that he could not support the prayers of the petitions;

This was not an irresponsible act of his, for in his district at that time there were perhaps, more Abolitionists than now. It was not then so odious a thing to be an Abolitionist. The inhabitants of his district had presented petitions for that same prayer, which were referred to a committee, and a most respectable report was made upon them. He had repeated that same sentiment, time after time, in this House, and he repeated it now. He said if a bill were brought into this House for the abolition of slavery in the District of Columbia tomorrow, he would vote against it.\textsuperscript{118}

\textsuperscript{116}\textit{Ibid.}, pp. 76, 79.

\textsuperscript{117}\textit{Ibid.}, p. 80.

The next day Adams continued his defense. The petition from Georgia had charged him with monomania and insanity. Marshall had previously asked the House to let Adams defend himself, because he thought the charge was true. Then Gilmer had given notice that he would move for Adams' expulsion as Chairman of the Committee on Foreign Affairs. Now he had presented the petition from Haverhill, and the monomaniac had become an incendiary and a traitor. He asked, "Was it customary to charge an insane man with the commission of crimes?" Of course, these two charges were incompatible. If he was insane, he needed compassion. If he was insane in presenting the petition from Georgia, then he was insane in presenting the petition for dissolving the Union. Since W. Cost Johnson had discovered that the Georgia petition was written on Congressional paper, he was sure the petition had come from someone in the House. He accused Gilmer of wanting to remove him from the Committee on Foreign Affairs. He continued by reading an anonymous letter from Jackson, North Carolina, which threatened him with assassination. At the top of the letter was a picture of Adams with a bullet in his forehead over which the word abolition was written.

\[119\text{Ibid., p. 208.}\]
He read the motto of the letter which was to stop the music of John Quincy Adams,

Who, in the space of one revolving moon, is statesman, poet, babbler, and buffoon. Gilmer had used the word fiddler which had been replaced by babbler. "That he was a babbler he could not deny, but that he was a fiddler was a new discover."

Adams continued his defense by accusing the Congressional Globe and the National Intelligencer of biased reporting. As a result of this accusation against the Globe and the Intelligencer, both announced that they would not publish Adams' speeches until Adams had given his permission. The House was tired of the entire subject. On February 7, 1842, the resolution of censure was laid on the table, and the petition from Haverhill was refused reception. Adams rose and presented nearly two hundred abolition petitions before the House adjourned.

120 Ibid., p. 209.
121 Ibid.
122 Adams Memoirs, XI, 84.
Adams attempted to gather together a group of those who supported the right of petition. After several meetings at which the attendance was no higher than twelve, he gave up his effort to organize any coherent opposition. Now he was convinced of the hopelessness of any effort on his part to restore the right of petition.\footnote{Adams Memoirs, XI, 62, 68.}

He was notified that public approval in Massachusetts was so strong that his name was being considered for governor.\footnote{Ibid., p. 127.} Barely a day passed that some Northern or Western member did not come by to introduce friends or constituents,\footnote{Ibid., pp. 159.}

... and from the South, almost daily, letters of insult, profane obscenity, and filth. These are indices to the various estimation in which I am held in the free and servile sections of this Union—indices to the moral sensibilities of free and of slavery-tainted communities. Threats of lynching and assassination are the natural offspring of slavebreeders and slave-traders; profanity and obscenity are their natural associates.\footnote{Ibid., p. 159.}

Added to this was the censure of Joshua Giddings, of Ohio, a comrade in the fight against the gag rule.\footnote{Ibid., p. 114.} The rejection of abolition petitions became so natural to the House that all any member had to do was object to the
reception of any petition, and it was guaranteed exclusion. 130

Being almost censured for the second time did not prevent Adams from voicing his opinions on slavery or from presenting anti-slavery petitions and resolutions. 131 In the summer of 1842, a bill was introduced to amend the charter of Alexandria, Tennessee, Cave Johnson, of Tennessee, wanted to insert a qualification for voters for mayor and common-councilmen specifying that only free white males of twenty-one and over could vote. The amendment was accepted. 132 Adams moved that the word white be struck out;

He would ask the gentleman what was a white man. Was it the mere color of the skin which constituted the white man? Why, if that were the criterion, there were twenty members of that House who were not white men. He pledged himself to bring forward a hundred respectable colored men of this city with complexions whiter than those of twenty members of the House. 133

Of course, Adams' argument went unheeded.

130 Ibid., p. 142.

131 He presented a petition from 51,863 citizens of Massachusetts asking to be separated from the Union because they no longer desired any connection with domestic slavery. Congressional Globe 27th Congress, 3rd Session, XI, 317.


133 Ibid., p. 570.
On December 6, Adams again made a motion to rescind the gag rule. For three consecutive days the House voted not to lay the motion on the table. At the same time by a margin of between two to eight votes, the House refused to put the main question. Finally, on December 12, the motion was laid on the table by a vote of 106-102. One year later on December 4, 1843, a resolution was presented asking that the rules of the last session be accepted for the first session of the twenty-eighth Congress. Adams added an amendment to the resolution which said with the exception of the twenty-first rule. The vote on Adams' amendment was 91-95 against.

Finally, the practice of openly calling for petitions in the House stopped. Adams' suggestion of sending all petitions to the clerk's table to be disposed of by the Speaker with all admissible petitions being referred to the appropriate committee was adopted each session. Thus when the Speaker declared on December 16, 1843, that the first

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135 Congressional Globe, 28th Congress, 1st Session, XII, 4.

order of business was the call for petitions from the states, House members were caught unprepared. Several attempts were made to stop the call for petitions, but all efforts were to no avail. The clerk started with Maine. When petitions from Massachusetts were called for, Adams presented a petition from James B. Cooper and four hundred and eighty-five citizens of New York praying that Congress separate New York from any connection with slavery. This caused a great disturbance among the representatives, and the House adjourned. The next day the Speaker decided that the petition was under the gag rule. Adams reminded the Speaker of a similar petition presented last Session which was referred to the Judiciary Committee. The Speaker refused to change his mind. Needless to say, Adams appealed the decision. 137 On December 20 the Speaker reversed his decision on the Cooper petition; the petition was not under the gag rule. It was not, however, referred to the Judiciary Committee. The petition was received and laid on the table. 138

Adams continued by presenting a petition from residents of Illinois. The petition asked that Congress pass laws

137 Ibid., pp. 450-451.
138 Congressional Globe, 28th Congress, 1st Session, XII, 55.
confessing its national sins, acknowledging the dominion of Jesus, defining God's law, and securing for all people the self-evident rights of the Declaration of Independence. There was a great deal of commotion over whether a motion had been made to lay the petition on the table. Adams was called to order for irrelevancy in discussing the gag rule. He replied that he was not discussing the twenty-first rule and that there had been no motion to lay the petition on the table; "Why, according to the construction of some human skulls, nothing that bears directly on the subject before the House is relevant; and it sometimes happened that skulls of that kind have sympathy with the skull of the Speaker." The speaker replied that such reflections could not be allowed in the House. With cries of "That's right," coming from throughout the House, Adams shouted at the top of his voice, "That's right say all the slave Representatives on this floor." The petition was read and laid on the table. Wise immediately announced to the House that he was ready to give up the fight.

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139 Ibid., p. 56.
140 Ibid., p. 59.
141 Ibid.
142 Ibid., pp. 60-61.
The next day Adams presented the Massachusetts Resolves of March 23, 1843. These resolutions asked for an amendment to the Constitution eliminating the three-fifths compromise. Adams was very surprised when the resolutions were referred to a select committee headed by himself. He believed this to be a plot to entrap him. The South was hoping that the Northern Democracy would be so entwined with the slave representatives that they would repel any assault on slavery, and subsequently, desert and betray him. When the report on the Massachusetts Resolves was presented by Adams, it was advised that the time had not come for such an amendment. The South, however, had two options: either free the slaves and have more representatives or keep slavery and have representatives only for free whites.

Adams was a member of the committee to revise the rules for the twenty-eighth Congress. The committee had decided to strike out the gag rule and to reject any substitute. He was convinced that a substitute would be supported in the

143 Adams Memoirs, XI, 455.
144 Adams to Charles Francis Adams, January 1, 1844, Adams Papers.
House. The committee's report was taken up by the House on January 1, 1844. Adams wrote to Charles Francis Adams:

> The report of the Committee on the Rules was a thunderclap to the Whig Party. The New York Kinderhook Democracy have repudiated the gag only for outward show. They are chaffering for a compromise, and the South bullies and wheedles them by turns, and will finally worry them again into the gag or pass off upon them a wooden nutmeg in its place.

New York Democrats had been threatened by the South. If they rescinded the gag rule, the South threatened to desert Van Buren. The gag rule was renewed for another session.

On December 3, 1844, Adams presented the following resolution to rescind the 25th rule (as the gag rule was then numbered):

> Resolved, That the 25th standing rule for conducting the business of the House in the words following:

> No petition, memorial, resolution, or other paper praying the abolition of slavery in the

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146 Adams to Charles Francis Adams, January 1, 1844, Adams Papers.
149 Adams Memoirs, XI, 504-505.
150 Congressional Globe, 28th Congress, 1st Session, XII, 335.
be and the same is hereby rescinded.\textsuperscript{151}

Thompson asked that the resolution be laid on the table. Giddings and Adams simultaneously called for a vote on the motion to lay the subject on the table. The motion was rejected by a vote of 81-104.\textsuperscript{152} The motion to rescind the gag rule was considered, and the vote was 108-80.\textsuperscript{153} Adams' entry in his Diary for that day read, "Blessed, forever blessed, be the name of God."\textsuperscript{154}

Adams was seventy-seven years old in 1844. For eight years he had fought to repeal the gag rule and to return to acceptance of one of the most fundamental rights of man, the right of petition. Needless to say, the South did not give up. At the beginning of the first session of the twenty-nineth Congress an effort was made to re-instate the

\textsuperscript{151}Congressional Globe, 28th Congress, 2d Session, XIII, 7.

\textsuperscript{152}Ibid.

\textsuperscript{153}Ibid.

\textsuperscript{154}Adams Memoirs, XII, 116.
gag rule, however, the House rejected such a proposal by a margin of thirty-seven votes.\textsuperscript{155}

A day rarely passed during these eight years that Adams did not endure some invective. He had won his fight by emphasizing the inalienable rights of man as guaranteed in the Constitution of the United States and in the Declaration of Independence, rather than abolition of slavery in the District of Columbia and the territories of the United States.\textsuperscript{156} He never believed Congress had the constitutional power to abolish slavery except in the District of Columbia. But he did not believe that it was expedient for Congress to ever abolish slavery in the District unless such action was based on the petitions of its inhabitants. Now that the controversy over the right of petitions was finished, Adams considered himself the leader of the abolition movement. Ironically, the abolitionists would not have anything to do with him because he would not put enough pressure on Congress for the abolitionists' cause.\textsuperscript{157} If Adams had done so, the South probably would have seceded "... before bands of

\textsuperscript{155} Congressional Globe, 29th Congress, 1st Session, Vol. p. 4.

\textsuperscript{156} Bemis, p. 448.

\textsuperscript{157} Adams Memoirs, XII, 135.
steel had bonded the new Northwestern states to the North-
east, and before millions of young men from Massachusetts
Bay to the broad Missouri would be ready to lay down their
lives to save this one and indivisible Union." 158

158 Bemis, p. 448.
CHAPTER V

SLAVERY AND ANNEXATION

The events behind the acquisition of Texas have long been a controversial question in American history, both at the time of annexation and through the years since. Participants and historians have placed emphasis on the slavery question and Southern political motives in the acquisition of land. Today, most historians agree that while slavery was an important element in Texas annexation, the desire for Texas was inextricably connected with manifest destiny. The slavery issue only delayed what was inevitable.¹

John Quincy Adams was one of those men who were thoroughly convinced of a Southern conspiracy to acquire Texas for the purpose of binding the Union permanently to the institution of slavery. Consistently, from 1836 to 1845, he repeated his theory of how such men as Andrew Jackson plotted to take Texas. Much of his discussion on this conspiracy was centered on a defense against his own antagonists, who accused him

of giving Texas away in the famous Adams-Onis Treaty of 1819. These antagonists emphasized the contradiction between his opposition to annexation of Texas in 1836 and his attempts to bring Texas into the Union while he was President. Needless to say, the issue of Texas and the fact that it involved the question of slavery made it susceptible to the restrictions of the gag rule.

Adams sincerely believed Jackson was seeking to acquire Texas, but not by treaty with Mexico. Prior to his famous speech of May 25, 1836, in which he expounded upon these suspicions, he presented two resolutions to Congress. One requested copies of any overtures made to Mexico concerning the acquisition of territory from Mexico. The second resolution asked for information as to laws made by the Mexican government abolishing slavery within their territory. Objections were made to both resolutions, and, consequently, they were not considered.\(^2\) As Adams stated in a letter to Benjamin Lundy, "The ice is broken." Since the House had not allowed any consideration of his two resolutions, he was now determined to be heard on the issue of Texas. And he was.\(^3\)

\(^2\) Congressional Globe, 24th Congress, 1st Session, pp. 398-399.

\(^3\) Adams to Benjamin Lundy, June 2, 1836, Adams Papers.
On May 25 Adams carried out his promise in a speech, delivered largely as a protest against the first gag rule of 1836. After pointing out the power of Congress to interfere with slavery during a servile war, a war in which a slave might emancipate himself, and in making a peace in which the master might be forced to recognize the slave's independence by a treaty, he turned to the possibility of war with Mexico. He referred to the rumor that the Jackson Administration had made a proposal to Mexico to cede to the United States enough land to constitute nine states. He believed this offer had been deliberately made at a time when large groups of American citizens with slaves were moving into Texas. Both moves, according to Adams, were calculated to keep tensions at a fever pitch. He viewed the Texas war for independence as a Mexican civil war, fought by Texans for the purpose of re-establishing slavery where it had been abolished. He was deeply afraid the United States would be brought into the war on the side of slavery: i.e., as an ally of the Texas revolutionists. Castigating Anglo-Saxon Congressmen for their prejudices against other races, he addressed the Southern members of Congress:

Do not you an Anglo-Saxon, slaveholding exterminator of Indians, from the bottom of your soul, hate the
Mexican-Spaniard-Indian, emancipator of slaves and abolisher of slavery? And do you think that your hatred is not with equal cordiality returned?

Furthermore, Adams' conception of war with Mexico was a "... war of races--the Anglo-Saxon American pitted against the Moorish-Spanish Mexican American; a war between the northern and southern halves of North America; from Passamaquoddy to Panama." Mexico's banner in such a war would be freedom, while the United States' would be slavery. He saw such a war with Mexico as not only uniting Negro and Indian as allies but also uniting England and France.

Adams contended that there was no benefit from annexing so large and unwieldy a land as Texas, land which would do nothing more than extend the lines of defense. After Texas was annexed, Cuba would be next, an island which would necessitate naval power for protection against the British, who would argue that Cuba was necessary in order to protect its other island possessions from slavery. He envisioned the possibility of a Mexican war, an Indian war, a war with Great Britain and with France, and, ultimately, even a civil war.  

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4 Congressional Globe, 24th Congress, 1st Session, pp. 398-399.

5 Ibid.

6 Ibid., pp. 434-451.
It was only through great effort that Adams was able to finish his speech amidst the continuous interruptions from House members. He was aware that his opinions, as expressed in the speech, were foreign to his associates. He was also aware as to how public opinion in the North would react, since he believed that "Land jobbing and President jobbing" had preverted the people's minds to the point where they no longer desired to hear the truth. And as was to become characteristic of his future statements, he wrote,

These ebullitions of Texas enthusiasm have all the appearance to me of Fraud playing upon the wires of frenzy--and who could have believed that it is the Democracy of New York and Pennsylvania that is running in the front ranks this recreant race of servility?

The movement for annexation was growing. In December, 1836, Adams read a report by General James Hamilton to the South Carolina Senate on Texas. This was just one of the many statements in favor of the Texas cause which were coming from throughout the nation. Hamilton, governor of South Carolina from 1830-1832, a strong advocate of nullification, as well as a political foe of Adams, was to later become a financial agent for the Texas Republic.  

7 Adams to Robert Walsh, June 3, 1836, Adams Papers.
8 Joseph Schmitz, Texas Statecraft, 1836-1845 (San Antonio, 1941), pp. 81-82.
report, according to Adams, presented the Texans as people simply struggling to gain freedom. Of course, Adams saw it differently; Texans were "... fighting for the establishment and perpetuation of slavery, and that is the cause of the South Carolinian sympathy with them." Unfortunately, the American people would never believe this.10

Later that month, President Jackson, despite his obvious sympathy for the Texas cause, delivered a special message to Congress in which he suggested that recognition of Texas independence be delayed. Then, beginning in January, 1837, various resolutions were introduced to Congress calling for recognition but to no avail. Presumably, delay was the result of political expediency, since recognition of Texas would mean consideration of annexation, an issue which Van Buren, as president-elect, did not want to confront. Finally in February, the Committee on Foreign Affairs presented a favorable resolution with respect to recognition and also directed that an appropriation for a Texas diplomatic agent be provided for by the Ways and Means Committee. All of this was to be accomplished if and when the President felt

9Adams Memoirs, IX, 333.

10Ibid.
it expedient to do so, and that was not far away. On March 5, 1837, Jackson performed his last official duty as President by recognizing the independence of Texas.\footnote{Schmitz, pp. 39-46.}

Now that annexation did not seem too distant, Adams, in a letter to his constituents in March, 1837, reiterated his stand on Texas. He contended that if the national government did not have the right to interfere with slavery in the states, it did not have the right to annex a Texas stained with slavery. Texas was a land in which slavery had been re-established: "Slavery restored by fraud and treachery and the imposture of a painted Harlot usurping the name of Freedom."\footnote{Adams to the Inhabitants of the Twelfth Congressional District of Massachusetts, Washington, March, 1837, Adams Papers.} He was convinced Texas annexation was now part of Martin Van Buren's new administration aims. Quite dramatically he beseeched his constituents:

And with that pledge, can you doubt that the manacles of Texas Slavery will be fastened upon your hands and the fetters of Texas Slavery will be fastened upon your feet? Children of Carver, and Bradford, and Winslow and Alden! The pen drops from my hand.\footnote{Ibid.}

On September 12, 1837, Adams presented two resolutions to the House. The first resolution asked the President to
communicate to the House all correspondence between Mexico and the United States on the question of boundaries, as well as any information on the possibility of cession of territory belonging to the Mexican Republic. The resolution passed. At that time negotiations were also going on between Texas and the United States concerning the eastern boundary of Texas.

The second resolution asked the President to communicate to the House any proposition made by Texas to the United States concerning annexation, along with any reply made to such a proposition. Objections, however, were made to this second resolution. Henry A. Wise objected because he believed the releasing of such information was not in the interest of the public. To alleviate this objection, Robert Haynes suggested to Adams the insertion of a restriction into his resolution which would limit information to that in the interest of the public. Adams quite cogently argued that he thought the public was aware that Texas had created a committee for the purpose of proposing annexation. Secondly, he considered the whole idea of Texas annexation unconstitutional, since neither the President nor Congress had the

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15 Schmitz, pp. 53-54.
right to pass on the annexation of Texas. Furthermore, he believed the Texas case was not the same as that of the Louisiana Purchase, since Texans had not given their legislature the power to make such proposals. Moreover, the Texas Constitution did not provide the Texas government with the power to make such propositions. Adams contended neither the President nor Congress had the power to receive such a request, only the people of the United States could decide;

It is a subject in which the whole people of the United States have a deep, deep, deep interest; it is a question so deep as to involve that of the Union itself; for there is a large portion of the people of the United States who would prefer a dissolution of the Union to the act of annexation of Texas.\(^{10}\)

Waddy Thompson was quick to remind the House of the fact that Adams, while Secretary of State, had been in favor of a boundary which would have, and should have, taken in a large part of Texas. As a result, this land had been improperly ceded. Moreover, the proposition for annexation had been approved by every Texan. Therefore, he could not vote for Adams' resolution. Francis Pickens, who was also from South Carolina, did not see any harm in

publishing such information on Texas. Ultimately, Adams' resolution, with Haynes' amendment restricting information in line with public interest, was adopted.\textsuperscript{17}

Adams, along with other Representatives, continued to present petitions and remonstrances against the annexation of Texas. On September 18, Adams presented thirty-nine petitions against the annexation of Texas, as well as a resolution denying Congress the power to annex a foreign people to the Union.\textsuperscript{18} On October 9, Franklin Elmore, of South Carolina, offered a resolution similar to Adams' resolution of September 12 in that it called for correspondence on the Texas question, but the correspondence was to be limited to include only extracts of correspondence from 1825-1835. Adams objected. He either wanted all of the correspondence or none at all. Consequently, he moved to amend Elmore's resolution by providing that all correspondence be printed. He accused Elmore of seeking to select only extracts favorable to his point of view.\textsuperscript{19}


\textsuperscript{18}Adams Memoirs, IX, 378-379.

\textsuperscript{19}Register of Debates in Congress, 25th Congress, 1st Session, p. 1359.
The following day the matter was reopened. Elmore pointed to the uselessness of printing all of the correspondence of 1819 on the boundary between the United States and Mexico. Adams took issue. The boundary question had a definite connection since it had given rise to the whole issue of annexation. The Mexican government was gravely concerned over the fact that the United States had not complied with the agreement to appoint commissioners to run the boundary lines. Adams believed the failure to do so was the result of

Nothing but that spirit which had taken possession of a certain portion of our population, that sudden and violent impulse, which drove them on to get possession of the whole territory, at any expense, per fas aut nefas, by treaty, by invasion, by anything that would effect the purpose.

Supported by both Thompson, who acknowledged the consistency and judgment of Adams, and Slade, Elmore's resolution with Adams' amendment passed.21

Continuing to concentrate on breaking the gag rule, Adams called a meeting of members of the Massachusetts delegation of the House on December 7, 1837. The meeting was for the purpose of consulting on how he should handle

20 Ibid., p. 1374.
21 Ibid., p. 1378.
some forty petitions he had against the annexation of Texas. The delegation agreed with his proposed strategy of introducing one petition and moving its referral, along with the others on the same subject, to a select committee. Of course, Adams did not expect the House to agree to the motion. 22

On December 12, Adams got his chance to present his Texas petitions. He presented all the petitions and memorials which had been presented at other sessions and had not been acted upon. These were referred to the proper committee. Then he proceeded to present a petition from Nancy Ripley and two hundred and thirty-eight women from Plymouth against the annexation of Texas, along with several other memorials of the same nature. He asked that they be referred to the Committee for the District of Columbia. Benjamin Howard of Maryland, chairman of the Foreign Affairs Committee, suggested that the petitions be referred to his committee. 23

The following day Adams talked for one hour in support of his motion to refer the Texas petitions to a select committee, contending that to refer them to the Committee

22 Adams Memoirs, IX, 443-444.
on Foreign Affairs would be doom for the petitions, since six out of nine of the members were slaveholders. Howard made no reply. However, according to Adams, Robert Barnwell Rhett, of South Carolina, along with other slaveholding Representatives were ready for battle. Ultimately, both Howard and Adams' motions were laid on the table, since as Wise stated, the Government had decided against annexation because of strained relations with Mexico.²⁴ That evening Adams reflected on his day and on the proper course to take. He found himself caught between a desire for moderation and the "unruliness" of his temper and most of all, "... upon the firm and daring spirit which a sacred sense of duty enjoins upon me as equally indispensable to the cause almost exclusively committed to my trust."²⁵

Six days later Adams presented thirty abolition and anti-Texas petitions, all of which were laid on the table.²⁶ Hoping to point to Mexico's desire for peace, he then presented a memorial from the Peace Society of Utica, New York, praying that all matters between the United States and


Mexico be settled peaceably through Mexico's suggestion of arbitration. He moved its reference to a select committee and that it be reported upon. Howard again asked that this memorial be referred to his committee, since it was considering a similar petition which had just been referred to it the previous Friday. Now Howard asked Adams if he had ever known of the Committee on Foreign Affairs not considering a petition. Adams answered in the negative; however, he did know of another standing committee which had admitted in writing to not considering petitions. The Speaker then ordered that the subject be dropped for the day. With this, Adams proceeded to present other petitions on Texas and slavery, all of which were laid on the table by motions from George C. Dromgoole of Virginia.\(^27\)

On December 26, 1837, the question of Adams' amendment to Howard's motion to refer the New York Peace Society's petition to the Committee on Foreign Affairs was reopened. Adams' amendment asked for the committee to be instructed to read, consider, and report on the petition. Eventually Adams agreed to instruct the committee to merely report on the petition, but the House refused to support this

\(^{27}\) Congressional Globe, 25th Congress, 2nd Session, p. 31.
provision. Finally, Adams talked so long on the subject, the House was almost deserted. Consequently, a quorum did not exist when a vote was taken. That evening he wrote in his Diary, "Wind and tide are against me on this subject, and, between the thirst of the slaveholders for Texas and the apathy of the opposition Presidential canvassers, I shall have a heavy task to preserve peace." Two days later, the memorial was referred to the Committee on Foreign Affairs by a vote of 117-51. The debate over the controversial memorial was published in the National Intelligencer. Thus the prime result of Adams' actions meant the public was now aware that American problems with Mexico could be solved through arbitration.

On December 29, 1837, in a letter to Benjamin Lundy, Adams expressed anxiety about the possibility of war with Mexico, which he thought Van Buren's recent Presidential message had insinuated. His anxiety was brought on by the fact that this part of the message had been referred to a committee of which seven of the nine members would be willing

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28 Ibid., pp. 54-55.
29 Adams Memoirs, IX, 457.
31 National Intelligencer, December 27, 30, 1837, January 1, 1838.
to make a report sanctioning war with Mexico. He reviewed for him the circumstances surrounding the reference to the Committee on Foreign Affairs of the New York Peace Society's petition against war with Mexico. Adams told Lundy that he had decided at last to definitely speak out against war with Mexico at the first opportunity. He believed such a war would mean the dissolution of the Union, a "... civil, foreign, and servile war of excess for mutual extermination." Adams continued with his onslaught of petitions. In January, 1838, he presented two petitions which once more asked for the United States to use arbitration to solve the Mexican dispute and for a congress of nations to settle international disputes. Both petitions were referred to the Committee on Foreign Affairs, something which Adams considered fortunate in that it would make it possible for him to press that committee for a report. Fortunately, the threat of war was gone. Adams' petitions in favor of arbitration forced Van Buren to accept Mexico's peaceful solution to American claims.

32 Adams to Benjamin Lundy, December 29, 1837, Adams Papers.

33 Ibid.

34 Adams Memoirs, IX, 464.

35 Bemis, John Quincy Adams & the Union, p. 364.
Despite the fact that the possibility of war with Mexico had passed, Adams did not let up in his protest against Texas entering the union. He was much provoked by a statement from Waddy Thompson that he would not vote to take in new northern territory as long as Northern fanatics continued to send in petitions against the annexation of "Glorious Texas." Adams' reply was that any glory connected with Texas was surely peculiar, since it consisted of having made a land of freemen into a land of slaves. When he gave notice that he desired to continue to discuss this peculiar glory, the Speaker, prompted by cries of order from throughout the chamber, ordered him to take his seat. 36

During the summer of 1838, George Dromgoole, of Virginia, presented the report from the Committee on Foreign Affairs on the numerous petitions, memorials, and resolutions concerning the Texas issue. The report stated that since there was no proposition pending in the House for admission of Texas either as a state or a territory, it was not necessary for the committee to make suggestions in relation to various petitions and memorials on Texas. Thus the report proposed a resolution which would lay on the table all Texas petitions

and memorials submitted to the committee. Caleb Cusning, of Massachusetts, took issue with the report. An opinion on Texas was necessary simply because of the thousands of signatures on the petitions, signatures coming from such states as Ohio, Michigan, and Massachusetts which prayed against Texas annexation. Of course, among these were petitions from Tennessee, Alabama, and Mississippi which asked for admission of Texas. Thereafter, Adams rose and proceeded to ask a pointed question of Dromgoole: Had these petitions been read by the committee? Dromgoole refused to allow Adams the right to put the question; he had made his report and would not submit to questioning. Francis Pickens also wanted a definite proposal, especially since during the last session of Congress he had been told there were some who preferred dissolution of the Union to annexation.  

The issue rested until two days later when Howard, chairman of the committee, reopened the discussion by supporting the report on Texas petitions and memorials. Cushing rose. He wanted to make one thing clear. He had not intended his motion to be taken as a censure of the

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committee. All he wanted was an opinion. Adams proceeded to ask Howard the same question he had asked Dromgoole two days earlier. He wanted to know if the committee had examined and considered the resolutions, memorials, and petitions on Texas. Howard also refused to answer. 38

That same day Adams continued his attack by offering an amendment to Waddy Thompson's amendment. Thompson's amendment had asked that the Committee on Foreign Affairs report a joint resolution directing the President to begin the proper procedure for annexing Texas by treaty. 39 Adams, conversely, wanted the Committee on Foreign Affairs to report the following resolutions which were his amendment to Thompson's amendment: the power of annexation of a foreign people belonged to the people and not to Congress or any other department of the government; any attempt to annex Texas by an act of Congress or by treaty was a usurpation of power, which the American people had a right to repudiate and resist. 40 Thus Adams had set the scene for an actual House debate on the issue of Texas annexation.

38 Ibid., p. 453.

39 Ibid., p. 454.

The question of these amendments was taken up the following day. Adams resumed the debate. He saw Dromgoole's refusal to specify whether he had read the resolutions and petitions or not as an indication that he had not. Consequently, Adams was going to ask each committee member that same question. He thought, however, some committee members, in answering the question, might find it hard to decide between party obligations and their duty. Both Dromgoole and Howard urged him to proceed with his questioning.

Hugh Legare, of South Carolina, was the first to answer. He had not read any of the petitions. It was now obvious to Adams; the committee had failed to do its duty. He would not continue with his questioning, but Dromgoole wished to do so if he could. Howard insisted that Adams do the questioning. Adams refused. He did not want to be personal. All he wanted was to reach the committee as a whole. It was evident that the committee had made up its mind without examining the material. Such was merely part of the general contempt for petitions. Needless to say, however, this situation was different. A committee had actually received the petitions and yet never considered them. For a long time the House had simply laid all Texas petitions on the
table. At last a Texas petition had been sent to a committee which indicated that the subject required consideration.41

Throughout June and July Adams continued to speak in opposition to the committee's report.42 On July 7, Samuel Ingham, of Connecticut, asked Adams to allow the committee report to be presented. He refused and continued his remarks until the orders of the day were called for.43 Two days later Adams still had the floor when Congress adjourned, not to reconvene until December.44 Subsequently, during the recess the Administration ceased to press for annexation, and on October 12, the Texas plenipotentiaries in Washington officially withdrew their proposal.45

When Congress reconvened in December, Adams sought to permanently solve the problem of Texas petitions by presenting the following resolution:

Resolved, That all petitions, memorials, and remonstrances against the annexation of the Republic of Texas to the United States, presented at the first and second sessions

43 Ibid., p. 501.
44 Ibid., p. 505.
45 Bemis, John Quincy Adams and the Union, p. 370.
of the present congress, together with the resolutions of the Legislatures of the States of Alabama, Tennessee, Vermont, Rhode Island, Ohio, Michigan, and Massachusetts, now on file in the clerk's office, relating to that subject, be taken from the said files, and referred to a select committee of _______ members, to consider and report thereon. 46

After Howard had moved that the resolution be laid on the table, Charles Mercer, of Virginia, asked of him if Texas had removed its application for admission. Howard's answer was yes. However, all he knew was what was in the newspapers. The vote of the House was 136-61 in favor of laying the resolution on the table. 47

Adams still did not give up in his attack on the negligence of the Committee on Foreign Affairs. On December 20, he presented a petition against Texas annexation, asking that it be referred to Howard's committee. Howard moved that it be laid on the table, and it was. Then Adams presented a memorial in favor of opening and establishing relations with Hayti, asking for its referral to the Committee on Foreign Affairs. He had selected this particular committee since previous petitions referred to it had provoked no action. The memorial was referred to the committee. Adams then proceeded to present some fifty petitions for abolition,

against the slave trade, against admitting any new slave-
holding states, against Texas annexation, and for establish-
ing international relations with Hayti. All of them were
laid on the table except the three petitions praying for
recognition of Hayti which were referred to the Committee
on Foreign Affairs. 48

Two days later Adams continued to list his reasons for
asking for the referral to the Foreign Affairs Committee of
the memorial in favor of establishing international relations
with Hayti. His major reason was based on Howard's avowed
intent to ignore these petitions if referred to his committee.
Adams was interrupted several times by calls to order, when
Jesse Bynum, of North Carolina, announced that if Adams
were allowed to continue then he hoped some slaveholding
representatives would be allowed to answer. Adams' reply
was quite emphatic, "I hope so, sir." He paused, "Only
open your mouths, gentlemen, that is all I ask, and you may
answer as much as you please." 49 A House vote was taken,
and Adams was allowed to continue.

Adams chastised any committee who deemed it their
privilege to decide not to consider, report, and look into

48 Adams Memoirs, X, 72; Congressional Globe, 25th Congress,
3rd Session, pp. 55-56.

resolutions of state legislatures, memorials and petitions, and then refuse to give reasons why they had not performed their duty. This was just one of the many devices for abridging and suppressing the right of petition. Furthermore, it was upon this reason he had based his instructions to the Foreign Affairs Committee. He wanted the committee to report or at least give their reasons for not reporting. Despite all of his protests, his instructions were laid on the table.  

In May, 1839, Adams warned the readers of the National Intelligencer that the policy of the South was wrapped around slavery and the Republic of Texas. He saw fraud and duplicity in Anthony Butler's mission to Texas. In the past session of Congress a group of ambitious people in South Carolina had made quite obvious their desire to annex Texas and to divide the Union, and Calhoun was their leader.  

Despite all implications Adams did not think the issue of Texas and war with Mexico had passed, and he saw the cost of war to the free institutions of the United States as being inestimable. Yet he warned Joshua Leavitt and Henry B. 

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50 Ibid., p. 62.

51 National Intelligencer, May 28, 1839.
Stanton such a struggle might be necessary to maintain these institutions. He wrote,

It is for this crisis that the people of this Nation must be prepared, and in candour I must say that petitions for the immediate uncompensated abolition of Slavery in the District of Columbia will be among the most effective instruments for hastening it on. 52

Needless to say, Adams' rebuke to petitioners did not please these two abolitionists. Despite Adams' fears, however, the Texas issue did not result in war.

It was not until two years later that the Texas issue resurfaced. In December, 1841, articles in the Morning Courier and New York Enquirer reviewed the Texas question. These articles provoked a discussion between Adams, Leavitt, and Seth Gates, a Representative from New York about the likelihood of annexation. Both Leavitt and Gates were alarmed by this effort to revive the issue. They asked Adams what he thought could be done. Adams knew of nothing to counteract what he still believed to be a long standing conspiracy between Andrew Jackson, Samuel Houston, and Santa Anna, a conspiracy to be completed by bringing Texas into the North American Confederation. Unfortunately, the movements behind the conspiracy were not explicit enough to counteract. 53

52 Adams to Leavitt and Stanton, July 11, 1839, Adams Papers.
Adams saw the prospect of war with Mexico over Texas everywhere. On December 24, 1841, he noted in his Diary that a Dr. Baldwin had retracted his protest against the proceedings of the Joint Commission. (The Baldwins had been frequent visitors of Adams and had previously had a claim against Mexico and a memorial concerning it.) Adams believed the character of the proceedings of the Joint Commission were such as to imply that the Van Buren Administration did not want indemnification for Americans against Mexico. Instead the aim was to keep a possible reason for precipitating a war for the purpose of taking Texas. He considered the convention a mockery and its commission an imposture. 54

In April, 1842, the question of an appropriation bill for civil and diplomatic expenses for that year was considered in the House. Two abolitionist Representatives, Archibald Lynn, of New York, and William Slade, spoke in favor of cutting the appropriations for the mission to Mexico, mainly because they both felt that the major purpose of the leader of the mission, Waddy Thompson, was to bring about the annexation of Texas. Of course, Texas was not to be left without any defense. Wise and, subsequently, Ingersoll rose

54 Ibid., p. 43.
to support Texas annexation and the full mission. Both men insinuated that war with Mexico and even with England might be necessary to bring Texas into the Union. It was only after these remarks that Adams spoke. He pointed out to his colleagues that despite the fact that the idea of war and peace with Great Britain and Mexico had come from two different parts of the House, both ideas were united in the purpose of perpetuating slavery and the slave trade. This had been the object of Wise when he had advised war with Great Britain. Unfortunately, the question of war had arisen at a time when negotiations were pending between the United States and Great Britain.

Adams, while he personally had no esteem for Santa Anna, did not see how friendly relations with Mexico could continue as long as Santa Anna's name was abused in the House. He was certain of negotiations between the late President and Santa Anna. The latter had so indicated, and Houston had referred to negotiations in a letter to Santa Anna. Adams stated that he would offer a resolution calling for this correspondence, but he knew the result would only be a motion from Alabama or Mississippi to lay the resolution on the table. Adams believed Wise was aware war with Mexico would also mean war with Great Britain, and yet he justified
war with Mexico in order to collect the ten to twelve million dollars in debts established by the Mexican-American mixed claims commission. If Ingersoll was right, this would be futile since war eliminates debts. Adams sardonically added, "Going to war with Mexico, even though it should present to us the tempting advantage of robbing churches and priests, would not be my mode for recovering our debts." Consequently, he, unlike Slade and Lynn was in favor of retaining the full mission to Mexico, in order to avoid war.

Adams continued. He discussed Wise's other reason for fighting Mexico which was to free ten prisoners who had been part of a war party established by Houston to forge into Sante Fe territory. Adams certainly did not consider this an adequate cause for war. The third reason which Wise gave for war was Santa Anna's statement that he would "drive slavery beyond the Sabine." Apparently, Wise could not tolerate the idea of slavery being abolished in Texas;

He would have war with Mexico sooner than slavery should be driven back to the United States, whence it came! If that is to be the avowed opinion of this committee, in God's name let my constituents know it;

56 Ibid.
After castigating the southern position, Adams defended his own position toward Texas while Secretary of State and President. In 1825 and 1828 when he had negotiated for the Rio del Norte as a boundary, Texas was a wilderness with no American population and only about five thousand Spaniards. In 1825 there was no slavery in Texas. Now in 1842, the United States had more than enough land. Indeed, even if there was need for more land, and Texas was settled with freemen, he would not want Texas to become part of the Union as he had in 1825 or 1827. Slavery then had been abolished and if it had come into the Union there would have been no power to restore it. Therefore he could see no inconsistency in his stand toward Texas. He added, "I would not take the territory if it were ten thousand times more valuable than it is, sullied as it is with the crime of slavery restored." Only if Texas should once more abolish slavery could he consent to annexation. Again he predicted a war to annex Texas would eventually mean a war

57 Ibid.
58 Ibid., p. 429.
to annex Mexico and ultimately all of the land to Cape Horn. Once more he warned Southerners. If the United States went to war with Mexico and Great Britain to annex Texas, shortly thereafter an invading army from abroad would combine with an insurrection of slaves to precipitate a civil war and possibly even a rebellion of those Indians who had been pushed westward.\(^{59}\)

Adams did not relent in his efforts to prevent a war over unpaid claims and the unfortunate Sante Fe incident. On July 12, 1842, he presented a resolution asking for all correspondence between the United States and Mexico since the appointment of the then current Envoy Extraordinary and Minister Plenipotentiary, along with the instructions given to these ministers since their departure. The resolution specifically asked for information about a complaint of the Mexican government regarding the interference of United States citizens in the war between Mexico and Texas. In another resolution he requested copies of any proclamation by the President containing a threat of invasion of Mexico, along with the President's invitation to United States citizens to join in the intended invasion. Both resolutions

\(^{59}\textit{Ibid.},\ p.\ 429.\)
passed. 60 Almost miraculously, war was again averted, and once more, it appeared to be to Adams' credit. The American prisoners taken in the Sante Fe raid were released, and Mexico, according to the new treaty arrangements, began payment of its debts. 61

Adams believed the United States during the second session of the Twenty-seventh Congress had barely been saved from the possibility of war with Mexico for Texas and a war with Great Britain for the protection of slavery and the slave trade. In spite of this extremely narrow escape, he still saw hope for the future with the reduction of the size of the army, a check on the project of increasing the navy and the lightening of the tone toward Mexico and Texas. 62

Even though a war over Texas was no longer impending, Adams wrote an extensive letter to his constituents in September explaining his own understanding of the Texas controversy. He recalled his famous seige in the House during the summer of 1838, during which he had systematically laid before Congress the tactics of the Jackson Administration's secret plot to take Texas. Now in 1842, Adams believed

60 Ibid., pp. 745, 751.
61 Bemis, John Quincy Adams and the Union, p. 455.
62 Adams to Thomas Loring, August 8, 1842, Adams Papers.
there was another plan materializing to acquire Texas. He proceeded to explain to his constituents the origin of this plan as he perceived it. First of all, the Texas colonists, along with Houston, went to Texas for the purpose of annexation. The revolt in 1834 was precipitated by the abolition of slavery. On March 2, 1836, independence was declared, and on March 17 a Texas Constitution similar to that of the Southern states was written, allowing slavery and prohibiting free Negroes. The only difference from the Southern state constitutions was the avoidance of the hypocrisy of equal rights. After San Jacinto, Southern politicians and their northern allies had been doing everything in their power to annex Texas. Countless memorials, petitions, and resolutions had bombarded the House, asking for recognition of Texas independence, and many of them came from free states: "Land-jobbing--Stock-jobbing--Rights of Man-jobbing, were all hand-in-hand sweeping over the land like a hurricane."\(^6^3\)

On December 8, 1835, even though Jackson asked United States citizens in December, 1835, to be neutral in the Texas war, the Battle of San Jacinto was fought almost

\(^6^3\) Adams to the Constituents of the Twelfth Congressional District of Massachusetts, September 17, 1842.
exclusively by Americans. While the Attorney General was authorized to prosecute all those who broke the neutrality, American citizens flocked to Texas. Then when the Battle of San Jacinto revealed the truth about American involvement, the Foreign Affairs Committee produced a resolution to recognize Texas independence. On July 4, 1836, the committee proposed two resolutions: that Texas independence be recognized as soon as a stable government was assured; and secondly, that the President be allowed to adopt all measures concerning the political, military, and civil conditions of Texas.

According to Adams, Jackson did everything possible to obtain both Texas and Mexican territory to the Pacific in the period from the deliverance of the Foreign Affairs Committee report until December, 1836. Finally, on December 22, 1836, a Presidential message to Congress which included reports from special agent, Henry Morfit, recommended the inexpediency of recognizing Texas. Nevertheless between this time and the end of the session Jackson continued to work secretly, and simultaneously, with Santa Anna for the cession of Texas and with Houston on the possibility of precipitating a war with Mexico. The President believed a war would make possible the annexation of Texas without the
necessity of offering recognition of independence. In fact, Santa Anna was released only after he had promised to support measures to bring Texas into the Union. Jackson was, in actuality, asking Congress for the power to make war with Mexico without a Congressional declaration of war. Fortunately, thought Adams, Congress refused him this privilege.

When a resolution was introduced suggesting the recognition of Texas independence, the resolution failed. Finally Texas independence was recognized by giving the President the perogative of appointing a charge d'affaire when he should become convinced Texas was truly independent.

Subsequently, the Van Buren Administration, according to Adams, had begun by refusing annexation to Texas. Then resolutions from Mississippi, Tennessee, and Alabama for annexation, and from Vermont, Rhode Island, Massachusetts, Ohio, and Michigan against annexation began to come into Congress, all of which the Committee on Foreign Affairs refused to consider. As a result of this refusal a debate followed, and, according to Adams, the duplicity of the Texas-Mexican affair was uncovered.

Three years passed, and in Adams' opinion, if Harrison had lived, no more would have been said.
But no sooner was John Tyler installed in the President's house, than Nullification and Texas, and war with Mexico rose again upon the surface, with eye steadily fixed upon the polar star of Southern slave-dealing supremacy in the government of the Union.

Immediately, Houston sent an army to take Sante Fe. His army was taken by the Mexicans without firing a shot, and now Houston wanted the United States to declare war in order to rescue them. Adams sincerely believed the Sante Fe expedition originated within the United States with the President's knowledge, its sole purpose being to provoke a war. Now the Secretaries of Navy and War were asking for larger armies and navies, while the President was talking of retrenchment.

Adams called his constituents' attention to a six thousand dollar amendment to the Wyandot Treaty Bill recently introduced by a South Carolina Senator for the purpose of defraying the cost of sending home United States citizens involved in the Sante Fe affair. Even though this bill was rejected by the House, the Senator had been successful in getting accepted a joint resolution to the same effect. Throughout the readings of the resolution, Adams had objected contending it was a perfect example of embezzlement.  

64 Ibid.

65 Ibid.
The prospect of the revival of the Texas issue continued to haunt Adams and for good reasons. Texas had become a number one priority since war with England was no longer imminent with the signing of the Webster-Ashburton Treaty. This was evident by the fact that Thomas W. Gilmer, a supporter of Tyler in the House, soon published a letter in a Washington newspaper calling for the immediate annexation of Texas. In February, 1843, Leavitt again spoke to Adams of the existence of various movements to reopen the question of Texas annexation. Leavitt's suggestion was similar to one that had been made by Giddings: an address to the free states by their Representatives against annexation. Even though Adams agreed, he had no confidence in the support of Representatives from the free states.

Despite his pessimism, Adams tried unsuccessfully to stifle annexation by reintroducing to the Committee on Foreign Affairs his two resolutions of 1838. These resolutions stated that Congress did not have the power to annex a foreign country, and consequently any such action could be resisted by the American people. The committee refused to consider them. Thus Adams, personally, unsuccessfully

66 Bemis, John Quincy Adams and the Union, p. 462.
introduced his resolutions to the House. As a result, he decided to go along with Giddings and Leavitt's suggestion. On March 3, 1843, Adams and twelve anti-slavery members published a letter against the annexation of Texas. These men viewed annexation as tantamount to dissolution of the Union.

Further complicating the slavery question was the injection of the status of Oregon, with Adams again seeking to stave off slavery expansion. At a meeting of the Committee on Foreign Affairs on February 14, 1843, Adams read the minutes of the previous meeting on two bills for the occupation of the Oregon territory. While the Committee agreed to report against both bills, they unanimously rejected Adams' motion to exclude slavery from the territory forever, as had been done in the Northwest Territory. Francis Granger of New York, however, agreed to support the amendment if Adams moved it as an individual member.

While studying the documents on Texas supplied to the House, Adams noted in his Diary that the desire for Texas had originated in the West, precipitated by the greed of

69 National Intelligencer, May 4, 1843.
Henry Clay. Clay had earlier rejected the Sabine River boundary, insisting upon the Rio del Norte while both Monroe and Jackson had accepted the Sabine River. Later, with the Mexican declaration of independence, the Mexican government accepted the Sabine line as settled by the Florida Treaty. When he, Adams, became President, Joel Poinsett was appointed as Minister to Mexico. He was instructed by Clay to propose to Mexico the purchase of Texas, but the proposal was rejected. Two years later when the proposal was revived, it was rejected with resentment. When Jackson became President, his overweening purpose was to acquire Texas. He tried to buy it, as well as instigating a rebellion. Anthony Butler, a Mississippi landjobber, was the agent for purchase, and Sam Houston was the agent for rebellion. For five years Butler kept Jackson in suspense about the negotiations. When Jackson found out about his clandestine schemes he was dismissed. Unfortunately, Butler took most of the important documents of the negotiations with him.  

Upon finishing his examinations of extracts which included Butler's letter to Secretary of State Forsyth on June 17, 1835, and W.A. Slocum's letter of August 1, 1835, neither of which were ever sent to Congress, he concluded

71_Ibid., pp. 348-349._
this was where the plan for taking not only Texas, but all of New Mexico to the thirty-seventh parallel, had originated. Adams was convinced recent events all pointed to the same plan.  

He wrote,

The root of the danger is in the convulsive impotence of Mexico to maintain her own integrity, geographical, political, or moral, and the inflexible perseverance of rapacity of our South and West, under the spur of slavery, to plunder and dismember her.

Among the extracts, Adams also found a dispatch of secret information dated January 14, 1843, to Robert B. Campbell, American consul at Havana. The dispatch acknowledged the receipt of information which charged the English abolitionists and English government with planning to occupy and ruin Cuba. The instructions were to the effect that the United States must not let the English take Cuba.

The Texas situation was decidedly a dilemma:

In the midst of all her vices, difficulties, and troubles, Texas is swelling with incredible rapidity into a formidable slave state, which Mexico can never recover, and from the contamination of whose slavery nothing can save this Union short of a special interposition of Providence.

His investigation into the Texas documents now had only one object, and that was to contribute his last efforts to

72 Ibid., p. 350.
73 Ibid., p. 351.
74 Ibid., p. 361.
the "... cause of human freedom in its present and impending conflict with slavery."\textsuperscript{75} He spent hours on an address on Texas to his constituents, an address which he believed would only barely skim the surface of the subject.\textsuperscript{76} The contents of this address, which he was never content with, was later included in his famous Bangor letter, which was a reiteration of his past accusations against slavery and the Texas conspiracy.\textsuperscript{77}

On May 8, Adams visited Joshua Leavitt at the office of the \textit{Emancipator}. Leavitt was preparing to go to England as a delegate from the American Anti-slavery Society to the World Convention. Adams advised him to observe the movements of the British government in relation to Texas and Mexico. He did not trust the English. Rather, he believed their real policy was not abolition of slavery in either Texas or the Southern states but "... for a suitable equivalent they will readily acquiesce both in the annexation of Texas to this Union and to the perpetuation of slavery here, to weaken and to rule us."\textsuperscript{78} Several days later, during a subsequent meeting, he again advised Leavitt to watch the

\textsuperscript{75} Ibid., p. 363.
\textsuperscript{76} Ibid., p. 363.
\textsuperscript{77} Bangor Letter, July 4, 1843, Adams Papers.
\textsuperscript{78} Adams \textit{Memoirs}, XI, 374.
English in order to find out their real plans. Adams had ". . . strong doubts of a compromise between their commercial and their moral policy, much too obsequious to the cause of slavery for real fidelity to the cause of justice and of man." 79

Several weeks later, Lewis Tappan, who was also going to England, and S.P. Andrews visited with Adams at his home in Quincy, Massachusetts. Tappan brought with him a copy of the New Orleans Bee for May 15-16, which spoke with alarm of a movement within Texas to abolish slavery. Andrews, who was originally from Massachusetts was presently living in Texas. He thought Houston also appeared to be in favor of abolition. Adams was doubtful of the success of such a movement, believing abolition could succeed only through the interference of Great Britain. Yet, as he had previously advised Leavitt, he did not trust the sincerity of the present British government toward the anti-slavery movement. 80

On returning from England, Tappan visited with Adams in Quincy, Massachusetts, Tappan reported that while talking to Lord Aberdeen he had mentioned Adams' distrust of British intentions in relation to the slavery issue. According to

79 Ibid., pp. 374-375.
80 Ibid., pp. 379-380.
Tappan, Aberdeen was shocked. He claimed the British Government had no intention of using the Tenth Article of the Ashburton Treaty to reclaim slaves. Adams, however, looked on this article as an example of "diplomatic swindling." He saw no hope of its purpose being defeated except through the remonstrances of the English abolitionists who might be able to defeat it before Parliament made it English law.

He wrote:

The apologies for it by Lord Ashburton and by the British Ministers are lame and prevaricating, and, from the statements of Mr. Tappan, all my suspicions of the duplicity of the British Ministers on the subject of Texas and slavery are but too strongly confirmed. The policy of the British Government is to cherish, sustain, and protect the institutions of slavery in our Southern States and Texas, and their task is to do it by humbugging the abolitionists in England into the belief that they intend directly the reverse.  

The year, 1843, ended on a good note for those who supported the annexation of Texas. The twenty-eighth Congress opened in December with a message from President Tyler which spoke harshly of Mexican-American relations, as well as pointing out the mutual interests of Texas and the United States. Subsequently, a treaty of annexation was negotiated by the Secretary of State John C. Calhoun.  

82 Bemis, John Quincy Adams and the Union, p. 469.
Even though Texas annexation was fast becoming a reality, that could not be stopped, Adams made no pretense about his attitude toward Texas. When a citizen from Pittsburg asked for his opinion on Texas in that Spring of 1844, he told the man he saw little hope. National aggrandizement pushed by corruption and greed could not be resisted and would be fulfilled even without war, and perhaps through the aid of England.  

Aid from England was not needed. Three days after Adams presented resolves from the Massachusetts Legislature against annexation of Texas, the actual treaty for annexation was sent to the Senate, and as Adams wrote, "... with it went the freedom of the human race." He believed the Texas treaty, President Tyler's message in December, and the conflicting opinions of leaders, indicated an impending crisis between freedom and slavery throughout the world. The pressure of the conflict was so great, he felt he would have to retire from the scene, perhaps as soon as during the present session of Congress. Moreover, he blamed the coming presidential election for the problems over Texas.

83 Adams Memoirs, XII, 6.
84 Ibid., pp. 13-14.
85 Ibid., p. 22.
It was not long after Waddy Thompson, whom Adams referred to as "the snake," returned from his Texas mission that the vote on the Texas bill was taken in the Senate. The Senate voted 16-35 against annexation. Adams looked on "... this vote as a deliverance by the special interposition of Almighty God, of my country and of human liberty from a conspiracy comparable to that of Lucius Sergius Catiilina." He continued, "The annexation of Texas to this Union is the first step to the conquest of all Mexico, of West India islands, of a maritime, colonizing slave-tainted monarchy, and of extinguished freedom." Adams could not erase from his mind the horror of Texas and what it would do to the country. He envisioned the United States becoming a military state with a large army and navy, committed to distant colonies. No longer would there be a President serving a four year term but instead a Captain General for life.

Convinced that war with Mexico and Great Britain would be the result of any attempt to annexation of Texas, Adams introduced two resolutions in the House in June, 1844

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86 Ibid., p. 41.
87 Ibid., p. 49.
88 Ibid., p. 57.
designed to keep the United States out of such a war; however, since the House refused to suspend the rules they were not voted upon. The first resolution stipulated that the power to declare war rested solely with Congress. The second resolution provided that the House of Representatives had the right to vindicate any usurpation by the President of the power to declare war. Adams was still convinced that for the past fifteen years the United States had been seeking to perpetuate slavery by the dismemberment of Mexico, the reinstatement of slavery in Mexico, the conquering or purchase of California, and the reannexing of Texas. He believed the Tyler Administration not only wanted war with Mexico but also with Great Britain, all for the purpose of protecting the institution of slavery.

In July, 1844, the British Minister Richard Pakenham called on Adams. Adams talked of his previous visit with Lewis Tappan and Andrews. The old man told the Englishman he believed abolition in Texas had been within the power of Great Britain. Unfortunately, he added, "They disclaim and concede too much. They parry, carte, and tierce, to avoid

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89 Congressional Globe, 28th Congress, 1st Session, 0. 664.
90 Adams to Miss Anna Quincy Thaxter, July 29, 1844, Adams Papers.
the issue tendered them, and which they must meet.\textsuperscript{91} He saw this as a change from British diplomacy which in part had been "... bold, open, explicit, stubborn."\textsuperscript{92}

A month later, Adams wrote to William Seward and Christopher Morgan, "Meantime--the Hell born spirit of Slavery in the shape of Texas is upon us, as the Philistines were upon Samson."\textsuperscript{93} Moreover, several days before the 1844 election, he predicted Polk's election would mean the annexation of Texas.\textsuperscript{94}

Adams made his last effort to thwart Texas annexation in a campaign address to his constituents dated in his papers from October 30 to November 6, 1844. He reiterated his theory on how Jackson, Van Buren, and Charles Ingersoll had fabricated a story which had indicted Adams for surrendering Texas to Mexico when Spain had been willing to give it to the United States. Such were the tactics of these slave mongers; he warned his constituents that nine slaveholding states would be carved out of Texas, nine more states with double slave representation.

\textsuperscript{91} Adams Memoirs, XII, 66.
\textsuperscript{92} Ibid.
\textsuperscript{93} Adams to William Seward and Christopher Morgan, August 8, 1844, Adams Papers.
\textsuperscript{94} Adams to Daniel Miller, October 29, 1844, Adams Papers.
In this same address Adams sought to refute a recent report by Ingersoll, a report which the Foreign Affairs Committee had refused to consider. This report had charged that George W. Erving, the United States minister in Spain, had negotiated a secret agreement with Pizarro in 1818 which had supposedly given the two Floridas and Texas to the United States for nothing. This agreement, according to Ingersoll, was ignored because of the jealousy of the South and the West. Consequently, negotiations were taken out of the hands of Erving, and another treaty was signed. Of course, Adams stated, Ingersoll had fabricated this make-believe treaty, and he believed it was merely revenge for Adams' failure, while President, to appoint him minister to France.\footnote{Adams to Constituents of the Twelfth Congressional District of Massachusetts, October 30-November 6, 1844, Adams Papers.}

Shortly after the beginning of 1845 Dr. Robert Mayo visited Adams to consult about the possibility of referring Texas annexation to the Supreme Court. Adams, however, believed such a move would be futile. Since a majority of the judges were slaveholders, they would most likely affirm congressional power to admit new states into the union and to acquire new territory from which new states could be
formed. The judges would also likely assert that the power of declaring war carried the power to acquire territory by conquest.  

Adams found himself thinking of little else besides the Texas question. He could not definitely make up his mind if he should again speak to the question in the House, but if necessary he would. Indeed by January, 1845, he found himself loved by neither Southerners nor by abolitionists. He wrote,

The personal hatred of the Southern slave-holders against me is evidently much envenomed by the extinction of the petition gag-rule, and my position as the head of the anti-slavery movement in this country, disavowed by the whole body of abolitionists and bound hand and foot and chained to a rock as I am, by the slave-monger brood linked together with the mongrel Democracy of the North and West.

When he did get a chance to again voice his objections in the House to the joint resolution for annexation, he told his associates that if slavery were abolished in Texas and Mexico gave its approval he would vote for annexation. Adams was now positive Texas would be annexed. By February, 1845, the major objection to the dismemberment of

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96 Adams Memoirs, XII, 155.
97 Ibid., p. 150.
98 Ibid., pp. 135-136.
99 Congressional Globe, 28th Congress, 2nd Session, pp. 190.
Mexico had been lost with the existence of anarchy and civil war in Mexico. Mexico was in shambles, and even if Texas were restored, Mexico could not hold it.  

Finally on February 27, the Senate voted 27-25 to accept the joint resolution of the House to admit Texas. Adams saw this vote as being, "... a signal triumph of the slave-representation in the Constitution of the United States." The next day the joint resolution was returned to the House from the Senate with an amendment which the House readily accepted. That evening Adams wrote: "... the heaviest calamity that ever befell myself and my country was this day consummated." Several days later, on March 1, President Tyler signed the joint resolution.

It was now just a matter of time before the Texas annexation would become a reality. In April Adams wrote to Charles Francis' wife. He told her that he still believed

100 Adams Memoirs, XII, 171.
102 Adams Memoirs, XII, 173.
103 Congressional Globe, 28th Congress, 2nd Session, p. 372.
104 Adams Memoirs, XII, 173.
105 Schmitz, p. 226.
Texas was just the first step to the United States acquiring Mexico, Canada, and all of North America, until the United States became one confederation with a President and "an oligarchy of Slave traders, an unsatiable capacity for public office, and the democratic principle of rotation are elements so impossible to combine into any permanent system, that I believe ours cannot be of long duration."\(^{106}\)

On July 7, 1845, Adams received the news that Texas had received the joint resolution for annexation. For ten long years he had opposed annexation because of Texas' contamination with slavery and because of the robbery of Mexico.\(^ {107}\) He wrote, "Fraud and rapine are at its foundation. They have sown the wind. If they reap the whirlwind, the Being who left to the will of man the improvement of his own condition will work it out according to His pleasure."\(^ {108}\)

Adams still did not give up despite the fact that the people of Texas had ratified a new constitution along with the joint resolution on October 13.\(^ {109}\) Even as late as December 9, 1845, he presented numerous petitions against

\(^{106}\) Adams to Mrs. A.B. Adams, April 2, 1845, Adams Papers.

\(^{107}\) Adams Memoirs, XII, 202.


\(^{109}\) Schmitz, p. 235.
the admittance of Texas as a state, all of which were referred to a select committee.\textsuperscript{110} Of course, all of this was to no avail. On December 29, 1845, President James Polk added his approval to that of Congress' and Texas officially entered the union on December 29, 1845.\textsuperscript{111}

\textsuperscript{110}Adams Memoirs, XII, 219-220.

\textsuperscript{111}Schmitz, p. 235.
CHAPTER VI

CONCLUSION

John Quincy Adams was more a statesman than a politician, and perhaps this best explains why he has not always received proper acclaim from his contemporaries and from historians. Dedicated to a life of public service almost from boyhood, Adams unrelentingly sought to personally acquire what was best for his country. Ironically, his success in doing so was the result of perhaps his most unendearing quality--a highly critical nature, which knew no partisan or personal boundaries. Anything and anyone, most of all himself, was included within his daily critiques.

Of course, Adams was not without his foibles and contradictions. Unlike other men, however, he was quite aware of these shortcomings, for he put himself through the most rigid form of analysis every day--a diary. Consequently, through his Diary one can easily find explanations for what seemed to be contradictions. Furthermore, these contradictions could have been easily understood if abolitionists and anti-abolitionists had been willing to listen to him.

Above all, Adams was a man dedicated to the law in the form of the Constitution and to justice according to God's
laws. Indeed, his position on slavery and the slave trade were firmly rooted in these two principles.

Since Massachusetts was a free state with no slaves, the institution of slavery was not among Adams' foremost concerns. As a young man he did show typical signs of racial prejudice in various poems and poetry that he wrote. He definitely did not consider Negroes as social equals. Not until he entered the Senate in 1803 was he faced with the issue of slavery and then only in relation to slave trade in the Louisiana Territory. Here, as was always to be the case, his position was one in accordance with the law as provided for by the Constitution; slave trade could not be prohibited before 1808 because of stipulations in the Constitution. Although slavery was not a major issue in the early 1800's, Adams did foresee the inequities of the three-fifths compromise. He asked for its repeal from the Constitution and professed his belief in the immorality of representation based on slavery.

Intermittantly from 1808 to 1820 Adams was involved with the slavery question, primarily in the area of litigation on an international level. He was not faced with slavery on the national level until 1820, with the Missouri Compromise. Not until that time did he realize the full import of slavery on the United States. He recognized the dangers of slavery
protected by the Constitution, yet he looked at the issue through the eyes of a constitutional lawyer; Congress could control slavery only in relation to interstate commerce and could not prohibit slavery in territories where slavery was already in existence. Aware that the Constitution made possible the existence of slavery, he was willing to abide by its dictates out of a love for the Union. Only fleetingly, did he wistfully contemplate the possibility of a new Constitution binding together only the free states. Then, with the submitting of the Missouri constitution with its restriction on the immigration of free blacks, he was no longer willing to accept the admission of any new territory or state tainted with slavery.

While Minister to Great Britain and as Secretary of State under James Monroe, Adams faced two diametrically opposed issues in relation to slavery; the recovery of slaves taken by the British during the War of 1812 and the negotiation of a treaty to end the slave trade. He approached both issues in a manner he believed to be in accordance with the law. In relation to captured slaves, he sought to either return slaves or acquire indemnities because he interpreted the Treaty of Ghent as so providing. Subsequently, when he was faced with the problem of negotiating an anti-slave trade
convention, which would have relinquished the right of search, he was willing to do so only after he was able to legally protect the right of search and visitation under the international law of piracy.

The issue of slavery during Adams' tenure as Secretary of State and President, however, was not of the magnitude that it became during his final career in the House of Representatives. Only then did he find the legal issue of the right of petition upon which to base an attack against an institution which he had long detested. Furthermore, if it had not been for this violation of the constitutional right of petition by the gag rule, he probably would have never given the appearance of being a champion of abolition. Moreover, it must be remembered when studying Adams in relation to the abolition movement that even though he believed slavery to be wrong according to God's laws, he never joined an abolition organization nor did he advocate abolition except by the will of the slaveholder or by constitutional amendment. He never supported the idea of immediate abolition in the District of Columbia or in the South without the consent of the slaveholder, believing such a policy to be impractical and destructive. Needless to say, such views did not make him popular with either
abolitionists or slaveholders. It took eight years of constant, clever, methodical badgering from Adams to end the gag on the right of petition.

Adams' second major battle in the House of Representatives was against Texas annexation and was not as successful as that against the gag rule. The annexation of Texas was inevitable, not because it would be a new ally for the slave states but because of the demands of manifest destiny. The main theme of Adams' discourse against Texas was centered around the conspiracy of Andrew Jackson. He was convinced of Jackson's determination to bring Texas into the Union at any cost and by any method, lawful or unlawful. Although Adams' efforts were to no avail, he was able to avert war with Mexico in 1837 through his presentation of a petition from the New York Peace Society which asked for arbitration between the United States and the Mexican Republic.

Because of his stand on Texas annexation, Adams has been accused of being an apostate during his congressional years as opposed to the imperialism of his terms as Secretary of State and as President. This was presumably for political reasons, in order to revive a faltering reputation. Of course, such charges can only be conjecture for Adams.'

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discourse both against slavery and annexation of Texas were not very politically astute. Certainly, his pronouncements in Congress against abolition without compensation and against petitioning for abolition in the District of Columbia did not make him popular with anti-slavery forces of the North. As for Adams' position on Texas, he had advocated purchase of Texas during his Presidency in 1825 but at that time slavery had not been established. True, Adams was a nationalist and had visions of United States expansion but into territory where slavery had not been established. He had not forgotten the Missouri compromises and the curtailment of freedom wrought by the subsequent Missouri constitution.

Most of Adams' contemporaries as well as his biographers have viewed him as a contentious, pedantic, self-righteous man. Moreover, his political career never endeared him to the hearts of the American people even though he stood for the principles with which most Americans would like to identify their country. Yet anyone who understood his philosophy on slavery must have admired his lifelong tenacity in supporting his position. It is true that he was no different from his fellow contemporaries in his distaste for the institution of slavery. However, while he abhorred
slavery, he also loved his country and respected the rights
of all of its citizens. He did not pretend to consider
Negroes his social equals, only that they had the right to
be free, as was the right of all men.

What is amazing about Adams' career, especially while
he was a Representative in Congress, is that such a principled
man could have such practical and tempered means of carrying
through his goals. He did not want, as abolitionists did,
to force emancipation on the South. He realized the results
of such a course would be the destruction of the nation.
His course was rather to concentrate on the restriction of
the introduction of slavery into American territories, to
stop the spread of slavery, and to hope that slavery would
be ended by the South voluntarily. What many reformers
found hard to accept was that he was just as committed to
the rights of slaveholders as he was to the rights of slaves.
It is amazing that he was able to consider the rights of
both the wronged and criminal, even though his distaste for
the criminal was just as great as any moral man's would be.

Consequently, what separated him from other reformers
of his day, and today as well, is that his concern was to
reform without destroying. He could understand how both
sides felt. His legal mind could allow him to negotiate for
the return of slaves to Southerners after the War of 1812 while negotiating for the end of the slave trade. His sense of justice led him to believe that even though Congress had the legal right to free the slaves in the District of Columbia, such should be rightfully left to the people of the district. Consequently, while he believed in the right of petition, he asked that the slaves in the Capitol be freed on the basis of petitions from its constituents. As a result of such pronouncements, Adams found himself not only alienated from the anti-abolitionists but the abolitionists as well, for he was willing to apply justice to all men.
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